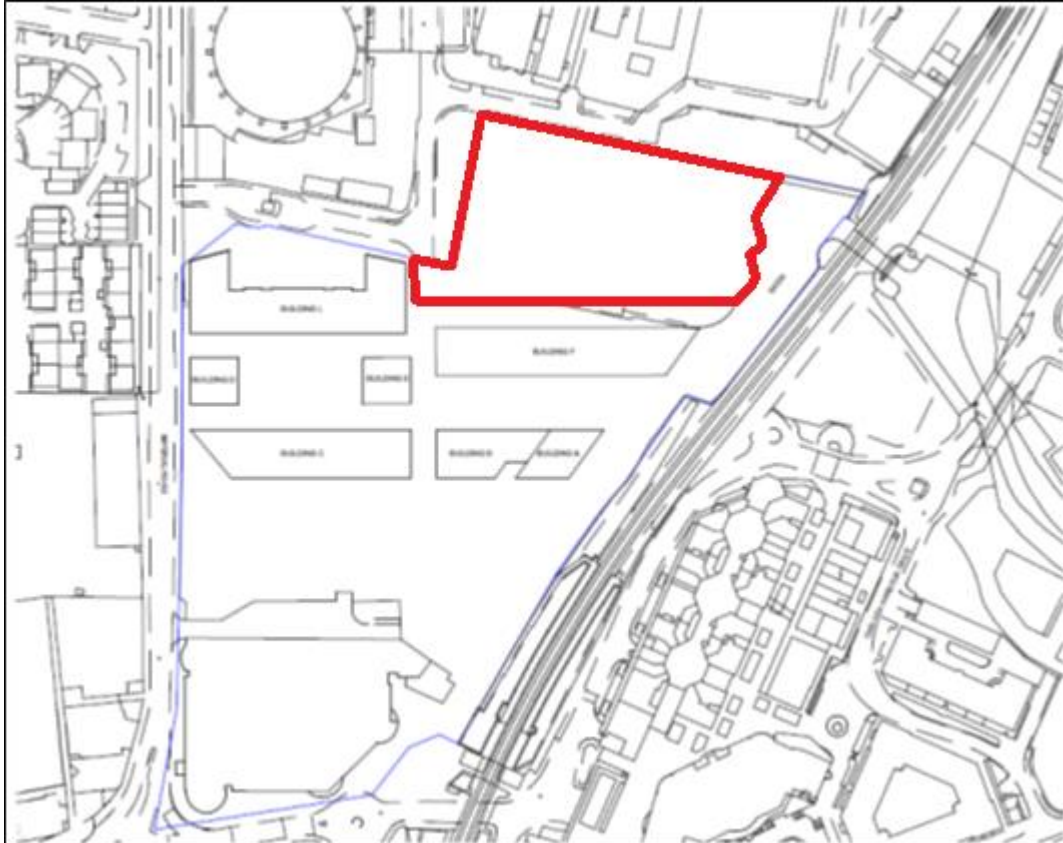


**Ward:** Sands End

**Site Address:**

Land Bounded By Fulham Gasworks And Railway Line  
(Chelsea Creek), Imperial Road, London SW6



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For identification purposes only - do not scale.

**Reg. No:**  
2018/02929/FUL

**Case Officer:**  
Jacques du Plessis

**Date Valid:**  
03.09.2018

**Conservation Area:**

**Committee Date:**  
11.12.2018

**Applicant:**

St George Developments Limited  
C/o Agent

**Description of Development:**

Planning Application for mixed use development comprising 415 residential units (including 146 affordable residential units); 547sq.m GEA of commercial / office floorspace (Use Class A1, A2, A3, A4 and A5 use and/or B1a) to be delivered within two new buildings (Chelsea Creek Blocks G and H) ranging from seven to nine storeys and a 31-storey building; works to the canal; provision of a pedestrian bridge and landscaping.

Drawing Nos: As listed in Condition 2 below

**Application Type:**

Full Detailed Planning Application

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## **Officer Recommendation:**

- 1) Subject to there being no contrary direction from the Mayor for London that the Committee resolve that the Strategic Director for Growth and Place be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;
- 2) To authorise the Director for Strategic Director, Growth and Place in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification, which may include the variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

## **CONDITIONS**

### Time Limit

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

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

### Drawings

- 2) The planning permission hereby permitted shall be constructed in accordance with the approved drawings marked.

ZZ-00-DP-A-PL001; ZZ-00-DP-A-PL002-A; ZZ-00-DP-A-PL003-A; ZZ-00-DP-A-PL004-A; ZZ-00-DP-A-PL005 ; ZZ-00-DP-A-PL008-A; ZZ-00-DP-A-PL009-A; ZZ-00-DP-A-PL010-A; ZZ-00-DP-A-PL011-A; ZZ-00-DP-A-PL012-A; ZZ-00-DP-A-PL013-A; ZZ-00-DP-A-PL014-A; ZZ-00-DP-A-PL015-A; ZZ-00-DP-A-PL016-A; ZZ-00-DP-A-PL017-A; ZZ-00-DP-A-PL018-A; ZZ-00-DP-A-PL019-A; ZZ-00-DP-A-PL020-A; ZZ-00-DP-A-PL021 ; ZZ-00-DP-A-PL022; ZZ-00-DP-A-PL301-A; ZZ-00-DP-A-PL302-A; ZZ-00-DP-A-PL303-A; ZZ-00-DP-A-PL304-A; ZZ-00-DP-A-PL305-A; ZZ-00-DP-A-PL306-A; ZZ-00-DP-A-PL307; ZZ-00-DP-A-PL701-A; ZZ-00-DP-A-PL702; ZZ-00-DP-A-PL703; ZZ-00-DP-A-PL704; BG-ZZ-DS-A-PL601; BH-ZZ-DS-A-PL602; 10059-SQP-ZZ-ZZ-DS-A-PL603; ZZ-ZZ-DS-A-PL604; ZZ-ZZ-DS-A-PL605; ZZ-ZZ-DS-A-PL606; ZZ-ZZ-DS-A-PL607; ZZ-ZZ-DS-A-PL608; BM33119-GH-00-DR-L-3-90-002-J; NM33119-GH-00\_PP-L-3-601-006-G.

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 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.21 of

the London Plan 2016 and Policies SFRRRA, DC1, DC2, DC3 and DC8 of the Local Plan 2018.

#### Ground and Enabling Works

- 3) Prior to the commencement of any ground and/or enabling works details of any ground and/or enabling works shall be submitted to and approved in writing by the Local Planning Authority (any such works approved under this condition 3 are referred to in other conditions as "Ground and Enabling Works"). The enabling works shall proceed in accordance with the approved details. The phasing of Ground and Enabling Works shall be defined separately and agreed with the Local Planning Authority for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended).

To ensure that the development accords with the provisions and assessment of the approved Environmental Statement and to ensure that the development is carried out in a satisfactory manner in accordance with Policies DC1, and CC2 of the Local Plan 2018.

#### Hoardings

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

#### Temporary land uses

- 5) Prior to implementing works for any temporary uses or structures including sales/marketing suites within the site details shall be submitted to and approved in writing by the Local Planning Authority. Any interim structures, uses and buildings shall be implemented in accordance with the approved details, for a specified time period set out in the details and shall be discontinued/removed once the temporary period has been expired.

To ensure that the site remains in a tidy condition during the construction phase and to ensure that any temporary uses/structures do not create un-neighbourly impacts and to prevent harm to the street scene and character and appearance of the adjoining conservation area, in accordance with Policy DC1, DC2 and DC8 of the Local Plan 2018.

## Construction Environmental Management Plan

- 6) Prior to commencement of the development hereby approved, a construction environmental management plan (CEMP) shall be submitted to and approved in writing by the Council. The CEMP will include an Air Quality and Dust Management Plan (AQDMP). The CEMP shall provide details of how construction works are to be undertaken and shall include:
- i. A construction method statement which identifies the stages and details how works will be undertaken;
  - ii. Details of working hours, which unless otherwise agreed with the Local Planning Authority shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays;
  - iii. Details of plant and machinery to be used during construction works;
  - iv. Details of waste management strategy;
  - v. Details of community engagement arrangements;
  - vi. Details of any acoustic hoarding;
  - vii. A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency Guidance);
  - viii. Details of external lighting; and
  - ix. Details of any other standard environmental management and control measures to be implemented.

The development shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with policies 5.18, 5.19, 5.20, 5.21, 5.22 and 7.14 of the London Plan, Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018.

## CONTAMINATED LAND

### Contamination - Preliminary Risk Assessment Report

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

with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

#### Contamination - Site Investigation Scheme

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

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

#### Contamination - Quantitative Risk Assessment Report

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider

environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

#### Contamination - Remediation Method Statement

- 10) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement 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. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

#### Contamination - Verification Report

- 11) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full 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 waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the 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 statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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



Policies CC9 and CC13 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

#### Contamination - Onward Long-Term Monitoring Methodology Report

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

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

#### Piling Method Statement

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

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policies 5.14 and 5.15 of the London Plan, Policies CC3 and CC5 of the Local Plan 2018. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

#### CONSTRUCTION

##### Construction Logistics Plan

- 14) Prior to commencement of development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Construction Logistics Plan unless otherwise agreed in writing

with the Local Planning Authority. The Construction Logistics Plan shall cover the following minimum requirements:

- site logistics and operations;
- construction vehicle routing;
- contact details for site managers and details of management lines of reporting;
- location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking;
- storage of any skips, oil and chemical storage etc.; and
- access and egress points;

To ensure that no unacceptable adverse effect on the amenity of surrounding occupiers in accordance with Policies DC1, DC2, T1, T2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

## DRAINAGE

### Revised Drainage Strategy

- 15) The development hereby permitted shall be carried out in accordance with the approved Drainage Strategy, dated August 2018 prepared by Patrick Parsons.

To ensure that sufficient drainage capacity is made available to cope with the new development; and to avoid adverse environmental impact upon the community in accordance with Policy 5.13 of the London Plan.

### Sustainable Drainage Strategy (SuDS)

- 16) Prior to commencement of development hereby permitted (excluding Demolition, Ground and Enabling Works), a revised Sustainable Drainage Strategy (SuDS), which details how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures, shall be submitted to and approved in writing by the Local Planning Authority. Information shall include details on the design, location and attenuation capabilities of the proposed sustainable drainage measures such as permeable surfaces, including green roofs. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, with the aim of achieving greenfield rates for final discharges. Where feasible, rainwater harvesting should also be integrated to collect rainwater for re-use in the site. The Strategy shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan; and Policy CC3 of the Local Plan 2018.

## Water Network

- 17) Prior to occupation of development hereby permitted, until confirmation has been submitted to and approved in writing by the Local Planning Authority that either: - all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

Condition required by Thames Water, to ensure that sufficient water capacity is made available to cope with the new development; and to avoid adverse environmental impact upon the community in accordance with Policy 5.14 of the London Plan.

## Integrated Water Management Strategy (Thames Water)

- 18) Prior to commencement of development hereby permitted an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required (phasing) and how it will be delivered, has been submitted to and approved in writing by the Local Planning Authority in consultation with the water undertaker. The development shall be occupied in line with the recommendations of the strategy.

The development may lead to no water and or significant environment impacts an Integrated water management strategy is required to ensure that sufficient capacity is made available to cater for the new development; and to avoid adverse environmental impact upon the community.

To ensure that sufficient drainage capacity is made available to cope with the new development; and to avoid adverse environmental impact upon the community in accordance with Policy 5.15 of the London Plan.

## Rainwater Harvesting

- 19) Details of rainwater harvesting and grey water recycling systems shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented in accordance with the approved details and thereafter permanently retained in this form.

To improve sustainability and reduce flood risk by reducing potable water demands and water run-off rates in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan, Policy CC3 of the Local Plan 2018.

## Revised Flood Risk Assessment

- 20) Prior to commencement of development hereby permitted (excluding Demolition, Ground and Enabling Works) a revised Flood Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented in accordance with the approved details and thereafter permanently retained in this form.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan, and Policy CC3 of the Local Plan 2018.

- 21) Details of the provision of lifesaving equipment, grab chains or similar, dock/canalside 'furniture', means of access/egress to and from the water bodies and measures to delineate the dock and canal edge and reasonably prevent persons or property from falling into the water shall be submitted to and approved in writing by the local authority. Such measures shall be installed in accordance with the approved details prior to public access to the dock/canalside edges, and thereafter retained.

To ensure that suitable measures are incorporated to contribute to the accessibility and safety of active water related uses, in accordance with policy 7.30 of the London Plan.

## Living Roof

- 22) Prior to commencement of development hereby permitted (excluding Ground and Enabling Works), details of all living roofs including a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be occupied until the scheme has been carried out in accordance with the approved details, and shall thereafter be permanently retained in this form.

To ensure the provision of green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with Policies 5.11, 5.13 and 7.19 of the London Plan and Policy OS5 of the Local Plan 2018.

## ENVIRONMENT

### Sustainability

- 23) The development hereby approved shall be carried out in accordance with the submitted Sustainability Statement, and submitted BREEAM Assessment, dated August 2018 as prepared by Energist.

Within 6 months of occupation of any use or occupation of each development phase hereby permitted, a BREEAM (2014) certificate confirming that sustainability performance (excellent ratings (>70%) for Retail units (Shell only)) had been achieved as proposed shall be submitted to and approved in writing by the Local Planning Authority. Supporting information shall also be

submitted for approval to demonstrate that the residential units meet the minimum sustainable design and construction standards of the London Plan.

In the interests of energy conservation, reduction of CO<sub>2</sub> emissions and wider sustainability, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan and Policies CC1, CC2 of the Local Plan 2018.

#### Energy Strategy

- 24) The development hereby permitted shall be carried out in accordance with the approved Energy Strategy, dated November 2018 as prepared by Energist.

In the interests of energy conservation and reduction of CO<sub>2</sub> emissions, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan, Policy CC1 of the Local Plan 2018.

#### AIR QUALITY

##### Combustion based Energy Plant compliance with Emission Standards

Prior to occupation of the development hereby permitted a report with details of the of the combustion based Energy Plant shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following:

- a) Details to demonstrate that the termination height of the shared Flue stack for the Combustion Based Energy Plant has been installed a minimum of 3 metres above any openable window and/or roof level amenity area of the tallest building or part thereof in the development
- b) Details to demonstrate that all the CHP Plant, Ultra Low NO<sub>x</sub> Gas fired boilers, Emergency diesel Generator Plant and associated abatement technologies shall meet a minimum dry NO<sub>x</sub> emissions standard of 25mg/Nm<sup>-3</sup> (at 5% O<sub>2</sub>), 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 NO<sub>x</sub> emissions testing of each CHP unit, Ultra Low NO<sub>x</sub> 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 NO<sub>x</sub> emissions testing of each CHP unit, Ultra Low NO<sub>x</sub> 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 NO<sub>x</sub> 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.

During the operation of the emergency Diesel generators there must be no persistent visible emission. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used for a maximum of 48 hours when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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

#### Low Emissions Strategy

- 25) Prior to occupation of the development hereby permitted 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 guidance. 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, Policies 7.14a-c of the London Plan and Policy CC10 of the Local Plan 2018.

#### Air Quality Dust Management Plan

- 26) Prior to the commencement of each of the construction phases of the development hereby permitted, 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 IV 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, Policies 7.14a-c of the London Plan and Policy CC10 of the Local Plan 2018.

## NOISE

Absolute internal and external noise criteria for noise sensitive premises

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

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

Separation of commercial and noise sensitive premises

- 28) The sound insulation value D<sub>nT,w</sub> of the floor/ ceiling/ walls separating the commercial part(s) of the premises from dwellings. Details shall be enhanced by at least 10dB 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.

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

External noise from machinery, extract/ ventilation ducting, mechanical gates, etc.

- 29) The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least the values in table 6.6 of the Noise Assessment by AECOM dated August 2018. 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.

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

Anti- vibration mounts and silencing of machinery etc.

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

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

Extraction and Odour Control system for non-domestic kitchens

- 31) The installation, operation, and maintenance of odour abatement equipment and extract systems, including the height of the extract duct and vertical discharge outlet at the development shall be carried out in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA.

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 Local Plan 2018.

Floodlights, Security lights and Decorative External Lighting

- 32) External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.



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

#### Extraction and Odour Control system for non-domestic kitchens

- 33) Prior to first use or occupation of any retail unit within use class A3 or A4 hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority, 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 Local Plan 2018.

#### Cleaning Schedule

- 34) Prior to the first use or occupation of the retail units hereby permitted, details of a suitable cleaning schedule and/or maintenance contract for the extract system and any odour control system have been submitted to and approved in writing by the Local Planning Authority. All cleaning and/or maintenance shall be carried out in accordance with the approved details.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by smell, steam and other effluent, in accordance with Policy CC13 of the Local Plan 2018.

#### No music / Amplified sound

- 35) No music nor amplified sound emitted from the commercial element of the development hereby permitted shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces.

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

#### Outside Seating (Furniture and delineation)

- 36) The use of grade level open seating area(s) in connection with the Class A3 floorspace hereby permitted, shall not commence until details of the extent of seating area and method of delineating the extent of the seating area in each case, have been submitted to and approved in writing by the Local Planning

Authority. The open seating area(s) shall be arranged and managed only in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

#### Outdoor Seating (Operating Hours)

- 37) Prior to first operation of any outdoor seating areas in connection with the retail (A1, A2, A3, A4 and A5 Uses) office (B1 Use) uses hereby permitted, details of operating hours for any outdoor seating areas shall be submitted to and approved in writing by the Local Planning Authority. The outdoor seating areas will operate in accordance with the approved details and be closed outside of these hours and any temporary seats/tables shall be removed and stored internally within the unit(s).

To ensure that the development does not result in conditions prejudicial to the amenities of local residents by reason of noise and disturbance in accordance with Policies CC11, CC12 and CC13 of the Local Plan 2018.

#### Operating Hours (Use Classes A1, A2, A3, A4, A5, B1)

- 38) Prior to first occupation of any retail (A1, A2, A3, A4, A5 Uses), office (B1 Use) uses hereby permitted, details of operating hours shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented and thereafter retained in accordance with the approved details.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policy CC11, CC12 and CC13 of the Local Plan 2018.

## HIGHWAYS

### Roads, Footways, Footpaths and Cycleways

- 39) Prior to the commencement of development hereby permitted (excluding Ground and Enabling Works), details of the layouts of any road, footway or footpath, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall show (where relevant) the alignment, widths, surfacing arrangements, kerbs, forward visibility sight lines and vision splays, speed restraint measures, turning heads, emergency vehicle and service vehicle access and gradients in respect of the relevant part of the development. Development shall be implemented in accordance with the relevant approved details and no residential building within the relevant part of the development shall be occupied until the approved ramps, roads, accesses, footways and footpaths have been constructed and been made available for use.

To ensure that the detailed design provides sufficient vehicle manoeuvring in the interest of public safety and to ensure that the detailed design of the roads, footways, pedestrian routes and public squares would avoid vehicle/pedestrian conflict in accordance with Policy T1, T2, T4, T5 of the Local Plan 2018.

#### Safe use of drop-off locations

- 40) Prior to first occupation of the development hereby permitted, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates how the risk of collisions between vehicles and the visually impaired within the site will be averted. The scheme shall address the management of the use of proposed drop-off locations, including deliveries and stopping by Blue Badge Holder vehicles and taxis within the site. The scheme shall be implemented in accordance with the approved details prior to first occupation of the relevant part of the development.

To ensure that deliveries and dropping off can occur without compromising highway safety or the safety of pedestrians on the footway and public squares, in accordance with Policy 7.2 of the London Plan, Policies HO6, T1 and T5 of the Local Plan 2018 and SPD Key Principle TR6 2018.

#### Cycle Parking

- 41) Prior to first occupation of the development hereby permitted, details of secure cycle storage at ground level within the public realm shall be submitted to and approved in writing by the Local Planning Authority. No residential or commercial units shall be occupied until the relevant approved facilities have been provided. The cycle parking facilities shall thereafter be retained for the development hereby permitted and not used for any other purpose.

To ensure the suitable provision of cycle parking within the Development to meet the needs of future site occupiers and users and in the interest of the appearance of the development, in accordance with Policies 6.9 and 6.13 of the London Plan and Policy T3 of the Local Plan 2018.

#### Car & Cycle Parking Management Plan

- 42) Prior to first occupation of the development hereby permitted, or part thereof, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in accordance with the Car and Cycle Parking Management Plan as approved and shall thereafter be permanently retained in this form for the development hereby permitted.

To ensure an appropriate level, mix and location of car and cycle parking is achieved for the development and that management arrangements are in place to control its allocation and use in accordance with Policies 5.2, 5.18, 5.19, 5.21, 6.3, 7.14 and 7.15 of the London Plan, Policies CC1, CC2, CC6,

CC7, CC9, CC10, CC11, CC12, CC13, T1 and T6 of the Local Plan 2018 and SPD Transport Policies of the Planning Guidance Supplementary Planning Document 2018.

#### Delivery and Servicing Management Plan

- 43) Prior to first occupation of any residential or commercial use within the development hereby permitted, a Delivery and Servicing Management Plan (DSMP), including vehicle tracking shall be submitted to and approved in writing by the Local Planning Authority. The DSMP shall detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement. The approved measures shall be implemented and thereafter retained for the lifetime of the residential or commercial uses in the relevant part of the site.

To ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy 6.11 of the London Plan and Policies T2, CC11 and CC13 of the Local Plan 2018 and SPD Key Principle TR28 (2018).

#### DESIGN

##### Details and Materials

- 44) Prior to commencement of development above ground level hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

(b) Particulars and samples (where appropriate) of the materials to be used on all external faces of the buildings including external ground and upper level surfaces such as roof terraces. A façade mock-up panel of a typical section of the proposed cladding system (scale 1:1) shall be erected on site and inspected by Local Planning Authority officers.

(c) Details of the appearance of the loading bay and service entrance including loading bay doors and cycle entrance doors.

The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policies DC1 and DC8 of the Local Plan 2018.

##### 1:20 Details

- 45) Prior to commencement of development above ground level hereby permitted, detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of each of the approved buildings shall be submitted and approved in writing by the Local Planning Authority.

These shall include details of the proposed cladding, fenestration (including framing and glazing details), balustrades (including roof terraces), entrances, roof top plant and plant screening, hand rails, canopies and junctions between building elements. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policies DC1 and DC8 of the Local Plan 2018.

#### A1/A3 1:20 Details

- 46) Prior to commencement of development above ground level hereby permitted detailed drawings in plan, section and elevation at a scale of no less than 1:20 of the frontages for the Class A1/Class A3 units, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

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

- 47) The development hereby permitted shall not commence prior to the submission and approval in writing of a Privacy Strategy in relation to principle windows.

In the interests of the residential amenity in accordance with Policy CC9 of the Local Plan 2018.

#### Canal Pedestrian bridge

- 48) Notwithstanding the detail of the submitted plans hereby approved, detailed plans shall be submitted to, and approved in writing, by the Council in respect of the design of the pedestrian bridge.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policies DC1 and DC8 of the Local Plan 2018.

#### Obscured Glass

- 49) The window glass at ground level in the development, including the shop fronts, shall not be mirrored, painted or otherwise obscured and shall be permanently retained as such unless clearly indicated on approved drawings or subsequently agreed with the Local Planning Authority in writing.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy 7.6 of The London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

No roller shutters

- 50) No roller shutters shall be installed in front of any shopfront, commercial entrance or display facade hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1, DC5, DC8, and TLC2 of the Local Plan 2018.

Signage Strategy

- 51) Prior to the first occupation of the retail units hereby permitted, a Signage Strategy shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details.

To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with Policies DC1 and DC8 of the Local Plan 2018.

Roof enclosures

- 52) Prior to commencement of development above ground level hereby permitted, details of any enclosure(s) to be fitted to roof mounted equipment at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied until any enclosure(s) have been constructed in accordance with the approved details, and the enclosure(s) shall thereafter be permanently retained in this form.

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

No plant, water tanks

- 53) No plumbing, extract flues or pipes, plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the buildings hereby permitted.

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

## Aerials and Satellite Dishes

- 54) Prior to commencement of development above ground level hereby permitted (excluding Ground and Enabling Works) details of any aerials and satellite dishes shall be submitted and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no additional aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with in accordance with Policies 7.6 and 7.8 of the London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

## Window Cleaning Equipment

- 55) Prior to first use or occupation of the development hereby permitted, details of the proposed window cleaning equipment shall be submitted and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. No part of the development shall be used or occupied until the equipment has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

## Changes to the external appearance of the new buildings

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

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

- 57) Prior to commencement of development above ground level of Block H1, in addition to the samples of all external materials (required in condition 58), a supporting statement shall be submitted to the local planning authority for approval in writing setting out the detailed specifications of each material indicating performance, sustainability rating, impacts from weathering and exposure to pollution sources in order to demonstrate that the materials are

of the highest quality. The development shall be carried out in accordance with such details as have been approved.

To ensure the external appearance and environmental performance of the tall building is of the highest quality and to prevent harm to the street scene and public realm, in accordance with policies 5.3, 7.6 and 7.7 of the London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

#### Secure by Design

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy 7.3 of the London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

#### LANDSCAPING

##### Soft and Hard Landscaping

- 59) Prior to commencement of development above ground hereby permitted, details of the proposed soft and hard landscaping of all areas external to the buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, including pedestrian surfaces, materials, kerb details, external steps and seating that ensure a safe and convenient environment for blind and partially sighted people. The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in accordance with the Equality Act 2010, Policies 3.1, 7.1 and 7.6 of the London Plan, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.



#### Replacement Trees, shrubs etc

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

To ensure a satisfactory external appearance in terms of the provision of tree and shrub planting, in accordance with Policies 7.1 and 7.6 of the London Plan, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

#### Landscape Management Plan

- 61) Prior to commencement of landscaping works, a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all of the landscaped areas. This shall include details of management responsibilities and maintenance schedules for all landscape areas. The landscape management plan shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the development provides an attractive natural and visual environment in accordance with Policies 7.1 and 7.6 of the London Plan, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

#### Outdoor Play Spaces

- 62) Prior to commencement of development above ground level hereby permitted, a scheme detailing the size of playspace, play equipment, boundary treatments and ground surface treatment of the outdoor play spaces at ground floor and roof level of Buildings H2 and H3, shall be submitted to the local planning authority and approved in writing. Any play equipment will be designed to be fully inclusive to ensure the play areas are accessible to all and will be implemented in accordance with the approved plans, to be permanently retained thereafter.

To ensure equal life chances for all, and to prevent groups such as blind people and disabled children being excluded from use of public realm and other amenities by designs failing in detail to take specific needs into account, in accordance with policy 3.1 of the London Plan, and Policy OS3 of the Local Plan 2018.

- 63) Prior to first occupation of the development hereby permitted, details including the locations of the benches and litter bins shall be submitted to and approved in writing by the Local Planning Authority. The street furniture listed above shall be designed and sited to be fully inclusive and accessible for all users and will not provide any obstruction to disabled persons or

people of impaired mobility and/or sight. The relevant development plot shall not be open to users until the benches, litter bins and signage as approved have been provided, and must be permanently retained thereafter.

To ensure the satisfactory provision of facilities, in accordance with Policies CC2, DC1, DC8 and OS2 of the Local Plan 2018.

## ACCESS

### Access Management Plan

- 64) Prior to first occupation of the development hereby permitted, an Inclusive Access Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in accordance with the Inclusive Access Management Plan as approved and thereafter be permanently retained in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy 7.2 of the London Plan and Policy E3 of the Local Plan 2018.

### Level Threshold

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

To ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan, and Policy DC1 and HO6 of the Local Plan 2018.

### Lifts

- 66) Prior to first occupation and/or use of the development hereby permitted, details of fire rated lifts in each of the buildings submitted to and approved in writing by the Local Planning Authority. Details shall include loading lifts to the basement levels and the measures to ensure that at least one lift per core will operate at all times and that no wheelchair occupiers are trapped if a lift breaks down. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policies 3.8 and 7.2 of the London Plan, and Policy DC1 and HO6 of the Local Plan 2018.

## Urban Realm Strategy

- 67) Prior to commencement of development and notwithstanding the information in the landscape drawings hereby approved, an Urban Realm Strategy which includes detailed drawings of any shared surfaces, the methods of delineation of the vehicular and pedestrian areas and samples of materials shall be submitted to the local planning authority and approved in writing prior to the commencement of the relevant work within each phase, or relevant part thereof. The urban realm strategy for the relevant phase shall demonstrate how the shared surfaces would adhere to the guidance set out in Department of Transport Note LTN1/11 "Shared Space" October 2011 (or any other relevant guidelines). Such details shall be implemented in accordance with the approved plans and permanently retained thereafter.

To ensure that the proposal provides an inclusive and accessible environment in accordance with Policy 7.2 of the London Plan, Policies DC1 and T1 of the Local Plan 2018.

## Airwaves Interference Study

- 68) Prior to commencement of development within each relevant phase hereby permitted (excluding Ground and Enabling Works) the following details shall be submitted to and approved in writing by the Local Planning Authority:

The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and  
(ii) The implementation of a Scheme of Mitigation Works for the purpose of ensuring nil detriment during the [Construction Works] identified by the Base-Line Study. Such a Scheme of Mitigation Works shall be first submitted to and approved in writing by the Local Planning Authority.  
The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

To ensure that the existing airwaves reception is not adversely affected by the proposed development, in accordance with Policy 7.13 of the London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

## RECOMMENDED REASONS FOR APPROVAL

- 1) Land Use: All the proposed land uses are supported by adopted policy. Officers consider that the residential-led mixed use development is appropriate in this location and would replace a redundant industrial site. The proposal is therefore supported in land use terms subject to the satisfaction of other development plan policies and is considered to be in accordance with the NPPF, London Plan Policies 2.13 and 3.3 and Policies SFRRRA, HO1, HO3 and HO4 of the Local Plan 2018.
- 2) Affordable Housing: The proposal would help to regenerate the wider South Fulham Riverside Regeneration Area whilst maximising the value of the

existing vacant site. The development provides the maximum reasonable proportion of affordable housing on site. This is supported in order to maximise the delivery of much needed affordable housing within the borough. The proposal is therefore considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8 and 3.9 and Policy HO3 of the Local Plan 2018.

- 3) **Housing:** The proposal provides a range of unit sizes which are considered to respond positively to the site characteristics and given consideration to the wider demographics, would lead to a development that would maintain a mixed and balanced ward. The amenity and play space provided accords with the adopted policies and would provide a high quality of private and communal amenity for future occupants together with a high standard of residential accommodation. The density is acceptable, given the location within the South Fulham Riverside Regeneration Area and transport accessibility of the site and the resultant acceptable quality of the residential accommodation which will deliver 415 homes. The proposal is therefore supported and is considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8 and 3.9 and Policies HO1, HO3, HO4, HO5 and HO6 of the Local Plan 2018.
- 4) **Design and Conservation:** Development of this site provides an opportunity for significant enhancement and regeneration of this area. The proposal complies with Local Plan policy DC1 in that it respects the existing townscape context, demonstrates tangible urban design benefits and is consistent with the Council's wider regeneration objectives, and in doing so is sensitive to the setting of heritage assets. The development would a new high-quality spaces and public realm. The proposed built form has a massing which responds to the proposed spaces and surrounding townscape at its edges. The elevations of the detailed element have an architectural character which provides interest across all frontages. The relationship between the built form and public realm would assist in the creation of a sense of place. It is considered that this is compliant with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF, London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6 and 7.8 and Policies H04, DC1, DC2 and DC8 of the Local Plan 2018.
- 5) **Transport:** The number of parking spaces provided are in line with adopted policy and are suitable for this development in this location. There would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions would secure satisfactory provision of cycle and refuse storage, construction and logistics and management while a Travel Plan is secured by legal agreement. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is very good, and is well served by public transport. External impacts of the development would be controlled by conditions and section 106 provisions. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development therefore

accords with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan, Policy T1, T2, T3, T4 and T5 of the Local Plan 2018.

- 6) **Impact on Neighbouring Properties:** The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise/disturbance and overlooking, no unacceptable loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with London Plan Policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7 and 7.14 and Policies DC1 and DC2 of the Local Plan (2018).
- 7) **Safety and Access:** A condition would ensure the development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and Policy DC1 of the Local Plan 2018. The development would provide 10% of all units as wheelchair units, level access, a lift to all levels and suitable circulation space. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policy 7.2 of the London Plan and Policy H06 of the Local Plan 2018.
- 8) **Sustainability and Energy:** The application proposes a number of measures to reduce CO2 emissions with a carbon offset payment secured. A revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail for all development plots within the outline element. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The proposed development therefore accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan and Policies CC1 and CC2 of the Local Plan 2018.
- 9) **Flood Risk:** A revised Flood Risk Assessment would be required for all development plots in order to ensure the risk of flooding at the site remains low and is considered acceptable. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system with further information on surface water drainage secured by condition. The development would therefore be acceptable in accordance with the NPPF, Policies 5.11, 5.13, 5.14 of the London Plan and Policies CC3 and CC4 of the Local Plan 2018.
- 10) **Land Contamination:** Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan and Policy CC9 of the Local Plan 2018.
- 11) **Microclimate:** The development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings. A condition is secured to provide additional mitigation measures for all development plots within the

outline element. The proposals are considered to comply with Policies 5.3, 7.6 and 7.7 of the London Plan and Policy DC2 of the Local Plan 2018.

- 12) Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. Contributions relating to transport and highways improvements, 35% Affordable Housing, 10% Wheelchair User Dwellings, CCTV Strategy, carbon offset payment, and local training and employment opportunities and procurement are secured. The proposed development would therefore mitigate external impacts and would accord with Policy INFRA 1 of the Local Plan 2018.
- 13) In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

## **1.0 BACKGROUND**

- 1.1 This Planning Report relates to the full planning application submitted by Quod on behalf of St George Developments Limited (the Applicant) for the redevelopment of the remainder phases of the residential-led mixed use development known as Chelsea Creek. The Site is located within South Fulham Riverside Regeneration Area as designated in the Local Plan 2018 Policy SFRRA.
- 1.2 The applicant is seeking permission for a detailed planning application for a mixed-use development comprising 415 residential units (including 146 affordable residential units); 547sq.m GEA of commercial / office floorspace (Use Class A1, A2, A3, A4 and A5 use and/or B1a) to be delivered within two new buildings (Chelsea Creek Blocks G and H) ranging from seven to nine storeys and a 31-storey building; works to the canal; provision of a pedestrian bridge and landscaping.
- 1.3 The applicant has carried out pre-application consultation with the Council and other key stakeholders. The Applicant has also hosted a public exhibition on Thursday 19 July 2018 between 3.30pm and 8.00pm at the Wharf Rooms, Imperial Wharf carried out a number of community engagement events with local residents and businesses. Meetings were also held with key community stakeholders the Lots Village Chelsea Residents' and Business Association and the Fulham Society.
- 1.4 The Site already benefits from planning permission (2011/01472/COMB) as part of the wider Chelsea Creek Development to deliver 489 units with 1,472 sqm of commercial floorspace and 8,896 sqm of office floorspace within eight buildings (A – H). Under this permission Building G has permission for 82 units (of which 22 are affordable) and 244 sqm of ground floor commercial floorspace. Building H has consent for 8,896 sqm of office floorspace.

- 1.5 In March 2017, the Secretary of State confirmed the full revocation of the Hazardous Substance Consent ('HSC') associated with the adjoining Fulham Gasworks site. The revocation of Fulham gasworks HSC together with changes to development plan policy increasing the borough housing target and recent proposals for the redevelopment of the Gasworks site has led to a reconsideration of the development that can be accommodated on the Site.
- 1.6 The proposals envisage to supersede buildings G and H of the extant consent with an intensified proposal to provide 415 units which is an uplift of 333 units including a significant affordable housing quantum (35%) which is consistent with the aims of the raft of regeneration planning policies set out in the London Plan and Local Plan 2018. This application therefore represents a 68% increase on the total number of residential units approved across the Chelsea Creek site, increasing the total number of proposed homes to 823 units through the provision of a higher density scheme and the removal of the proposed office on Block H.
- 1.7 Officers have given due consideration to the potential positive effects on meeting the revised housing target of 4,000 additional units by 2035 within the South Fulham Regeneration Area, with particular weight given to the provision of affordable housing and whether this will provide for local housing needs.
- 1.8 It is also necessary to consider the policy requirements of SFRRRA in the round, which sets out the land use, urban design, transport, environmental, social and other planning criterion. As such, this report sets out the extent to which the SFRRRA policy is complied with in the round, in order to make a balanced judgement on whether the proposed building height and massing has an acceptable impact on the skyline and views from and to the riverside and waterways and heritage assets in the area, whilst ensuring general compliance with the policy, and the overall Development Plan.
- 1.9 Notwithstanding the assessment of the scheme against the strategic regeneration area policy, the council are required to give consideration to the NPPF guidance on assessing whether there will be any harm to occur towards heritage assets and the visual amenity of the area. It is necessary to give due consideration of the impacts of the proposed tall buildings and the overall scale and mass of the development.
- 1.10 The report weighs the perceived benefits of the development alongside the elements of the scheme which deviate from local policies in order to take a balanced view of the acceptability of the scheme.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The Application Site measures approx. 0.83 hectares (ha) and is located in the south east of the Borough, within close proximity to the River Thames. The Site currently comprises mainly hardstanding and a compound and storage area for contractors involved in construction of the consented

Chelsea Creek development. St George House, an office building which is currently occupied by the Applicant's construction team is in the northern part of the Site with an open car park.

- 2.2 The Site is bound to the north, north west and west by the Fulham Gasworks site and Sands End Lane; to the south and south west by Building L of the Imperial Wharf development; to the south and south east by Thurstan Street and Park Street and Building F of the consented Chelsea Creek development (currently under construction); and to the east and north east by the West London Railway Line, Chelsea Creek and the Chelsea Island development.

### **Surrounding Context**

- 2.3 The surrounding area is characterised by a mix of uses, with predominantly new residential buildings to the east and south with some retail units with the completed Chelsea Creek development.
- 2.4 The Site is adjacent to the former Fulham Gasworks site which bounds the Site along its north, north-west and west boundaries. In June 2018, St William LLP submitted a hybrid planning application for the Fulham Gasworks site (2018/02100/COMB). The proposals comprise a residential led mixed-use development, described as including tall buildings from 1 to 37 storeys to provide up to 1,843 new residential units and approximately 12,000 sqm of employment/retail floorspace and new public realm, including a central park. Beyond the Fulham Gasworks site to the north and west, the land is predominantly residential with some retail and commercial uses along King's Road (A308).
- 2.5 The Site lies to the immediate west of Chelsea Creek, which is a branch of the River Thames, and the West London Railway Line. On the opposite side of the West London Railway Line lies Chelsea Island, a residential led development which has recently been completed and comprise of a building up to 12 storeys. Lots Road Power Station lies beyond to the north-east which has planning permission for a residential-led mixed use development comprising two tall buildings (37 and 25 storeys).

### **Designations and Heritage Assets**

- 2.6 The Site is located within the South Fulham Riverside Regeneration Area (Local Plan 2018 Policy SFRRRA). The northern end of the Site is located outside but along the boundary of the Sands End Conservation Area, and lies adjacent to the Imperial Square and Gasworks Conservation Area which is located to the north west, west and south west of the Site.
- 2.7 The Site does not contain any statutorily listed or non-statutory locally listed buildings. The Site is not located within an Archaeological Priority Area. There are no statutorily designated nature conservation sites within the Site, the closest being the Thames Estuary marine conservation zone located approximately 50m to the east of the Site boundary via Chelsea Creek. Two



non-statutorily designated sites abut the Site including the Former British Gas Pond, which is a site of the importance for nature conservation area (Grade 1 borough importance), and a section of West London Line Green Corridor, Fulham Road to Chelsea Creek, which is of local nature conservation interest. An Air Quality Management Area ('AQMA') has been designated across the whole Borough due to emissions related to particulate matter and nitrogen dioxide.

- 2.8 The adjacent Fulham Gasworks site contains two Grade II listed buildings (1857 Neoclassical Chief Engineer's Office and the 1927 Research Laboratory); a Grade II listed WWI War Memorial and a Grade II\* listed gasholder (Gasholder 2). Gasholder 2 is widely regarded as the oldest remaining gasholder in the world dating back to the 1830's. The relocated WWII memorial dating from 2000 is considered by the Council to be a non-designated heritage asset.
- 2.9 The Site lies within Flood Zone 3, meaning the Site has a high probability of flooding from river/tidal sources. The Site does however benefit from flood protection due to the local flood defences and the Thames Barrier at Woolwich.

### **Accessibility**

- 2.10 The Public Transport Accessibility Level (PTAL) of majority of the Site range between 2-3 with 1a being the least accessible although it lies adjacent to areas with PTAL ratings 4-6. Once the Gasworks site is developed it will improve permeability in the local area. The closest bus stops are located on Imperial Road and Townmead Road approximately 140m and 325m from the Site respectively.
- 2.11 The 391-bus route serves Imperial Road, and 391 and C3 bus routes serve Townmead Road offering routes to Richmond and Clapham Junction amongst other destinations. Imperial Wharf Station is located approximately 250m walking distance from the Site and is serviced by the Overground Rail services on the West London Line towards both Clapham Junction and Shepherd's Bush.
- 2.12 Fulham Broadway Underground Station is located approximately 1km (12 minutes walking distance) to the north west of the Site and provides access to the District Line. There are existing River Boat services from Chelsea Harbour Pier, approximately 500m to the south east, which operates between Putney and Blackfriars.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1. **March 2012:** Planning permission (2011/01472/COMB) granted for a residential led, mixed use development comprising of 489 residential units (including 147 DMS affordable units), within seven mainly eight storey buildings (Buildings B to G) and a 25 storey tower (Building A); 1,190 sqm of flexible commercial floorspace (Use Class A1-A5); 8,896 sqm of office

floorspace (Use Class B1) (Building H); formation of water basin, two canals and navigable lock to replace existing Chelsea Creek barrier gates; provision of public and private open space; cycle parking and 402 car parking spaces at basement level. Buildings A, B, C, D and E have now been completed with Building F currently under construction and no above ground works carried out for Buildings G and H.

- 3.2. **February 2013:** Variation permission (2012/04253/VAR) of planning permission 2011/01472/COMB granted for the variation of Condition 5 to allow changes to the approved car park layout by introducing a sub-basement level and to relocate the CHP plant to Building F.
- 3.3. **August 2013:** Reserved matters (2013/02259/RES) relating to external appearance and landscaping Buildings F and G, pursuant to hybrid planning permission 2012/04253/VAR granted which also relocated the CHP plant to Building G.
- 3.4. **March 2017:** Variation permission (2016/00765/VAR) of planning permission 2011/01472/COMB and subsequent variation 2012/04253/VAR granted for the variation of Condition 5 to convert ground floor and basement of Building A to Class A1 - A4.
- 3.5. **February 2018:** Reserved matters (2017/01221/RES) relating to external appearance and landscaping for Building H (Office Building), pursuant to variation permission 2016/00765/VAR granted which allows for 8,896 sqm of B1 office accommodation.

#### 4.0 APPLICATION DETAILS

4.1 The planning application is seeking permission for the redevelopment of the Site for a mixed-use development comprising 415 residential units (including 146 affordable residential units); 547sqm GEA of commercial / office floorspace (Use Class A1, A2, A3, A4 and A5 use and/or B1a) to be delivered within two new buildings (Chelsea Creek Blocks G and H) ranging from seven to nine storeys and a 31-storey building; works to the canal; provision of a pedestrian bridge and landscaping ('Proposed Development').

4.2 Total floorspace sought by the application is set out in the table below.:

Land Use	Use Class	Total floorspace (GEA, sqm.)
residential	C3	28,884
retail/cafe/restaurant	A1-A5 / B1(a)	547
<b>Total</b>		<b>29,431</b>

**Table: Total Floorspace**

4.3 The residential floorspace equates to 415 units with the following unit mix;

<b>Unit Type</b>	<b>Number of Units</b>
Studio	23
One Bedroom	156
Two Bedroom	190
Three Bedroom	46
<b>Total</b>	<b>415</b>

**Table: Unit Mix**

4.4 Permission is sought for 4,616 sq.m of public realm; 2,765 sqm of private balconies; 1,113 sqm of private roof gardens / terraces; 368 sqm of communal rooftop playspace and 232 sqm of ground floor terraces.

#### Building G

4.5 Building G comprises a rectangular block, situated adjacent to Block F of the Chelsea Creek Consented Development and separated from Building H by the canal. The ground floor level includes 298m<sup>2</sup> GEA of flexible non-residential use (A1-A5 and/or B1a Use Classes) floor space located at the northern end of the building overlooking the canal; the remainder of the ground floor is made up of residential units. Building G would be eight storeys in height which comprises seven full levels plus one set back level of residential accommodation. The height of this building is proposed to remain broadly the same as the consented building.

#### Building H

4.6 Building H comprises a triangular block separated from Building G by the canal. The ground floor level includes 249m<sup>2</sup> GEA of flexible non-residential use (A1-A5 and/or B1a Use Classes) floor space located at the southern end of the building, beneath the tallest residential element, with the remainder of the ground floor being made up of residential units. Building H would be eight storeys in height in the north and would provide private communal amenity space in a roof top garden. The building steps up to nine storeys in the middle section of the building, eight full levels plus one set back level of residential accommodation, stepping up to 31 storeys for the residential tower (104.45m AOD) in the south next to Block L of the Imperial Wharf development. The height of the lower part of this building is also proposed to remain broadly the same as the consented building.

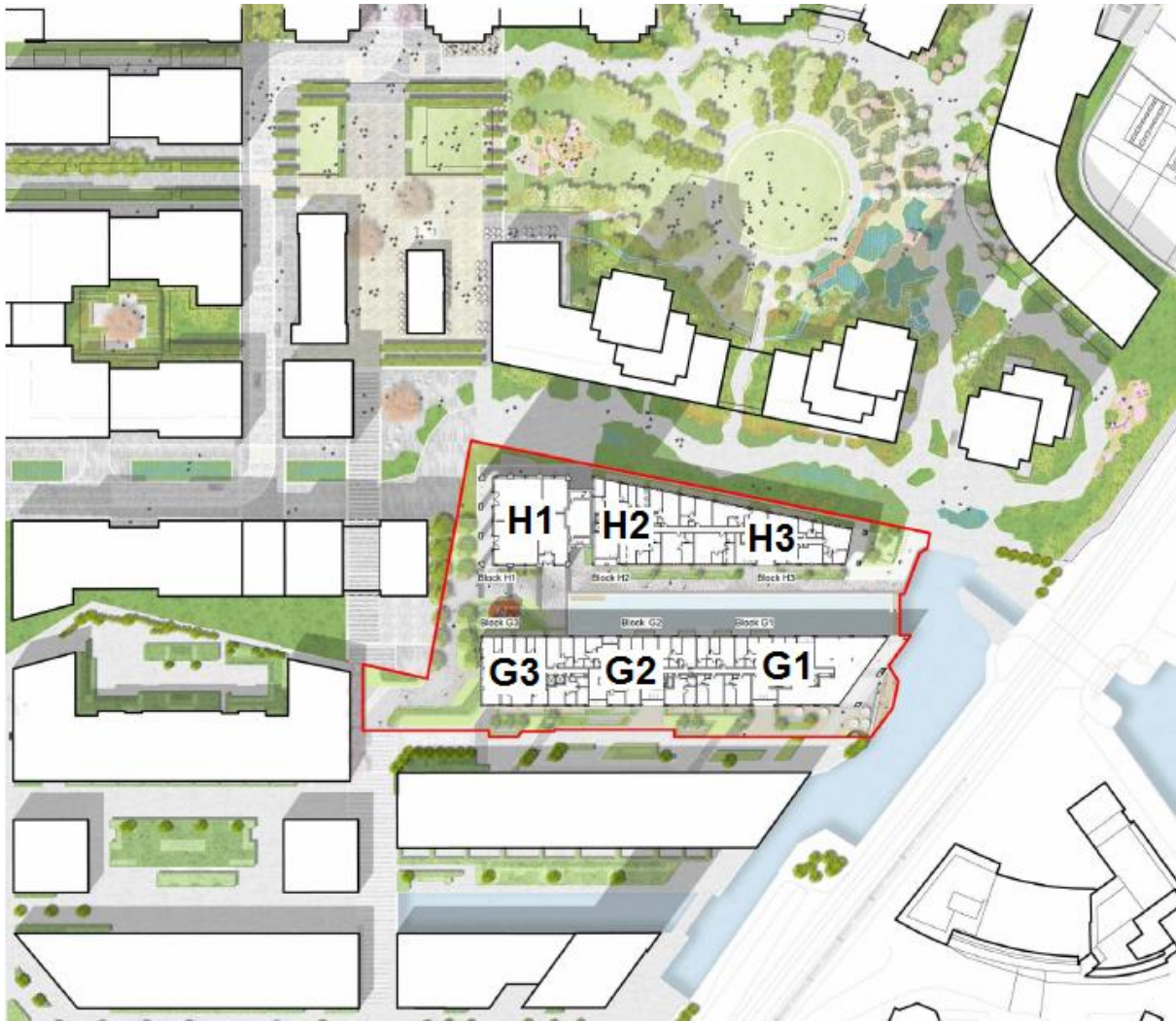
#### Access

4.7 Vehicle access to the Site would be via the constructed road network approved as part of the Consented Chelsea Creek Development. A fully accessible road network runs from Imperial Road via Park Street alongside Buildings D and E and past Building F of the Consented Chelsea Creek Development, before returning to the Imperial Road via Thurstan Street. Car

parking for the Consented Chelsea Creek Development is provided at basement level with a single two-way ramped access from ground level, located adjacent to Building F, within Building E.

## Basement

- 4.8 There is no need to apply for basement works as the basement has already been consented under the 2016 Permission and has been largely built out already other than the basement beneath buildings G and H. It will be completed prior to works above it, being undertaken pursuant to this application. To ensure that the Proposed Development is fully aligned with the basement below, a separate S.96a application (2018/02918/NMAT) has been submitted to the Council to amend the internal layout of the basement
- 4.9 The applicant proposes to complete the approved basement under the extant consent which will extend beneath Buildings G and H. The basement will allow for the provision of
- 61 residential car parking spaces to serve future residents of Building G and H, of which 3% of car parking spaces will be marked as disabled from the outset in accordance with Policy T6.1 of the draft London Plan 2017.
  - The provision of 730 residential cycle spaces (long stay) and 8 non-residential cycle spaces (long stay) will be provided at basement level. A total of 38 short stay cycle spaces will be provided within the site's public realm areas for use by visitors to the residential units (10 spaces) and non-residential uses (28 spaces).



**Image: Proposed Development in context with Fulham Gasworks Proposals**

### **Construction and Delivery**

4.10 The indicative delivery programme for the Development has been estimated at approximately two years, with construction works commencing in the Q1 of 2020 and completion anticipated in the Q1 of 2022.

4.11 The planning application for the Development excludes basement works, enabling works such as demolition of St George House, as well as investigative works to assess structures, services and contamination which were approved under the Chelsea Creek Consented Scheme

### **SUBMITTED DOCUMENTS**

4.12 The following documents have been submitted in support of the applications

- Design and Access Statement
- Planning Statement
- Flood Risk Assessment
- Drainage Statement
- Light Within Report

- Sustainability Statement
- Energy Statement
- BREEAM Pre-Assessment Report
- Overheating Assessment
- Statement of Community Involvement
- Land Contamination Preliminary Risk Assessment Report
- Ecological Assessment
- Transport Assessment
- Framework Travel Plan
- Delivery and Servicing Management Plan
- Construction Logistics Plan
- Noise Assessment
- Air Quality Assessment
- Desk Based Archaeology Assessment
- Affordable Housing Statement
- Financial Viability Appraisal

### **Statement of Community Involvement**

- 4.13 The applicant has undertaken pre-application discussions with statutory and non-statutory authorities. Public consultation events were held in July and August 2018. In addition, meetings have been held with the Royal Borough of Kensington and Chelsea and Historic England on the 31st July and 1st August 2018 to discuss the Proposed Development.
- 4.14 A Statement of Community Involvement is submitted in support of the application and details the consultation process and responses. Commentary on the evolution of the scheme design through the preapplication engagement is also detailed in the design and access statement submitted with the Planning Application.

### **AMENDMENTS**

- 4.15 Since the application submission the applicant has undertaken further consultation and negotiations with the Council, which has resulted in amendments to the following aspects of the proposals for which a summary of the details can be found in the Quod cover letter dated 2018;

#### **Building G East Elevation**

- a. Introduction of intermediate horizontal metal spandrels
- b. Introduction of inset balconies to six apartments in increase variation across the façade
- c. Adjustment in size of balconies in five bays to increase balcony staggers
- d. Layouts of seven apartments flipped to alternate balcony position and introduce additional staggers
- e. Introduction of additional staggered bronze panels
- f. Alignment of balustrades to hit either vertical mullions or brick piers



### Building G West Elevation

- a. Introduction of intermediate horizontal metal spandrels
- b. Relocation of balcony in single bay to align with balconies in adjacent bay
- c. Introduction of inset balconies to six apartments to increase variation across the facade
- d. Inset bay narrowed and adjacent bay widened
- e. Bronze panels added
- f. Layouts of seven apartments flipped to alternate balcony position and introduce additional staggers
- g. Adjustment in size of balconies in five bays to increase balcony staggers
- h. Bronze panels staggered
- i. Alignment of balustrades to hit either vertical mullions or brick piers

### Building G South Elevation

- a. Introduction of intermediate horizontal metal spandrels
- b. Inset brick omitted
- c. Two stacks of windows narrowed to increase solidity
- d. Introduction of bronze panels to right-hand window to add variation

### Building G North Elevation

- a. Introduction of intermediate horizontal metal spandrels

### Building H East Elevation

- a. Introduction of intermediate horizontal metal spandrels
- b. Introduction of inset balconies to six apartments to increase variation across the facade
- c. Introduction of additional bronze panels
- d. Staggering of bronze panels
- e. Adjustment in size of balconies in five bays to increase stagger
- f. Alignment of balustrades to hit either vertical mullions or brick piers

### Building H West Elevation

- a. Introduction of intermediate horizontal metal spandrels
- b. Alternating balcony locations in a bay
- c. Introduction of additional bronze panels
- d. Staggering of bronze panels
- e. Adjustment in size of balconies in five bays to increase balcony staggers
- f. Alignment of balustrades to hit either vertical mullions or brick piers

### Building H North Elevation

- a. Introduction of intermediate horizontal metal spandrels

## Landscaping

- a. Introduction of taxi pickup/drop-off location adjacent to building G to improve pedestrian safety
- b. Introduction of soft landscaping along the edge of the canal
- c. Rationalisation of landscaping to the southern end of building G to improve pedestrian permeability

## Environmental Impact Assessment (EIA) Note

- 4.16 The applicant has submitted an Environmental Impact Assessment Further Information Note which confirms that the amendments to Buildings G and H are not considered to be substantive and it is considered that the August 2018 ES remains valid for decision making and no further environmental information is required.

## 5.0 PUBLICITY AND CONSULTATION

- 5.1 The application has been advertised on the following basis:

- Development is subject to an Environmental Impact Assessment
- The site is within proximity to a Conservation Area and potentially affects the setting of Nationally Listed Buildings/Structures
- The scheme comprises a Major Development

## RESIDENTS

- 5.2 Residents were notified of the application by way of 1,955 letters, a site notices posted on 14 September 2018 and a press advert published 11 September 2018. A total of 12 representations have been received from neighbours. Comments are summarised as follows:

- Tall building out of keeping and detrimental to character of the area;
- Overlooking;
- Traffic increase;
- Density too high;
- Loss of daylight;
- Loss of village feel;
- Impact on residential amenity;
- Lack of open space;
- Impact on schools, public spaces, health services;
- Impact on Conservation Areas;
- Impact on flooding.

## Fulham Society

- 5.3 The Fulham Society made the following comments:

- Ever increasing height of individual buildings is unacceptable;
- Provide more informal accessible open space and a children's playground;
- Lack of sufficient office/commercial space to provide life / active frontages;



- Lack of a serious amount of affordable rented accommodation.

### **Chelsea Society**

5.4 The Chelsea Society made the following comments;

- Excessive increase in density (332 dwellings / hectare and 870.4 habitable rooms / hectare).
- Loss in office space is unacceptable. Extant consent would provide 85,000 sq. ft of office space (Building H) and that “the development will deliver about 670 jobs”. It is therefore very retrograde now to eliminate virtually all this much needed office space which could house new enterprises and generate fresh jobs.
- Proposed 31 storey tower block is out of all proportion. To justify its height and negative impact on the wider landscape by reference to structures yet to be built on an adjoining site is implausible.
- Lack of key community assets. Proposals would put undue pressure on existing educational, healthcare and other community assets which like employment space is in increasingly short supply in surrounding areas.

### **TECHNICAL CONSULTATIONS**

5.5 Technical consultations were undertaken and are summarised below:

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

5.6 TfL reviewed additional information submitted during the application and made the following comments;

1. Car Parking –TfL supports that additional blue badge/ disabled bay shall be converted from existing under used visitor parking if needed.
2. Trip rate/ mode share – the revised trip generation and mode share assessment following our previous request has been noted. It is accepted that the latest proposal would not result in a material impact to bus service capacity differ from the original consent. Therefore, no mitigation is sought toward bus capacity improvement.
3. London Overground/ Imperial Wharf - Secure a financial contribution (£200,000) towards station capacity enhancement to enable the delivery of the proposed staircase capacity improvement project;
4. Walking/ Cycling – The creation of provide high quality walking/ cycling routes through and in the vicinity of the site is principally supported. TfL trusts that LBHF will decide on the need of securing necessary improvement to ensure a best desirable outcome.
5. Travel Plan – The latest Travel Plan has been noted, and its final submission be secured by s106 agreement accordingly.
6. Servicing - The submission of the Framework DSP is noted; the final detailed submission should be secured by condition.
7. Construction – Detailed CLP should be secured by Condition.
8. Secure appropriate Mayor CIL toward Crossrail.

### **Environment Agency:**

- 5.7 The Environment Agency (EA) considers that planning permission could be granted to the proposed development subject to conditions relating to land contamination, piling, boreholes, SUDs and surface water. Without these conditions the site would pose an unacceptable risk to the environment and the EA would object to the application.

### **Thames Water:**

- 5.8 Thames Water request that a condition be attached to any permission requiring confirmation prior to any occupation that all water network upgrades required to accommodate the additional flows from the development have been completed.
- 5.9 Thames Water confirmed that there are easements and wayleaves to the south of the Site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development. The applicant should contact Thames Water to discuss their proposed development.

### **Historic England:**

- 5.10 Historic England (HE) recognise that the setting of Brompton Cemetery has to some extent been compromised due to the presence of development within its setting. However, HE notes that the policy context has changed since some of the above buildings were permitted and that Brompton Cemetery was upgraded from being a Grade II\* to a Grade I Registered Park and Garden in November 2009. HE's view is that the impact of the proposed 31 storey tall building would result in harm to the setting of the Brompton Cemetery (Conservation Area and Grade I Registered Park and Garden) and Grade II\* listed Chapel and Colonnade therein. Due to their high significance and the contribution made by the relatively open setting in the views to the south along the key axial ceremonial vista, we consider the degree of harm caused to be considerable, albeit less than substantial in line with policy 196 of the NPPF.

### **Hammersmith and Fulham Disability Forum Planning Group:**

- 5.11 The Forum do not recommend that this detailed application be approved until the council is assured that the application will deliver a fully compliant accessible and inclusive development. The Forum made the following comments;
- Recommend that the applicant provides sample drawings for each layout for wheelchair user dwellings and each floor plan drawing shows compliant M4(3) wheelchair user dwellings.
  - Wheelchair user dwellings should be retained in in perpetuity
  - Blue badge parking bays should not be leased or sold for duration of the development but retained in perpetuity.

- Has particular concerns with M4(3) wheelchair user dwellings for market housing. Drawings for M4(3) wheelchair adaptable dwellings do not provide assurance that the dwelling could be made wheelchair accessible at a later date without making structural changes such as removing walls, moving bathrooms to a different location, or making the kitchen smaller. This is not compliant with M4 (3) wheelchair user dwellings.
- Does not support the proposed shared surfaces which allow for refuse and delivery vehicles to enter, reverse and leave the shared surface.
- Landscape drawing does not provide assurance that the public realm is accessible and inclusive for all users.
- Do not support the proposal for 3% of 12 blue badge parking bays to be marked out at completion with 7% to be marked out in response to demand (policy T6.11 draft London Plan 2017).

### **Canal and River Trust:**

- 5.12 This application falls outside the notified area for its application scale. The Canal and River Trust confirmed that there is no requirement to consult them as a Statutory Consultee.

### **Greater London Authority (GLA) Stage 1 Response:**

- 5.13 The application is referable to the Mayor of London under the following Categories of the Schedule to the Order 2008: Category 1A: “Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”. Category 1B: “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres”. Category 1C: “Development which comprises or includes the erection of a building more than thirty metres high and outside the City of London”.
- 5.14 The Mayor was consulted on 10 September 2018 and the council received a response dated 29 October. The Mayor’s recommendation is that, whilst the principle of the application is strongly supported, the scheme does not yet fully comply with the London Plan and draft London Plan. However, the following changes might lead to the applications becoming compliant:
- 5.15 ‘Land use principle: Intensification of residential development and reduction in office floorspace is supported.’
- 5.16 ‘Housing and affordable housing: The application proposes 35% affordable housing with a 60:40 split between affordable rent and intermediate housing. Subject to the applicant fully exploring grant funding, the scheme is considered eligible for the ‘Fast Track Route’, in accordance with Policy H6 of the draft London Plan and the Affordable Housing and Viability SPG. The affordability of the affordable rent and intermediate units should be confirmed and should accord with the principles set out in Policy H7 of the draft London Plan and the SPG. An early stage review mechanism should

be secured. Financial contributions towards off-site play space should be required to address the shortfall in provision. GLA officers request early engagement and discussions on the wording of the Section 106 agreement prior to Stage 2 to ensure the above matters are addressed.'

- 5.17 'Design and heritage: The design, height and density of the proposal is supported and is not considered to harm designated heritage assets. Further details are required on the interim boundary landscaping between the Fulham Gasworks site and the adjacent ground floor residential units within Block H. The front boundary treatment serving the residential unit H3 facing the dock edge within Building should also be confirmed. The density of the scheme should be clarified.'
- 5.18 'Climate change: Additional technical information is required in relation to the applicant's energy strategy. Further passive and energy efficiency measures should be considered. The applicant should outline the measures to future proof the site to allow for a future connection to a district heating network. In addition, further information is required on the existing CHP facility and to set out the roof constraints highlighted. Once all opportunities to provide on-site savings have been fully exhausted, any remaining regulated carbon dioxide emission reductions should be met through a Section 106 contribution to the Council's offset fund in order to meet the zero-carbon target.'
- 5.19 'Sustainable urban drainage: In line with the London Plan drainage hierarchy, further information should be provided to demonstrate that the scope to accommodate rainwater harvesting and additional areas of green roofs within the scheme has been properly considered before the application can be considered fully compliant with London Plan Policy 5.13 and Policy SI.13 of the draft London Plan.'
- 5.20 'Transport: TfL have raised specific concerns about the applicant's Transport Assessment (TA) in terms of trip generation and modal share which must be addressed to enable officers to determine whether the application would have a further material impact public transport infrastructure and the extent to which additional mitigation measures should be secured via Section 106 agreement. The proposed level of car parking and cycle parking provision complies with the draft London Plan and is supported, subject to necessary conditions and obligations being secured. A car parking management plan (CPMP), delivery and servicing plan (DSP) construction logistics plan (CLP) and travel plan should be secured by condition.'
- 5.21 Once the Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

## **6.0 ENVIRONMENTAL IMPACT ASSESSMENT**

6.0 An Environmental Impact Assessment (EIA) has been undertaken and an Environmental Statement (ES) has been submitted by the applicants under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This requires certain projects to be assessed to establish whether they would have any significant effect on the environment. The scale of the proposals means that it is EIA development requiring an ES.

6.1 The ES comprises:

- Volume I: Main Assessment Text and Figures – the main body of the ES, detailing the results of environmental investigations, effects arising and proposed mitigation measures;
- Volume II: Townscape, Visual Impact and Built Heritage Assessment (TVIA) – reports the findings of the assessment of the effects on key and strategic views to and from the Site;
- Volume III: Technical Appendices – comprises survey data, technical reports and background information supporting the assessments and conclusions given within the main ES; and
- Non-Technical Summary – summarises the key findings of the ES in nontechnical language.

6.2 The ES informs readers of the nature of the Proposed Development and the likely environmental effects. It also presents the measures proposed to eliminate, reduce or mitigate any likely significant adverse effects on the environment (referred to as 'mitigation' measures). The ES identifies environmental effects during the demolition and construction phase, and on completion and occupation of the Proposed Development.

6.3 The significance of effects has been defined with reference to specific standards, accepted criteria and legislation where available. Effects have been classified as being:

- Adverse – detrimental or negative effects to an environmental / socioeconomic resource or receptor (a component of the natural, created or built environment that is affected by an impact);
- Negligible – imperceptible effects to an environmental / socio-economic resource or receptor. These effects are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error. These effects are unlikely to influence decision making; or
- Beneficial – advantageous or positive effect to an environmental / socioeconomic resource or receptor.

6.4 Where adverse or beneficial effects have been identified, these have primarily been assessed against the following scale (and are further defined within Volumes I and II of this ES):

- Minor – slight, very short or highly localised effect of no significant consequence;

- Moderate – limited effect (by extent, duration or magnitude), which may be considered significant; or
  - Major – Considerable effect (by extent, duration or magnitude) of more than local significance or in breach of recognised acceptability, legislation, policy or standards.
- 6.5 Effects are also generally assigned a geographic extent (local, regional or national) and duration (temporary or permanent). In addition, the ES identifies the potential for direct and indirect effects, and interactions<sup>1</sup> and cumulative effects.
- 6.6 In summary, the EIA has identified that, mitigation measures have been designed into the Proposed Development where possible, and once constructed and occupied, the Proposed Development is expected to have the following beneficial effects:
- Provision of up to 415 new homes (including affordable homes) and between 20 to 30 jobs;
  - Additional spending boost to the local community (approximately £6 million per year);
  - Provision of new areas of public open space; and
  - An improved heritage, townscape and visual setting.
- 6.7 The only residual adverse effects once the Proposed Development is complete are predicted to be in relation to daylight, sunlight and overshadowing and heritage, townscape and visual effects, specifically from Brompton Cemetery (classified as 'less than substantial harm').
- 6.8 The Site is currently underused and this has resulted in uncharacteristic high light levels for an urban environment in London which allows daylight and sunlight to easily reach the surrounding properties / windows. The Site is recognised as an area of development opportunity within local policy. Therefore, there is reasonable expectation that the Site and surrounding areas will be redeveloped in the future in order to meet the regional and local development objectives, which call for a greater number of homes and amenities. Therefore, daylight, sunlight and the urban townscape will change as the area is redeveloped and this should be borne in mind when considering these residual effects.
- 6.9 The environmental considerations are addressed in Section 8 of this report each containing a factual summary of the findings contained within the Environmental Statement (ES). The table below sets out a summary of the completed development effects.

**Table: Summary of Completed Development Effects**

Topic	Potential Effect	Receptor (Geographic Scale)	Mitigation Measures and Monitoring	Residual Effect
Socio-Economics	Provision of employment floorspace	Local Economy (Local)	None required	<b>Minor</b> beneficial at the local level and <b>negligible</b> at all other spatial scales
	Housing delivery	Housing market (Local, Borough, Region)	None required	<b>Moderate</b> beneficial at the local level; <b>minor</b> beneficial at the borough level; and <b>negligible</b> at the regional level
	Demand placed on education facilities	Existing education provision (Local, Borough)	None required	Negligible
	Demand placed on primary healthcare facilities / provision of a new health centre	Existing primary healthcare provision (Local)	Financial contributions (subject to local planning priorities and viability) via CIL	Negligible [Securing Mechanism: Conditions (s)]
	Demand for open space and playspace	Playspace (Site, Local)	Financial contributions (subject to local planning priorities and viability) via CIL	Negligible [Securing Mechanism: Conditions (s)]
	Demand for leisure facilities	Leisure (Local, Borough)	None required	Negligible
	Additional spending by residents and employees	Local economy (Local, Borough, Region)	None required	<b>Minor</b> beneficial effect at the local level and <b>negligible</b> effect at all other spatial scales
Daylight, Sunlight and Overshadowing	Vertical Sky Component	Neighbouring Properties (Local)	None required	VSC levels would vary in significance from permanent <b>negligible to minor adverse</b> for all neighbouring properties tested, except Block F, where the effect would

Topic	Potential Effect	Receptor (Geographic Scale)	Mitigation Measures and Monitoring	Residual Effect
				be permanent <b>major adverse</b>
	Daylight Distribution	Neighbouring Properties (Local)		DD levels would vary in significance from permanent <b>negligible to minor adverse</b> for all neighbouring properties tested, except Block F, where the effect would be permanent <b>major adverse</b>
	Annual Probable Sunlight Hours	Neighbouring Properties (Local)		APSH levels would vary in significance from permanent <b>negligible to minor adverse</b> for all neighbouring properties tested, except Block F, where the effect would be permanent <b>moderate adverse</b>
	Overshadowing	Neighbouring Properties (Local)		Permanent and <b>minor to moderate adverse</b>
Wind Micro-climate	Comfort and safety for pedestrian access and recreational use of amenity spaces	Thoroughfares (Site)	Soft landscaping proposals and sculpture Temporary fence/hoarding to the south and west of the Site Two temporary 6m tall trees to the west of the tower (Building H) 3m tall trees along the east facing façade of	Moderate to minor beneficial
		Entrances (Site)		Minor beneficial
		Ground Level Amenity Spaces (Receptor 51, 58, and 61 only) (Site)		Minor adverse
		Roof Terraces (Receptor 130 and 145 only) (Site)		Minor adverse
		Balconies (Receptor Location 133 only) (Site)		Minor adverse



Topic	Potential Effect	Receptor (Geographic Scale)	Mitigation Measures and Monitoring	Residual Effect
			<p>the tower (Building H)  1.2m tall shrubs along the east facing façade of the tower (Building H)  50% porous screens on building terraces ((Building H &amp; G)  1.5m tall solid balustrades on the tower of Building H</p>	
Heritage, Townscape and Visual Impact	Listed Buildings & Structures	<p>1. Gasholder No. 3 Imperial Gasworks (Grade II*)  2.A War Memorial (Grade II)  2.B. Office Building at the former Imperial Gas Works (Grade II)  2.C. Former Laboratory at the Imperial Gas Works (Grade II)  3. Sandford Manor House (Grade II*)  4. LCC Pumping Station (Grade II)  5.A. Stanley House (Grade II*)  5.B. Original school building and chapel at former College of St Mark and St John (Grade II)</p>	None required	No effect on its Significance (not significant in ES terms)

Topic	Potential Effect	Receptor (Geographic Scale)	Mitigation Measures and Monitoring	Residual Effect
		5.C. Carlyle Building at the Hortensia Road Centre (Grade II) 5.D. The Sloane School at the Hortensia Road Centre (Grade II) 5.E. Chapel at College St Mark and St John (Grade II) 5.F. Octagon at College of St Mark and St John (Grade II)		
		6.A. Church of England Chapel, Brompton Cemetery (Grade II*) 6.B. Arcades forming quarter of circle, Brompton Cemetery (Grade II*)		Less than substantial harm (significant in ES terms)
	Non-designated Heritage Assets	No. 562 King's Road Metal 'Book Sculpture' Bench No. 577 King's Road, Imperial Arms Public House No. 617 King's Road, former Hand & Flower Public House Nos. 85 and 87 Waterford Road Nos. 19 to 33 Harwood Terrace No. 1A Imperial Road Nos. 1 & 2 and 5 & 6 Peterborough Villas Nos. 2 to 12 Bagley's Lane (even) No. 58 Bagley's Lane (Queen Elizabeth Public House) Grove House Day Nursery, Bagley's Lane Nos. 160-169 Bagley's Lane Lots Road Power Station (within RBKC)	None required	No effect on its Significance (not significant in ES terms)

<b>Topic</b>	<b>Potential Effect</b>	<b>Receptor (Geographic Scale)</b>	<b>Mitigation Measures and Monitoring</b>	<b>Residual Effect</b>
	Registered Park and Gardens	Brompton Cemetery	None required	Less than substantial harm (significant in ES terms)
	Conservation Areas	Imperial Square and Gasworks Moore Park Parsons Green Studdridge Hurlingham Sands End The College of St Mark and St John Lots Village Thames	None required	No effect on its Significance (not significant in ES terms)
		Brompton Cemetery		Less than substantial harm (significant in ES terms)
	Townscape Receptors	Character Area A to H	None required	Major to minor beneficial
	Effect on visual amenity	Viewpoints RV: 1 (New walk) 2 (Harbour Avenue,) 3 (Stephendale Road) 4 (Imperial Road) 5 (Bagleys Lane) 6 (Bovingdon Road) 7 (Stokenchurch Street) 8 (Eel Brook Common) 9 (Eel Brook Common) 10 (Imperial Square,) 11 (Waterford Road) 12 (Maxwell Road) 13A (Brompton Cemetery) 13B (Brompton Cemetery) 14 (Brompton Cemetery) 15 (Brompton Cemetery) 16 (Fulham Road) 17 (St Mark's Chapel) 18 (King's Road) 19 (Westfield Park) 20 (Burnaby Street) 21 (Uverdale Road) 22 (Stadium Street)	None required	Moderate beneficial (RV2, 8, 10-12 & 23); minor beneficial (RV3-7,9, 16, 18-22, 24,25, & 29-32); Moderate adverse (RV15) and minor adverse (RV17); Negligible and beneficial (RV1, 26, 27 & 28); Moderate and neutral (RV 13A/B, & 14);

Topic	Potential Effect	Receptor (Geographic Scale)	Mitigation Measures and Monitoring	Residual Effect
		23 (Stadium Street) 24 (Lots Road) 25 (Lots Road) 26 (Albert Bridge) 27 (Battersea Bridge) 28 (Battersea Bridge) 29 (Cremorne Road) 30 (Montevetro) 31 (Vicarage Crescent) 32 (Imperial Park)		

6.10 Overall, the Proposed Development accords with the objectives of national, regional and local level planning policies and is therefore, considered to be in accordance with the Government's objectives for sustainable development.

## 7.0 POLICY FRAMEWORK

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

7.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

7.3 In this instance the statutory development plan comprises the London Plan (2016), the Local Plan 2018 and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

### The National Planning Policy Framework 2018 (NPPF)

7.4 The Government published the revised NPPF and its supporting documents on the 24th July 2018. The final framework consolidates the Government's position in relation to a number of policy updates announced over the past two and a half years, most notably those contained in the Housing White Paper (February 2017). The revised NPPF was published alongside (inter alia): the Government's response to the consultation on the revised NPPF; the revised NPPF equality impact assessment; updated Planning Practice Guidance; and a Housing Delivery Test Draft Measurement Rulebook. The policies of the revised NPPF are 'material considerations which should be

taken into account in dealing with applications from the day of its publication' (paragraph 212).

- 7.5 The revised NPPF sets out the Government's planning policies for England and how these are expected to be applied. The revised NPPF contains national policy on a range of topic areas including decision-taking, viability, affordable housing, design, open space, heritage, and the economy. The presumption in favour of sustainable development remains firmly embedded in the revised NPPF.
- 7.6 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 7.7 The NPPF is aimed at safeguarding the environment while meeting the need for sustainable growth. It establishes three objectives for the planning system
- a) plan for prosperity by using the planning system to build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
  - b) plan for people (a social role) - use the planning system to promote strong, vibrant and healthy communities, by providing an increased supply of housing to meet the needs of present and future generations; and by creating a good quality built environment, with accessible local services that reflect the community's needs and supports its health and well-being; and
  - c) plan for places (an environmental role) - use the planning system to protect and enhance our natural, built and historic environment, to use natural resources prudently and to mitigate and adapt to climate change, including moving to a low-carbon economy. The NPPF also underlines the need for councils to work closely with communities and businesses and actively seek opportunities for sustainable growth to rebuild the economy; helping to deliver the homes, jobs, and infrastructure needed for a growing population whilst protecting the environment.
- 7.8 The NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
  - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.’

### **Supplementary Planning Guidance**

- 7.9 The Mayor’s Supplementary Planning Guidance provide supplementary detail and guidance on policies in the London Plan. There are 22 Mayoral SPGs which cover relevant topics including, affordable housing and viability, housing, social and green infrastructure, town centres, culture and the night-time economy, character and context, sustainable design and construction, play and informal recreation, and planning for equality and diversity.
- 7.10 The Hammersmith and Fulham Planning Guidance SPD (2018) provides supplementary detail to policies in the Local Plan and covers a wide range of topics relating to amenity, historic environment, design, design, the environment, transport and waste.

### **Draft London Plan**

- 7.11 The new draft London Plan was published on 29 November 2017. The Plan’s consultation ended on 2 March 2018. An Examination in Public (EiP) is due to be held in autumn of 2018, and publication of the new Plan is expected in the autumn of 2019. It is therefore considered that the new draft London Plan should be given limited weight at this stage in determining this application. In the interim, consideration shall be given to the London Plan (Consolidated with Further Alterations 2016).
- 7.12 With regards to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan, Local Plan 2018 and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council’s PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in officers’ assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council’s PSED.

## **8.0 PLANNING ASSESSMENT**

- 8.0 The main considerations material to the assessment of this application have been summarised as follows:
- 8.1 Principle of Development
- 8.2 Layout, Height and Layout
- 8.3 Land Use Assessment (Non- Residential)
- 8.4 New Housing (Density, Mix, Affordable Housing, Tenure, Financial Viability Assessment);
- 8.5 Standard of accommodation (Internal size layout, Accessibility, Security, Amenity Space, Play space);
- 8.6 Open Space, Landscape and Public Realm;

- 8.7 Design, Appearance and Heritage (Scale and Massing, Appearance, Detailing and Materials, Townscape and Visual Impact Assessment, Design Codes, Design Conclusions);
- 8.8 Highways and Transportation (Traffic Generation and Pedestrian Safety, Servicing, Car parking, Cycle parking);
- 8.9 Environmental Considerations;
- 8.10 Sustainability and Energy;
- 8.11 Flood Risk Drainage and Water Resources;
- 8.12 Waste and Recycling;
- 8.13 Ground Conditions;
- 8.14 Air Quality;
- 8.15 Noise and Vibration;
- 8.16 Lighting;
- 8.17 Sunlight and Daylight;
- 8.18 Wind and Microclimate;
- 8.19 Ecology;
- 8.20 Archaeology;
- 8.21 Safety and Resilience to Emergencies;
- 8.22 Socio Economics and Community Effects;
- 8.23 Significant Cumulative Effects

## **8.1. PRINCIPLE OF DEVELOPMENT**

- 8.1.1. **The NPPF 2018** states that applications should be considered in the context of a presumption in favour of sustainable development and that development proposals which accord with the development plan should be approved without delay. In accordance with the NPPF and the London Plan, LBHF are required to promote sustainable economic growth through comprehensive regeneration plans set out in the Local Plan. The council has identified four regeneration areas which are anticipated to be the key focus for growth in the borough. The council supports major regeneration, growth and placemaking in these areas and will ensure that within these areas proposals will deliver new physical, social and environmental infrastructure that meets the needs of new residents as well delivering tangible benefits for surrounding communities.
- 8.1.2. **The NPPF 2018** requires planning policies and decisions to ‘encourage multiple benefits from both urban and rural land’, to ‘support the development of under-utilised land and buildings’ and to ‘give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated and unstable land’ (parts a-d).
- 8.1.3. **London Plan Policy 3.3 (Increasing Housing Supply)** sets housing targets for each Borough to ensure the provision of new homes in London and Policy 3.4 promotes development which optimises the use of land for housing. Policy HO1 of the Local Plan 2018 aims to exceed London Plan housing supply targets.

- 8.1.4. **Local Plan Policy H01** states a revised target of 1,031 additional dwellings a year up to 2035. **Policy SFRRRA** sets a target for the South Fulham Riverside Regeneration Area to provide an additional 4,000 new homes and 500 indicative new jobs. This demonstrates both a need and capacity for residential development in the area.

#### Assessment

- 8.1.5. The principle of a residential-led mixed use development is set as the Site already benefits from planning permission (2011/01472/COMB) as part of the wider Chelsea Creek Development which authorised construction of eight buildings (A – H) delivering 489 new homes and circa 10,000 sq.m of commercial floorspace (Use Class A1 to A5) and office floorspace (Use Class B1). Within the Site, Building G has permission for 82 homes (of which 22 are affordable) and 244m<sup>2</sup> GEA of ground floor commercial floorspace. Building H has consent for 8,896m<sup>2</sup> GEA of office floorspace.
- 8.1.6. Since the grant of extant permission, the planning context has developed such that the Council and the GLA are seeking to deliver increased levels of sustainable development and infrastructure to meet housing needs. It is considered that Blocks G & H of the consented Chelsea Creek development do not realise the full land use potential of the Site, and therefore the Proposed Development has been designed to provide more homes in lieu of office accommodation which would have been provided under the approved planning permission.
- 8.1.7. In March 2017, the Secretary of State confirmed the full revocation of the hazardous substance consent ('HSC') associated with the adjoining Fulham Gasworks site. The revocation of Fulham gasworks HSC and the development of a new masterplan for that site including changes to development plan policy, has led to a reconsideration of the development that can be accommodated on the Site. The extant consent was constrained by the health and safety risk of the gasworks. As a result of the gasworks, a compatible use defined by the Health and Safety Executive Control of Major Accident Hazardous (COMAH) and Planning Advice for Developments near Hazardous Installations had to be located on the Chelsea Creek Development boundary with the gasworks. The compatible use was an office building. The extant consent required development of this use so long as the HSC existed.
- 8.1.8. With the HSC revoked, there is no need for a building in this location to be restricted to use for office purposes. This has created a significant opportunity to provide much needed market and affordable homes and would assist the Council in meeting its housing target of 1,031 dwellings per annum, which the emerging London Plan seeks to increase to 1,648 dwellings per annum until 2028/29, and its objectives set out in the Local Plan South Fulham Riverside Regeneration Area ('SFRRRA') adopted in 2018. The proposals represent an intensification of the Site in accordance with the Local Plan (2018), adopted London Plan and draft new London Plan (2017).



8.1.9. The Proposed Development would make better and effective use of brownfield land to create homes and jobs that would directly support the economic growth and competitiveness of the capital, and support the regeneration of inner London generally and of SFFRA in particular. In doing so it can unlock social benefits and enable opportunities for environmental improvements.

#### Development Benefits

8.1.10. This policy context and the opportunities associated with the Site's recent history have informed and driven the proposals to their current form. In particular:

- The opportunity to deliver a significant quantum of new housing, including affordable homes, within the SFFRA. This will be a meaningful contribution towards the Borough's housing need and housing choice. The Site will deliver a total of 415 new homes, 35% of which will be affordable housing by habitable room (146 new homes/383 habitable rooms) on a policy compliant 60%:40% tenure split (affordable rent: intermediate).
- The delivery of new high quality small-scale 'non-destination' ground floor commercial space that will support the day-to-day needs of the development and contribute to its vibrancy, without adversely impacting on local town centres.
- The successful continuation of exceptional quality architecture and urban design, which Squire and Partners originally developed in respect to the Consented Chelsea Creek Development, that will signify the important role of the Site in supporting the aspirations of the Regeneration Area and contribute to the high-quality development that has already come forward within the Consented Chelsea Creek Development and in the surrounding area in recent years.
- The delivery of a new tall building that will provide a key marker for a new public square, the canal network and the transition between the Site and the adjacent Fulham Gasworks site.
- The creation of new public realm and open space alongside children's playspace and landscaping features which would serve the needs of existing and future residents and the wider community; and make tangible improvements to biodiversity.
- An appropriate townscape response to the Site and surrounding area, considering the scale and nature of recent and future anticipated change in the surrounding area and the requirement to provide much needed market and affordable homes.
- A development that seeks to support sustainable environmental objectives through taking steps to achieve reductions in energy consumption, carbon, water usage and waste production.
- The Consented Chelsea Creek Development was granted before the adoption of Mayoral CIL and Borough CIL and is therefore not chargeable development and incurs no CIL liability. In contrast the Planning Application is expected to contribute circa £13M towards Mayoral CIL and Hammersmith and Fulham CIL.

- The Proposed Development provides an opportunity for multiple economic and employment benefits to Hammersmith and Fulham not only during the construction process, but also in the future through the provision of jobs, homes, and contributions to the community. The scheme would accommodate 20 to 30 jobs on-site dependent on how the flexible space (A1-A5/B1a) is occupied once operational. This would generate wages in the region of £330,000 to £1.3 million per annum depending on the nature of the occupiers within the commercial uses.
- Up to £6.1 million per annum in additional spending in the area from residents and employees to boost the local economy.
- It is estimated that the construction works would generate an approximate average of 300 construction jobs over the duration of the construction programme for the Development. The number of people working on-site will vary considerable over the programme above and below this average.
- The creation of new pedestrian links from Imperial Wharf Station to the Site and through to the Fulham Gasworks site, significantly enhancing its connectivity and ensuring the accessibility of the new public amenities created by both developments. This is directly in line with the policy aspirations for the SFRRRA.

8.1.11. In summary, the proposals are considered to be in line with the core planning principles in the NPPF which places particular focus of stimulating economic growth. The provision of the additional employment connected with the construction, design and development processes (including on-going project management and open space maintenance) and the on-going operational jobs associated with the retail and office sectors would be considered to encourage economic growth in accordance with the NPPF.

8.1.12. The resulting mix of land uses are considered to provide additional employment opportunities and new uses which add to the variety of land uses within the opportunity area. It is considered that the proposed quantum and range of uses would complement the locality as an emerging mixed use central London location.

8.1.13. On balance therefore, it is concluded that the Proposed Development, subject to appropriate conditions, would accord with National Policies within the NPPF and policies 2.9, 3.3, 3.4 and 7.8 of the London Plan 2016. The proposal would also assist with achieving the regeneration aspirations for the site and wider area and resulting significant public benefits in accordance with Policy SFRRRA of the Local Plan 2018.

## **8.2. LAYOUT, HEIGHT AND MASSING**

### **Layout**

8.2.1. The proposed footprint layout of the new buildings follows that of the consented development by configuration of parallel blocks with alternating canal inlets and landscape areas between them. The footprint of Building G has become slightly narrower and as a consequence, the canal has moved slightly to the east (but remains the same width). The footprint of Building H

has become wider and the northern edge has moved closer to the waterfront. The north façade of Building G has remained in the same position, but the ground floor level set back façade has moved slightly closer to the water's edge.

## Height

- 8.2.2. The height and massing of Building G is proposed to remain broadly the same as Building G of the Consented Chelsea Creek Development at seven storeys with a recessed eighth storey. The lower part of Building H is proposed to be eight storeys with a recessed ninth floor instead of the consented six storeys of office accommodation plus one setback level. This element will be approximately 4m (one storey) higher than the consented envelope of the Building H with the parapet one storey higher than the lower blocks within the constructed phases. Officers consider that an eight-storey height, matching that of the constructed phases, would complement the Chelsea Creek masterplan better and the adjacent 6/7 storey proposed buildings in the Gasworks site located to the base of the proposed Gasworks towers.
- 8.2.3. Officers conclude that it is clear that the Proposed Development has been developed in a manner that both optimises the use of the site and is appropriate for its context in terms of ground floor layout, general design and materiality. It is therefore considered that the proposal complies with policies DC1 and DC8 of the Local Plan.

## Tall Buildings

- 8.2.4. **London Plan Policy 7.7 (Location and design of tall and large buildings)** requires tall and large buildings to form part of a plan-led approach and restricts tall buildings to particular areas, including 'areas of intensification'. The policy requires tall buildings to (inter alia) relate to the character and form of the surrounding area, to improve legibility of an area, to incorporate the highest quality architecture and materials, to have ground floor activities that positively relate to the surrounding streets, and to 'make a significant contribution to local regeneration'. London Plan Policy 7.7 and Policy 7.6 (Architecture) further requires tall buildings not to cause unacceptable harm to surrounding areas, particularly in sensitive locations.
- 8.2.5. **Policy DC3 (Tall Buildings) of the Local Plan** resists tall buildings that are 'significantly higher than the general prevailing height of the surrounding townscape and which have a disruptive and harmful impact on the skyline' but states that tall buildings may be appropriate in SFRRA.

## Assessment

- 8.2.6. The Proposed Development seeks to optimise the use of the Site and does so by providing one tower of 31 storeys (H1), enabling the distribution of the rest of the built development (Buildings H2 & H3 and Building G) to be lower in scale to relate with the constructed Chelsea Creek Development. This

approach allows the Proposed Development to deliver a greater quantum of new housing.

- 8.2.7. The heights of the tall buildings would be greater than other consented tall buildings nearby, including Block A of the constructed Chelsea Creek development and Block H1 (28 storeys) and H3 (25 storeys) of the proposed Gasworks buildings. It will be lower than the 37 storey Lots Road Power Station tower currently under construction and the adjacent 37 storey Gasworks tower (Block H2). The Site sits towards the centre of the regeneration site and is capable of accommodating tall buildings. The currently proposed Chelsea Creek tower will be set back from the River Thames and would not be as prominent as nearby riverfront development.
- 8.2.8. The Site is located in a highly accessible location close to Imperial Station and with good accessibility to bus stops. In such sustainable locations, the revised NPPF encourages development opportunities to be optimised and in this sense, there are opportunities to deliver a building of significant scale.
- 8.2.9. In urban design terms, the new tower has evolved to bear close relationship in terms of appearance and materiality to Tower A of the Consented Chelsea Creek Development. However rather than entirely replicate the appearance of Tower A, the same design team who are completing the Chelsea Creek vision have sought to provide a subtle contrast by providing a more vertical rather than more horizontal emphasis. This will allow the taller Tower H1 proposed in the Planning Application to visually complement rather than compete with Tower A.
- 8.2.10. The new public square proposed at the Fulham Gasworks site and the creation of a piazza which is proposed at the base of the proposed tower H1 offers the opportunity for both communities to integrate and will act as a focal point in this area. The ground floor of the tower will provide new commercial and retail space which will attract residents towards this location whilst serving the needs of the new community.
- 8.2.11. It is clear from NPPF Paragraphs 58-63 and 124-130 that the NPPF places great emphasis on making the most of development opportunities by optimising the potential of sites, particularly in highly sustainable and accessible locations. In addition, the NPPF encourages a step change in design quality of local areas, where this is needed and can be achieved, through outstanding and innovative approaches. The opportunity to deliver a development of significant scale and quality on the site is therefore clear and aligns with the objectives of the NPPF.
- 8.2.12. The use of tall buildings ensures that the Proposed Development can provide a mix of uses and a number of public benefits.
- 8.2.13. In terms of the cumulative townscape impact, the proposed tower would be spaced some distance away from the existing 24 storey tower within Block A of the Chelsea Creek development to address potential daylight and sunlight impacts and its potential wider impact, particularly on Brompton

Cemetery which is considered in more detail later in this report. The proposed tower would form a new cluster of tall buildings alongside those proposed on the Fulham Gasworks development, which would rise to 28, 37 and 25 storeys respectively. GLA officers agree that the relatively slender form and massing of each of these five towers and their varying height and staggered placement would allow each to be read as a distinct visual element and this would avoid the buildings appearing as a single or overbearing mass of development in local and wider townscape views.

8.2.14. This cluster of taller buildings would be visually prominent in views from the south side of the Thames and from Albert Bridge and Battersea Bridge. Having regard to the applicant's submitted views assessment, officers consider that the cumulative impact of the proposals would be beneficial in townscape terms and would form a positive visual relationship with other nearby clusters of tall buildings along the river at the World End's Estate and Chelsea Harbour, which are of a different age and appearance.

8.2.15. GLA officers confirmed that given the siting and scale of the proposed tower, there would not be an adverse impact on any of the strategic views identified in the Mayor's London View Management Framework (LVMF) SPG.

8.2.16. In summary, it is considered that the proposed development complies with the relevant tall buildings policy tests. By optimising the use of the Site to provide a development of this scale it is possible to provide the number of significant important benefits outlined above. As such, it is clear that the Proposed Development has been developed in a manner that both optimises the use of the site and is appropriate for its context in terms of height and massing. Subject to the further consideration of the impact on the setting of heritage assets, which is undertaken later in this report, officers consider the scale and massing of the scheme acceptable, in line with London Plan Policy 7.7 and Policy DC3 of the Local Plan.

### 8.3 LAND USE ASSESSMENT

8.3.1. **The NPPF** promotes mixed use developments that encourage multiple benefits and encourages development on previously developed land. **The NPPF** states that "when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold ...".

8.3.2. **London Plan Policy 2.3 (National Growth Area)** states that with the scale of growth expected in London, places with the scope for accommodating new homes and jobs will be of particular importance. Whilst Policy 2.9 (Inner London) states that development proposals in Inner London should sustain and enhance recent economic and demographic growth while also improving its distinct environment, neighbourhoods and public realm, supporting and sustaining existing and new communities. **Plan Policy 4.2**

seeks to support office provision that will improve London's competitiveness, and particularly its attractiveness for varied occupiers, including small and medium enterprises

- 8.3.3. **Strategic Policy SFRRA (South Fulham Riverside Regeneration Area)** of the Local Plan states that the council will work with landowners and other partners to secure the phased regeneration of the area to become a high quality residential area together with a mix of other uses. Most development sites should be developed for predominantly for residential purposes and contribute to the South Fulham Riverside target of 4,000 additional dwellings including 500 new jobs by 2035.
- 8.3.4. The council does not consider that it is appropriate for additional major stores to be considered in the area. Any additional floorspace in the area should primarily cater for local needs in order to sustain the town centres.
- 8.3.5. **Local Plan Policy E1** supports proposals for new employment uses and the retention and intensification of existing employment uses, especially those that recognise the Borough's existing strengths in (inter alia) creative industries. It requires flexible and affordable space suitable for small and medium enterprises in large new business developments. **Policy E4** states that the council will seek appropriate employment and training initiatives for local people of all abilities in the construction of major developments and in larger employment generating developments, including visitor accommodation and facilities when these are completed. Local businesses will be encouraged to adopt the London Living Wage.

#### **Loss of Consented B1a Office (Consented Building H)**

- 8.3.6. The application would result in a net loss of office floorspace (-2,563 sq.m.) as the existing office building would be demolished and residential units proposed in place of the previously consented 8,896 sq.m. office building. This is acceptable in strategic planning terms having regard to the site location, the existing and emerging land use context and the quality of the existing office accommodation on site.
- 8.3.7. Strategic Site Policy SFRRA identifies the delivery of 500 jobs in the regeneration area which includes the Fulham Gasworks site and Chelsea Creek. There is no reference to a target floorspace. This policy states that 'employment based uses that will meet local business needs and are compatible with residential development in the most accessible parts of the area, particularly in the vicinity of Imperial Wharf Station' will be required. The policy specifically refers to 'providing programmes to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment'.
- 8.3.8. Supporting text (paragraph 5.100) notes that 'with many previous employment sites being redeveloped for housing, it is important that some replacement employment opportunities are provided in new development schemes to create a mixed-use area and provide jobs locally', albeit

acknowledges at paragraph 5.99 that ‘the overriding need is for new homes and much of the area is not accessible enough for significant new employment space.’ The emphasis of SFRAA is on ‘local’ business needs and local jobs.

- 8.3.9. Moving away from area specific policies, Borough wide Policy E1 (Providing for a Range of Employment Uses) confirms that the Council will support ‘the retention, enhancement, and intensification of existing employment uses’ and that ‘the borough’s three town centres and the White City and Earl’s Court and West Kensington Opportunity Areas will be the preferred locations for new office development above 2,500m<sup>2</sup>. Proposals outside of these areas for large new office development (above 2,500m<sup>2</sup>) will generally be discouraged’.
- 8.3.10. Adopted Local Policy E2 (Land and Premises for Employment Uses) states that ‘the council will require the retention of land and premises capable of providing continued accommodation for employment or local services.’
- 8.3.11. The adopted development plan policy does not support a significant office building at the site. Building H of the Consented Chelsea Creek Scheme has not been constructed and does not provide existing employment uses. It is therefore considered that the above policies do not affect its loss. Local Plan Policy E1 directs major office development to other locations such as the three town centres and actively discourages its location outside of these areas. SFRAA policy promotes localised commercial floorspace compatible with residential uses, not strategic office buildings.
- 8.3.12. Officers therefore consider that the proposed residential-led, mixed use development of the application site therefore accords with the Hammersmith and Fulham Core Strategy (2011) and draft SFRSPD guidance.

#### Non-Residential Floorspace

- 8.3.13. The proposed development provides scope for the following non-residential land uses:

<b>Non-residential use GEA (sqm)</b>	<b>Use Class</b>	<b>GEA (sqm)</b>
<b>Building G</b>		
Retail/Café/Restaurant/Office	A1-A5 and/or B1a Use Classes)	298
<b>Building H</b>		
Retail/Café/Restaurant/Office	A1-A5 and/or B1a Use Classes)	249
<b>Total</b>		<b>547</b>

**Table: Non-Residential Floorspace**

- 8.3.14. Three ground floor units would provide 547 sq.m. of flexible commercial space in either retail, cafe/restaurant, bar and/or office uses falling within Class A1 to A5 and/or B1a.
- 8.3.15. The principle of retail, and other non-residential uses, as part of a mixed-use development in this location is supported by planning policy and, in particular, the Local Plan's objectives for the SFRRRA. The community engagement undertaken by the Applicant in relation to the proposed redevelopment identified a desire for new commercial space.
- 8.3.16. The flexible approach to the provision of commercial floorspace at this site seeks to enhance the quality of the proposals by providing convenience and every day retail to its occupants and visitors as well as employment based uses such as a small amount of office. This is in line with Local Plan Policy SFRRRA which requires employment-based uses that are compatible with residential use in the most accessible part of the area. SFRRRA Paragraph 5.101 states that non-residential uses such as small-scale retail, restaurants and cafes should be provided as part of mixed use developments, primarily to meet local need.
- 8.3.17. It is also noted that the principle of a residential-led, mixed use development on this site is supported in strategic terms, as concluded by the GLA in their Stage 1 report.
- 8.3.18. Officers conclude that the proposed office and retail uses has the potential to complement and support the residential uses within the development site. It is considered that the development would result in provision of a more balanced and sustainable community comprising a mix of complimentary uses within a highly accessible location. The additional retail and office uses could positively add to the sustainable mix of uses on the site, and within the Opportunity Area making the area more attractive and balanced in terms of land use mix. Officers are of the view that the additional uses would reinforce the mixed-use character of the proposed site, which would make it a more inviting place to work and place to live. Officers consider that the proposed office and retail uses would be acceptable in terms of their impact on nearby town centres, in accordance with up-to-date planning policy guidance in the NPPF and Local Plan 2018.

#### 8.4 **NEW HOUSING**

- 8.4.1 At the regional level, the London Plan emphasises the need for more homes in the capital at a range of tenures and of a range of sizes. As such there are several planning policies that seek to support the development of residential properties across the city.
- 8.4.2 **London Plan Policy 3.9 (Mixed and Balanced Communities)** states that a more balanced mix of tenures should be sought in all parts of London, particularly in neighbourhoods where social renting predominates and there are concentrations of deprivation. **Policy 3.9** goes on to state that communities, mixed and "balanced by tenure and household income, will be



promoted across London through incremental small scale, as well as larger scale developments which foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods. They must be supported by effective and attractive design, adequate infrastructure and an enhanced environment". **Policy 3.10** outlines that homes "should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision".

- 8.4.3 **London Plan Policy 3.10** defines affordable housing as: "social rented, affordable rented and intermediate housing (para 3.61), provided to eligible households whose needs are not met by the market. ...".
- 8.4.4 **London Plan Policy 3.11 (Affordable Housing Targets)** sets a London wide affordable housing target of at least 13,200 more affordable homes per year. The policy advises that 60% of new affordable housing should be provided for social or affordable rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The London Plan addresses the introduction of affordable rent, with further guidance set out in the Housing SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be within the 60%.
- 8.4.5 **London Plan Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed-Use Schemes)** seeks negotiation to secure the maximum reasonable amount of affordable housing within new development taking account of the individual circumstances including development viability.
- 8.4.6 **Local Plan Policy HO3 (Affordable Housing)** provides more detailed guidance on the level of affordable housing, stating that housing schemes should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities. Stating that at least 50% of housing units should be affordable, of which 60% should be social or affordable rent and 40% should be for intermediate housing.

## Density

- 8.4.7 **London Plan Policy 3.4** requires development to optimise housing output for different locations taking into account local context and character, the design principles in Chapter 7 and public transport capacity. **Draft London Plan Policy D6** seeks a more design-led approach to density, based on an assessment against the housing standards within **Policy D4** and the long-term management proposals for higher density developments.
- 8.4.8 The Site has a Public Transport Accessibility Level (PTAL) range rating of 2-3 and is located within an 'Urban' setting, as defined in the London Plan, but is situated in close proximity to PTAL ratings 4-6 with Imperial Wharf Station approximately 250m walking distance from the Site.

- 8.4.9 The London Plan identifies a central setting as being within 800m walking distance of a Metropolitan or major town centre. Only the north-western part of the site is within walking distance from Fulham Town centre and as such is defined as being majority urban in terms of the London Plan density matrix. central setting. Table 3.2 sets out density ranges of 200-450hr/ha (70-170u/ha) for urban settings. The site measures 0.83 hectares and it is anticipated that the development would equate to density of approximately 291units/ha (839 habitable rooms per hectare).
- 8.4.10 The draft London Plan does not seek to rigidly apply a density matrix. Rather, draft Policy D6 (Optimising Housing Density) states that development proposals 'must makes the most efficient use of land and be developed at the optimum density' (with consideration being given to site context, connectivity and accessibility, and the capacity of surrounding infrastructure). Proposals that do not demonstrably optimise the housing density of a site should be refused and greater scrutiny of design is required the greater the level on density.
- 8.4.11 Although Local Plan Policy HO4 (Housing quality and density) expects housing in existing residential areas to be predominantly low to medium density and to consist of low to medium rise developments, it recognises that high density development may be appropriate in highly accessible areas, subject to design, compatibility with local contexts and transport impacts and highway capacity.
- 8.4.12 The Proposed Development has a density of 344.45 units per hectare and 903.87 habitable rooms per hectare. Whilst the density of development exceeds the adopted London Plan density range, it is considered that it is reasonable and appropriate given that the Site is situated within close proximity to a PTAL rating of 4, is adjacent to the Overground Station, and is in close proximity to the town centre with good proximity to amenities and schools. With the improved pedestrian links from Chelsea Creek and Fulham Gas Works, the distance to transport and local facilities will be enhanced and better the PTAL rating.
- 8.4.13 The density of the Proposed Development is also considered acceptable as a result of the quality of its proposed design, which allows it to relate well to the local townscape and to facilitate acceptable qualities of residential amenity. As such the proposed density clearly supports the aims of adopted and emerging policy to make the optimum use of the Site with consideration to its context and accessibility.
- 8.4.14 Officers are mindful of the fact that density is a guide to ensure optimisation of brownfield sites, and other issues should be considered, such as quality of design, sensitivity of works, new linkages and public routes through the site and other regeneration benefits of the scheme. Both London Plan and Draft London Plan policy is clear that density ranges should not be applied mechanistically and developments should make efficient use of land to optimise housing delivery. Overall, the proposed density is considered

acceptable, given the high quality of design (discussed further below), the site's characteristics and its capacity to accommodate growth.

8.4.15 In conclusion, the proposed residential density is considered to be acceptable and would accord with the London Plan policy 3.4.

### Housing Mix

8.4.16 **The NPPF** requires local planning authorities to deliver a wide choice of high quality homes and to plan for a mix of housing in terms of size, type, tenure and range based on local demand

8.4.17 **London Plan Policy 3.8**, together with the Mayor's Housing SPG, seek to promote housing choice and a balanced mix of unit sizes in new developments, whilst Draft London Plan Policy H12 advises against setting prescriptive dwelling size mix requirements for market and intermediate homes. **Policy 3.11** establishes that strategic priority be afforded to the provision of affordable family homes. **Policy HO5** requires new residential development to include a mix of types, tenures and sizes of homes to reflect the needs of the borough, taking into account the characteristics of the site.

8.4.18 The application proposes 415 residential units in total. The housing mix for the Proposed development is stipulated in the following table;

Unit Type	Number	Percentage
Studio	23	5%
1 Bed	156	38%
2 Bed	190	46%
3 Bed	46	11%
<b>Total</b>	<b>415</b>	<b>100%</b>

**Table: Dwelling Mix of Proposed Development**

8.4.19 It is considered that the proposed range of unit types will create a balanced community. The proposed mix is considered to be acceptable taking into account the wider strategic requirements of the Council and the need to incentivise delivery in accordance with policies set out in the London Plan (Policies 3.3 and 3.8) and Policy HO1 of the Local Plan 2018.

### Affordable Housing

8.4.20 **The NPPF 2018** supports the increase of the supply of homes that meet the needs of those with specific requirements and reflect assessments of the type and tenure of different groups, including affordable housing. (Paragraphs 59, 61 and 64).

8.4.21 **Policy 3.11 of the London Plan** states that affordable housing provision should be maximised and that an annual average of at least 17,000 more affordable homes should be sought. It requires that 60% of affordable housing should be for social or affordable rent and 40% should be for

intermediate rent or sale. Priority should be given to provision of affordable family housing.

8.4.22 **Policy 3.12 of the London Plan**, states that the 'maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes' having regard to:

- current and future requirements for affordable housing at local and regional levels, and the size and type of affordable housing needed in particular locations;
- adopted affordable housing targets, the priority to be accorded to provision of affordable family housing and the need to promote mixed and balanced communities;
- the specific circumstances of individual sites and the need to encourage rather than restrain residential development; and
- resources available to fund affordable housing, to maximise affordable output and investment criteria.

8.4.23 **Policy 3.12** further sets out a preference for the on-site delivery of affordable housing noting that off-site provision of a cash payment in lieu will only be acceptable in exceptional circumstances.

8.4.24 **The Affordable Housing and Viability Supplementary Planning Guidance (SPG) (2017)** introduced the 'threshold approach' to assessing viability, which does not require supporting viability evidence to be submitted where proposals meet the threshold level of provision. The SPG identifies a 35% threshold for all sites above ten units except (only) for land in public ownership or public use, to which a 50% threshold applies. Paragraph 2.33 justifies this differentiation on the basis that land in public land that is surplus to requirement 'typically has a low value in its current use, allowing higher levels of affordable housing to be delivered'.

8.4.25 **Draft London Plan** identifies surplus utilities sites as an important source of land for housing. It seeks to optimise the potential for housing delivery on suitable and available brownfield sites, 'especially' surplus utilities sites (Policy H1B(2)(d)). Draft London Plan also proposes a strategic target for 50% of all homes in London to be affordable.

8.4.26 **Draft London Plan Policy H6** and the Mayor's Affordable Housing and Viability SPG set out a 'threshold approach' whereby schemes meeting or exceeding a specific threshold of affordable housing (in this case 50% on industrial land) by habitable room without public subsidy and which meets other criteria are not required to submit viability information to the GLA, nor would the application be subject to a late stage review mechanism. Draft London Plan Policy H7 and the Mayor's SPG sets out a preferred tenure split of at least 30% low cost rent (social or affordable rent, significantly less than 80% of market rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority.

8.4.27 **Draft London Plan Policy H7** expects 30% of affordable homes to be low cost rented homes and 30% intermediate products that meet the definition of affordable housing. The remaining 40% is at the discretion of the LPA. Other affordable products may be acceptable if they meet the broad definition of affordable housing, meet the draft London Housing Strategy definition of genuinely affordable housing ('Homes for households whose needs are not met by the market') and are considered by the borough to be genuinely affordable.

8.4.28 **Policy HO3 of the Local Plan** states that the Council will seek the maximum reasonable amount of affordable housing, taking in to account site size and constraints and financial viability. It identifies a target for 50% of dwellings in schemes across the borough to be affordable, of which 60% are to be for social or affordable rent, and 40% are to be intermediate housing.

8.4.29 In accordance with national and regional policy, the policy recognises site-specific factors and CIL when negotiating affordable housing:

- site size and site constraints;
- financial viability, applying the principles set out in the [Council's] Viability Protocol;
- individual circumstances and characteristics of the site;
- site-specific infrastructure;
- availability of public subsidy; and
- CIL charge.

8.4.30 The policy requires viability information to be supplied where less than 50% of dwellings are affordable in developments proposing more than 11 residential dwellings.

**Level of Affordable Housing, Tenure, Type and Affordability**

8.4.31 The application proposes 415 residential units, comprising 87 affordable rent units, 59 intermediate units and 269 private units. This represents 35% affordable housing by habitable room and by unit, as shown in Table below. In terms of tenure split, 60% of the affordable housing floorspace would be in affordable rented tenure and the remaining 40% intermediate.

Tenure	Units	Habitable rooms	% affordable by habitable rooms	% affordable by unit
Affordable rent	87	236	35%	35%
Intermediate	59	148		
Private sale	269	715	65%	65%
<b>Total</b>	<b>415</b>	<b>1,099</b>	<b>100%</b>	<b>100%</b>

**Table: Level of Affordable Housing**

8.4.32 In terms of tenure split, 60% of the affordable housing floorspace would be in affordable rented tenure and the remaining 40% intermediate.

	Market		Intermediate Rent		Affordable Rent		Overall housing mix	
	units	%	units	%	units	%	units	%
Studio	23	9%					<b>23</b>	<b>6%</b>
1 bed	93	35%	29	49%	34	39%	<b>156</b>	<b>38%</b>
2 Bed / 3 Person			30	51%	44	51%	<b>190</b>	<b>46%</b>
2 Bed / 4 Person	116	43%						
3 Bed / 4 Person					9	10%	<b>46</b>	<b>11%</b>
3 Bed / 6 Person	37	14%						
			<b>59</b>		<b>87</b>			
<b>Total</b>	<b>269</b>		<b>146 (35%)</b>				<b>415</b>	

**Table: Affordable Housing Mix**

- 8.4.33 Given the outline Policy HO3, in accordance with policy, a Financial Viability Assessment (FVA) has been submitted in support of this application.
- 8.4.34 The supporting text (paragraph 6.53) to Local Plan Policy H05 acknowledges that for the intermediate housing, the council's SHMA has identified a high need for 1-bedroom properties (64%) and 2-bedroom properties (30%), based on the council's HomeBuy Register.
- 8.4.35 With regards to the affordable rented housing the development proposes 44 2-Bed / 3 Person units and nine 3-Bed / 4 Person units. The supporting text (paragraph 6.52) of Local Plan Policy HO5 identifies that the Council will 'encourage developers' to provide 50% of affordable units to accommodate the maximum number of people and specifically the provision of larger affordable units (i.e. 2-Bed / 4 Person as opposed to 2-Bed / 3 Person). According to the applicant any improvement in unit sizes will have an impact on the financial viability of the development. The Council's Housing Officers have commented on the proposals and find the proposals acceptable.
- 8.4.36 Officers consider that with regards to affordable housing mix, the Proposed Development is broadly in line with Policy HO5 of the Local Plan and Policy H12 the draft London Plan.

### **Affordable Housing Affordability**

- 8.4.37 The 87 affordable rent units will be delivered at London Affordable Rent in line with the prevailing benchmarks set out in the Mayor's Homes for Londoners Funding Guidance (currently £150.03per week for a one bed, £158.84 for a two bed and £167.67 for a three bed, which equates to approximately 20-25% of market rents on current estimates). These weekly rents are exclusive of service charge.

8.4.38 The 59 intermediate rent units will be available to households with an income of up to £60,000 (inclusive of service charges and adjusted as necessary to be affordable to households earning no more than £60,000.).

### **Affordable Housing Delivery**

8.4.39 The Proposed Development is proposed to come forward as one phase with the London Affordable Rent units within Building H2; the London Living Rent units within Building H3 and Building G3. The indicative delivery programme for the Development has been estimated at approximately two years, with construction works commencing in the Q1 of 2020 and completion anticipated in the Q1 of 2022.

### **Financial Viability Assessment**

8.4.40 London Plan Policies 3.11 and 3.12 and draft London Plan Policy H5 seek to maximise the delivery of affordable housing, with the Mayor setting a strategic target for 50% of all new homes to be affordable. Policy H6 of the draft London Plan identifies a minimum threshold of 35% affordable housing (by habitable room), with a threshold of 50% applied to public sector owned sites and Strategic Industrial Locations (SIL), Locally Significant Industrial Sites (LSIS) and non-designated industrial sites (where schemes result in a net loss of industrial capacity).

8.4.41 As this proposed level of affordable housing is below the 50% strategic target set out in Local Plan Policy HO3 a Financial Viability Assessment (FVA) has been submitted in support of this application

8.4.42 The site is in private ownership and currently comprises an office building – St George House – associated car parking and an area of hard-standing, which is currently utilised as a storage and compound for the construction of the Chelsea Creek development. Whilst the historic use of the site was industrial, this ceased by the mid-1980s when the existing office building and parking was constructed. The site is located within South Fulham Riverside Regeneration Area and designated for housing-led mixed-use development in Hammersmith & Fulham's Local Plan. The GLA has confirmed that the site does not therefore fall within the classification of a designated or non-designated industrial site and, as such, this application is subject to the 35% threshold for the purpose of applying Policy H6 of the draft London Plan.

8.4.43 Applications which meet or exceed the relevant threshold for affordable housing (without public subsidy), proving an appropriate tenure split and which meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor, can follow the 'Fast Track Route', as set out in Policy H6 of the draft London Plan and the Affordable Housing & Viability Supplementary Planning Guidance (SPG). This means that these applications are not required to submit a financial viability assessment to the GLA or be subject to a late stage viability review mechanism (as is required for any scheme following the 'Viability Tested Route'). Subject to

the applicant fully exploring grant funding and an early stage review mechanism being secured by the Council, GLA officers consider the scheme is eligible for the 'Fast Track Route' and provided these requirements are met, a late stage review mechanism would not be required in this instance.

- 8.4.44 The FVA submitted is reflective of current revenues and considers the costs and challenges associated with the individual circumstances of the site. Namely the likely decontamination and remediation costs associated with the sites historic uses to bring the land to an acceptable standard for residential uses. The costs entailed in restoring the Heritage assets (Grade II\* listed Gasholder No.2, two listed buildings and a listed war memorial) on the Site, as required by Local Plan policy SFRR1. The FVA also takes in to account the high CIL liability applicable to development on the Site which are subject to indexation but have been estimated at £76.5m of Borough CIL and £12m of Mayoral CIL for the illustrative scheme. This is in addition to site specific Section 106 contributions for infrastructure to be agreed with LBHF officers and other stakeholders. The applicant has also submitted evidence that the residential market in Imperial Wharf has contracted.
- 8.4.45 Daniel Watney LLP (DW) has been instructed by the Council to prepare a review of a viability assessment provided by the applicant (St George). The Benchmark Land Value has been derived from the AUV, which is the consented scheme from 2016 (Ref. 2016/00765/VAR). DW considers the Benchmark Land Value to be £50.8m and with this value the proposed scheme derives a profit of 17.6% on GDV, which is below the benchmark scheme of 18.9% on GDV.
- 8.4.46 DW have reviewed the FVA submitted by St. George and have made adjustments to inputs of the appraisals including construction costs, professional fees, stamp duty and sales values. In addition, DW have undertaken sensitivity testing. The sensitivity analysis illustrates that for the scheme to become viable the sales values would have to increase at a faster rate than the construction costs. DW feels that given the uncertainty in the prime residential market and the constant steady rise in construction costs that this scenario is unlikely in the short term.
- 8.4.47 In conclusion, the application was submitted with a FVA that has been reviewed by the council's appointed consultants Daniel Watney and the GLA Viability Team. DW consider that, at this point in time, 35% affordable housing provision exceeds that which would be considered the maximum reasonable provision for the development at a target profit of 18.9% on GDV.

## **8.5 STANDARD OF ACCOMMODATION**

- 8.5.1 **London Plan Policy 3.5** requires new residential development to provide a high quality and design of internal living environment, as well as externally and in relation to the wider context. Part C and Table 3.3 of this policy specify the minimum unit sizes for new development. Part D includes a



caveat stating that development that does not accord fully with the policy can be permitted if it exhibits exemplary design and contributes to the achievement of other policy objectives. **Policy 3.8** further requires that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible for residents who are wheelchair users. In addition to the minimum standards, private amenity space should be provided for each residential unit. Standard 4.10.1 of the Housing SPG requires that a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. **Policy 7.2** seeks to ensure all new development achieves the highest standards of accessibility and inclusive design. Policy 3.8 requires all new housing to be built to the lifetime homes standards, with 10% of all the units designed to be wheelchair accessible or easily adaptable to this standard.

- 8.5.2 **Local Plan Policy HO11** states several criteria which should into account when ensuring that the design and quality of all new housing is of a high standard, meets the needs of future occupants and respects the principles of good neighbourliness.

#### Assessment

- 8.5.3 The residential accommodation has been designed to meet residential standards within the Mayor's Housing SPG (2016).
- 8.5.4 The design maximises the delivery of dual aspect units across the floorplates, with no north facing single aspect units. Where single aspect units exist (c. 26% of units), they have been designed to ensure that all units will have adequate daylight and sunlight and cross-ventilation to minimise overheating. All units will have high quality living accommodation.
- 8.5.5 The separation distance between the buildings would be a minimum distance of 18.6m. The Proposed Development therefore meets the minimum separation distances as set out in the adopted SPD and ensures an adequate privacy is maintained for all proposed residential properties.
- 8.5.6 The development is supported by an extensive array of public and private amenity space provided at grade, roof terraces/gardens and balconies. Some of this space is open to the public as genuinely accessible public realm, whilst other spaces are private amenity areas demised to individual homes. All residential units within the Proposed Development will benefit from private amenity space in the form of either balconies and ground floor terraces in adherence to guidance. New public open space and high quality public realm including a canal to reinforce the clear pattern of canal-street-canal of the original masterplan, is further provided, which together total 4,616 sqm in area.
- 8.5.7 Matters relating to the loss of consented office space, new commercial floorspace, socio-economic, sustainable energy measures, transport, waste and servicing, wind microclimate, flood risk, playspace, open space, air

quality noise, sunlight daylight and design are addressed elsewhere in this report.

- 8.5.8 Overall officers are satisfied that the proposal would provide acceptable amenity and environmental standards for existing, future and surrounding residents.

## **Security**

- 8.5.9 **The NPPF 2018** seeks to ensure that planning decisions promote public safety and take into account wider security and defence requirements. They should anticipate and address all plausible malicious threats and natural hazards and create safe, inclusive and accessible places that have high levels of amenity and do not undermine quality of life, community cohesion and resilience to due crime and disorder.

- 8.5.10 **London Plan Policy 7.13** states that through planning decisions development proposals should include measures to design out crime in a manner that is 'in proportion to the risk, deter terrorism, assist in the detection of terrorist activity and help deter its effects'. **Policy DC1** seeks to ensure that new developments, new publicly accessible open spaces and new community and leisure facilities are inclusive and accessible, contribute to improving quality of life and reducing the incidence of crime and anti-social behaviour (paragraphs 2.57, 10.5 and 12.3).

- 8.5.11 Areas of active ground level frontage will be created to animate the public realm. The landscape design is publicly accessible except for the private ground floor terraces. All public spaces are overlooked by residents and non-residential users. Residential glazing and doors will be Secure by Design certified. These measures to design out crime will be specified in accordance with appropriate British Standards and European Norm standards.

- 8.5.12 It is considered that the access points and the principle public spaces will be well lit, which would provide facial recognition. Residential cores will also be well lit and prominently positioned with recessed entrances only used in specific locations. It is considered that collectively these design measures have been carefully considered to reduce the likelihood and fear of crime on the Site and, accordingly, the Proposed Development should be considered acceptable in this respect.

- 8.5.13 The proposals are considered to be well designed and in accordance with the NPPF, Local Plan, and Policy DC1 of the Local Plan which requires development to reduce the opportunities for criminal behaviour.

## **8.6 OPEN SPACE, PLAY SPACE, LANDSCAPING AND PUBIC REALM**

- 8.6.1 **The NPPF** (Paragraph 96) notes the important contribution that high quality open spaces can make to the health and well-being of communities. The NPPF defines open space as: 'All open space of public value, including not

just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity’.

- 8.6.2 **London Plan Policy 3.5** requires developments to consider the provision of public, communal and open spaces. **Policy 3.6** further requires the provision of good quality, well-designed and stimulating play and informal recreation provision for children, including trees and greenery where possible. **Policy 7.18** support the creation of new open space in London.
- 8.6.3 **Local Plan Policy OS1** states that the Council will protect, enhance and increase the provision of parks, open space and biodiversity in the borough by (inter alia) requiring a mix of new public and open spaces in South Fulham Riverside Regeneration Area and any new major development. Policy OS2 Part C requires such open space provision to be accessible and inclusive. **Policy OS2**, paragraph 10.5 states that the space provided in the regeneration areas may be provided in a number of ways including ‘easily accessible small private spaces and in larger parks’. **Policy OS3** states that proposals should not result in the loss of existing play space or the increased deficiency in the availability of such play space. It requires on well-designed provision of accessible, inclusive, safe and secure communal play space in new residential developments to cater to the needs of all children. The scale and nature of its provision should be proportionate to the scale and nature of the proposed development. **Policy OS5** seeks to enhance biodiversity and green infrastructure in the borough by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm.

#### Open Space Provision

- 8.6.4 The Proposed Development proposes to deliver 4,616m<sup>2</sup> of publicly accessible open space including the new canal works. A variety of hard surface materials and street furniture are proposed across the Site to signal the different roles and functions of the routes and spaces. This space includes the following five landscapes areas:
- Block H Canal Side Space
  - Dockside Edge
  - Public Space between Blocks F and G
  - Arrival Piazza to tower H1 between Blocks G and H
  - Amenity space facing on to future Fulham Gasworks proposal to the West of Block H
- 8.6.5 The landscaping strategy achieves a comprehensive proposal that blends in with the public realm proposed in the emerging Fulham Gasworks masterplan. The Proposed Development will also deliver improved pedestrian links which will create a clear route between the two

developments shortening the length of time it takes to walk to Imperial Wharf and improving connectivity for residents to local amenities such as Kings Road.

- 8.6.6 Officers consider that the landscaping scheme has improved during the course of the application which now also include a landscaping strip with trees and seating along the edge of the canal fronting Building H. This approach retains that previously approved under the extant consent and is an improvement to the public realm.

## Play Space

- 8.6.7 As part of the overall amenity space provision, the proposals make provision for child play space in line with the London Plan Housing SPG. The play space provision has been calculated based on the child yield arising out of the development. The following play areas are proposed for each of the age ranges of child play needs in the Table below.

Total Playspace	Type	Proposed Area sq.m	Required Area sq.m
	Under 5	707	580
	5-11	Off-Site	260
	12+	Off-Site	140
<b>Total</b>		<b>707</b>	<b>980</b>

**Table: Playspace Requirement and Proposed Play Area Provision**

- 8.6.8 The Proposed Development would over provide in terms of Doorstep Playable Space for children under 5 years according to the GLA's SPG standards. Play space for children aged 5 and under would be provided within a communal roof terrace on Building H, with the remainder of the play space provided at ground level. Local and Neighbourhood play space is adequately provided for in local parks.
- 8.6.9 Whilst provision for the over 5s cannot be made available onsite, Local and Neighbourhood playspace is adequately provided for in local parks. The closest open spaces are Westfield Park to the north east and William Parnell Park to the south west. Both spaces offer dedicated play spaces with Sands End Adventure Playground located adjacent to William Parnell Park. There are eight sports and leisure facilities within 800m of the Site. These include sports pitches within existing open spaces (Eel Brook Common and South Park) open to the public, community association sports halls, health and fitness suites and commercial gyms.
- 8.6.10 Officers consider that subject to an off-site contribution towards open space to address the on site shortfall of over 5s playspace, the proposals for the provision of public open space and public realm comply with planning policy at all levels. In view of the above and subject to conditions and securing a Landscape Management Plan the proposed development is judged to

accord with the abovementioned London Plan Policies 3.19 and 7.18 and Local Plan policies OS1, OS2 and OS3.

## 8.7 DESIGN, APPEARANCE AND HERITAGE

- 8.7.1 **The NPPF** states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation – but extends this to recognise a role for change and increased densities. The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF state that economic, social and environmental gains are to be sought jointly and simultaneously to deliver positive improvements in the quality of the built, natural and historic environment.
- 8.7.2 **Paragraph 192 of the NPPF** states that LPAs should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness. **Paragraph 193** requires great weight to be given to an asset's conservation (and the more important the asset, the greater the weight should be) when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of the amount of harm. **Paragraph 196** states that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal 'including, where appropriate, securing its optimum viable use'. **Paragraph 201** recognises that 'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance'.
- 8.7.3 **London Plan Policy 7.4** requires developments to provide high quality design responses to existing spaces, to create a positive relationship with street level activity and to allow 'existing buildings and structures that make a positive contribution to the character of a place to influence the future character of an area'. **Policy 7.5** requires public realm to be comprehensive at a human scale through appropriate treatment such as gateways, focal points, landmarks and landscape treatment. Proposals should be informed by the heritage of an area, reinforcing the connection between public spaces and (inter alia) local features that may be of heritage significance. Proposals should further consider integration with high quality public art. **Policy 7.6** sets high architectural standards for all buildings and structures, and requires these to enhance, activate and define the public realm. It allows for materials that complement but do not necessarily replicate the local architectural character.
- 8.7.4 **Local Plan Policy DC1** states that all development within the borough 'should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to

accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places’.

8.7.5 **Local Plan Policy DC2** permits new build development that is of a high design standard and compatible with the scale and character of existing development and its setting. It requires proposals to respect:

- historical context, townscape and the sense of place of a site;
- the surrounding area scale, mass, form and grain;
- the relationship of the proposed development to the existing townscape;
- local design context to promote and reinforce local distinctiveness;
- good neighbourliness and principles of residential amenity;
- local landscape context, providing high quality landscaping and public realm with good permeability where appropriate;
- sustainability objectives;
- the principles of accessibility and inclusive design; and
- the principles of Secured by Design.

8.7.6 **Draft London Plan** seeks to secure the delivery of good design through a variety of ways. Going beyond the expectations of the adopted London Plan, Policy D2 does the following. Part C encourages use of digital modelling techniques to analyse potential design options, and to use 3D/virtual reality to inform and engage Londoners in the planning process. Part F requires proposals to go through a design review (which must align with the Mayor’s guidance on design reviews) if a scheme is referable to the Mayor and is above the design threshold in Policy D6 or a tall building is proposed in an area where there is ‘no local tall building definition’. Part H seeks to ensure design quality is retained through (inter alia) avoiding deferring the assessment of the design quality of large elements of a development to the consideration of a planning condition or referred matter, and the use of architect retention clauses in legal agreements ‘where appropriate’.

## ES Non-Technical Summary

8.7.7 The Heritage, Townscape and Visual Impact Assessment (ES Volume II) has considered the potential effects of the proposed development on the designated and non-designated heritage assets located in the surroundings of the site, the surrounding townscape character and the character and quality of strategic and local views.

8.7.8 Once complete, the Proposed Development will result in notable changes to the urban landscape. Effects of the completed Development on visual and townscape receptors will be predominately beneficial, ranging from negligible beneficial to major beneficial. Only two adverse effects on visual receptors have been noted from the Brompton Cemetery and St Mark’s Chapel being of moderate and minor adverse, respectively.

8.7.9 Four adverse effects have been identified for the completed Development assessment on heritage receptors. All four receptors are located within the Brompton Cemetery, with a 'less than substantial harm' (significant) conclusion in respect of the Brompton Cemetery Conservation Area, the Grade II\* listed buildings of the Church of England Chapel and Arcades, and the Brompton Cemetery Registered Park and Garden. For all other heritage receptors, the assessment concludes that the Development would have no effect on their significance.

#### Cumulative Effects

8.7.10 With the addition of cumulative schemes, heritage, visual and townscape effects of the Completed Development are broadly unchanged. No adverse cumulative effects were found on townscape receptors and five adverse effects on visual receptors have been noted, four from the Brompton Cemetery and one from the Grade II\* listed St Mark's Chapel, being of moderate to minor adverse.

8.7.11 The same four adverse effects have been identified for the completed Development assessment on heritage receptors. All four receptors are located from the Brompton Cemetery, with 'less than substantial harm' (significant) concluded in respect of the Brompton Cemetery Conservation Area, the Grade II\* listed buildings of the Church of England Chapel and Arcades, and the Brompton Cemetery Registered Park and Garden. However, the cumulative effect on the Imperial Square and Gasworks Conservation Area and the listed buildings therein, including the Grade II\* listed Gasholder No. 2, two Grade II listed buildings and a Grade II listed War Memorial, was found to 'better reveal' the significance of the heritage assets resulting in a beneficial effect. All other heritage receptors were assessed as having 'no effect on its significance'.

#### Design Assessment

8.7.12 The proposal extends the strong design principles developed in the existing Chelsea Creek masterplan. The Chelsea Creek development has a legible and well-structured building layout, which allows for good permeability and connections. In the initial phase, the Dock was reopened and became the focus of the scheme, with water brought into the site between the new blocks.

8.7.13 The concept of linear blocks not only reflected the grain of surrounding Victorian townscape, but also enabled the architects to draw on examples of waterside living, from other European cities such as Amsterdam and Copenhagen. These examples helped inform the architectural expression of the blocks.

8.7.14 The linear blocks form a cohesive pattern which either have a "street" context or overlook a canal, giving waterside amenity for the units. The blocks are set at seven storeys which give an appropriate scale to the

spaces between. Movement patterns are designed to make these spaces as active as possible.

- 8.7.15 The linear blocks are broken into repeating groups of narrow vertical bays, which are then vertically split into double height bays. Detailed consideration was given to the termination of the bays at parapet level where some inset balconies were introduced which gave a “crenelated” appearance and varied roof profile within the consistent height to the blocks. A palette of three bricks were used for the brick framed bays which allowed for variation across the facade and helped strengthen the vertical expression of the bays. Large windows are included to provide light deep in to the plan. Visual interest to the bays is enhanced by vertically “staggering” the architectural elements such as the blank bronze panels and the projecting balconies.
- 8.7.16 On the short gable walls to the streets, a more solid elevation with more traditional window- in-wall treatment was developed.
- 8.7.17 The large part of Buildings G and H follows these principles and reflect the designs of the earlier phase. At the western end of Building H, however, a tall building is proposed which borrows from the setting to be provided by the adjoining Fulham Gasworks masterplan.
- 8.7.18 A tall building was included in the initial phase at a strategic location in the layout (Building A). This building is now completed and occupied. It marks a point of townscape significance at a meeting point of key routes through the site, and on the primary route to and from Imperial Wharf station. The tall building acts a landmark element marking the route to the station, and marking the focus of the site on the reopened dock.
- 8.7.19 The tall building now proposed as part of Building H would function in a similar manner. It largely gets its townscape justification from the layout on the adjoining site where it would mark the corner of one of the key spaces; a new rectangular shaped public “square” on the Gasworks site, and would lie on one of the key pedestrian route between the two sites.





**Image: Proposed Tower (31 Storeys) with constructed Building A (25 Storeys)**

- 8.7.20 The proposed tall building would have similar landmark and townscape qualities to that constructed in the earlier phase. It would be 31 storeys high and would sit alongside the three towers on the Gasworks site at 22- 37 storeys which received a resolution from Planning Committee to grant planning permission. The design of the tower has evolved to bear a close relationship in terms of materiality and appearance to the existing tower at Chelsea Creek. The proposed design is composed in stone and glass but with a pronounced vertical emphasis unlike its counterpart.
- 8.7.21 A series of equally spaced columns run vertically from ground to roof level. Intermittent columns would stop short of the ground floor and the upper levels to accentuate the base and top of the tower. The proposed stone grid would be eroded at the top of the tower to give a lighter appearance and distinct top when viewed from mid and long-distance views. The columns would be faceted to visually erode the leading edge of the column to give them a slender appearance.
- 8.7.22 At alternate floor levels, the slab would be clad in stone to give a double-height module and sense of scale to the façade.
- 8.7.23 Balconies are included on each of the four corners which would lighten the solidity of the corners, and provides dual aspect to the space.
- 8.7.24 The base of the tower would be occupied by retail space in addition to the main entrance for the units. The bottom three levels would be grouped to form a two-storey colonnade.

8.7.25 The landscape proposal would similarly extend the concepts already adopted in the earlier phase but has also been adapted to knit seamlessly with the adjoining approved public realm of the Gasworks site. The detailed treatment of the north-eastern edge of block H will be particularly important, as this will form a key route and space connecting the two sites on the route to Imperial Wharf station. A condition is attached to ensure that the detailed design reflects the importance of this space.

## HERITAGE

### Heritage assets and considerations

8.7.26 Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.

8.7.27 It is key to the assessment of this application that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the Section 66 and Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act together with the requirements set out in the NPPF

8.7.28 Planning [Listed Buildings and Conservation Areas] ACT 1990 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

### NPPF

8.7.30 Paragraph 193 of the National Planning Policy Framework states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.7.31 Paragraph 195 of the National Planning Policy Framework states that: Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities

should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

8.7.32 Paragraph 196 of the National Planning Policy Framework states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

#### NPPF Test

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

8.7.34 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 195 and 196, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving the heritage asset and/or its setting.

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

8.7.36 Officers agreed areas for assessment with the applicants. The applicant's statement submitted with the application seeks to identify the significance of heritage assets within a study area surrounding the site.

8.7.37 The heritage assets identified include conservation areas, listed buildings, non-designated heritage assets [such as Buildings of Merit] and Registered Parks and Gardens [ Brompton Cemetery is a Registered Garden] both within Hammersmith and Fulham as well as the adjoining boroughs.

8.7.38 In the first instance, the assessment to be made is whether the development within the setting of a heritage asset will cause harm to that asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 195 and 196 of the NPPF as appropriate.

## Impact on Heritage Assets

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

## Townscape Assessment – Visual Impact Analysis

8.7.40 The Townscape and Visual Impact Assessment identified 32 relevant views for assessment. Photomontage studies submitted by the applicant are from publicly accessible viewpoints around the site where the new development would be seen in its townscape context. Many of the views tested are either from, or views to conservation areas and include studies which enable an assessment to be made of the impact of the proposed development on the setting of listed buildings and non-designated heritage assets.

8.7.41 Setting is a much-debated issue. It should be noted that setting is not a heritage asset but can contribute to the significance of heritage assets. The protection of the setting of heritage assets need not prevent change. What are important are the recognition of, and the response to setting of heritage assets. It is recognised that where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting consideration needs to be given to whether additional change will further detract from or can enhance the significance of the asset.

8.7.42 On some of the images, wirelines have been used, where the degree of visibility or impact on the skyline is the most important part of the assessment. However, others in the Study are fully rendered representations of the proposed scheme which indicate the development and the design of the facades in its urban context. The Study also assesses the cumulative impact of tall buildings in the views, which is particularly relevant here given the proximity of the approved towers on the Gasworks site.

8.7.43 The applicants have used the agreed method of assessment and have addressed the significance of impact in each of the views. Officers are aware that views are often kinetic in nature and may change as the observer moves around the viewing place. Officers have assessed all of the submitted views on site and have paid regard to how the impact would change as the viewpoint is varied within each area.

8.7.44 Officer's assessment of the submitted views where the impact is defined as significant are outlined below.

## Summary - Townscape Assessment

- 8.7.45 Officers conclude that there will be no significant adverse effect where the proposed development is considered to cause substantial harm on any of the surrounding heritage assets. It is inevitable that any development seeking to introduce a tall building in the regeneration area would have some impact on the surrounding heritage assets.
- 8.7.46 In many of the submitted views, only the upper levels of the proposed tall building would be glimpsed over the existing silhouette of the local and emerging townscape. In general, in views from the west, the tall building would be largely screened by the to be approved Gasworks development. From the neighbouring conservation area; Imperial Square and Gasworks conservation area, the tall building would only be glimpsed in the backdrop of the Gasworks development.
- 8.7.47 In some instances, such as the views along Stephendale Road, Bovington Road and Burnaby Street [in Royal Borough of Kensington & Chelsea], the tall building would impact in the backdrop of the consistent roofline of the two-storey terraced housing which line the street and would therefore cause some harm to the established townscape character. However, officers are mindful of the distance between these streets and the proposed tall building and assess the harm to be of a low magnitude.
- 8.7.48 Open spaces tend to afford longer distance views of tall buildings, and the proposed tall building would be visible from Eel Brook Common where it would be seen as part of the emerging group of mid-range and tall buildings in the South Fulham regeneration area.
- 8.7.49 From the bridges, both Albert Bridge and Battersea Bridge, the tall building would again appear as part of the emerging group and would be seen in the backdrop of the more prominent towers at the Lots Road development which sit on the river's edge.
- 8.7.50 Arguably, the most sensitive views are from Brompton Cemetery. This impact forms the focus of the consultation response received from Historic England. The setting of the cemetery makes a strong contribution to its significance, and the significance of the key listed buildings – the Chapel and the Colonnades. In their response, Historic England state that the proposed building would rise above the roof line of the Grade II\* Colonnade compromising its silhouette, visually competing with the primacy of the western cupola, and detracting from the focus of the Grade II\* listed Chapel and its relationship with the western cupola of the Colonnade. Historic England therefore identify harm, and have concluded that the harm would be less than substantial.
- 8.7.51 Officers have assessed the views, and consider that in each of the views sufficient “gaps” would be maintained between the proposed tall building and the domed Chapel and cupola of the Colonnade to enable their silhouette to remain unchallenged, Furthermore, it is considered that the

distance between the listed buildings and the proposed tower would mean that the listed buildings retain their prominence to a large extent in these views. Officers agree with the Historic England conclusion that the impact would result in less than substantial harm, but would identify the magnitude of that harm as small.

8.7.52 In summary, it is considered that the proposed development would cause either no harm or less than substantial harm to all heritage assets.

#### Conclusion – Design, Appearance and Heritage

8.7.53 The scheme represents an opportunity to contribute to the regeneration of South Fulham riverside. There are considerable regeneration benefits arising from the scheme which meet the aims and objectives of the Councils Local Plan. The urban design and conservation assessment of the proposal has been undertaken against the background of the wider benefits anticipated through the regeneration proposal.

8.7.54 The form of the proposed development has been influenced by both its immediate surroundings, and future development proposals on the adjoining Gasworks site. The resulting design is a high-quality piece of design which is informed by the successful architectural detailing of the earlier phases, and which would assist in the enhancement of a sense of place.

8.7.55 The proposals are in line with both national guidance and strategic and local policies on the historic environment and design.

8.7.56 A detailed townscape assessment of views has been carried out. Where some harm has been identified, particularly in relation to the impact on views within Brompton Cemetery, this harm has been assessed to be at the lower end of less than substantial harm. In applying the balancing test set out in the NPPF, this harm is outweighed by the public benefits the scheme would bring which is stated earlier in this report (Paragraph 8.1.11).

8.7.57 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 66 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.7.58 The proposed development is therefore considered acceptable in accordance with the development plan as a whole including the National Planning Policy Framework, design policies of the London Plan requiring high quality inclusive development providing safe and secure environments which respond to their setting and are of high architectural quality with high quality public realm, and Local Plan policies requiring a high quality urban environment and requiring development not to harm the character or appearance of conservation areas and listed buildings.

8.7.59 In summary, it is considered that by optimising the use of the Site to provide a development of this scale it is possible to provide the number of significant important benefits outlined above. As such, it is clear that the Proposed

Development has been developed in a manner that both optimises the use of the site and is appropriate for its context in terms of height and massing. Officers therefore consider the proposal is in accordance with the NPPF, London Plan policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 and policies DC1, DC2 and DC8 of the Local Plan 2018.

## 8.8 TRANSPORT AND HIGHWAYS

- 8.8.1 **The NPPF** requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 8.8.2 **London Plan Policies 6.1, 6.3, 6.10, 6.11 and 6.13** set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.
- 8.8.3 **Local Plan Policy T1** sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'. **Local Plan Policy T2** relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network". **Policies T3, T4, T5 and T7** relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction and demolition logistics. **Policies 5.16 and 5.17** are relevant to waste and recycling. **Local Plan Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste.
- 8.8.4 **Planning SPD (2018) Key Principles WM1, WM2, WM7 and WM11** are also applicable which seek off-street servicing for all new developments.

### Accessibility

- 8.8.5 The Imperial Road is classified as a Local Distributor Road which, while Michael Road is classified as a Local Access Road. The nearest on-street parking to the site is along Edith Road, Harwood Terrace, and Michael Road opposite the site to the east.

8.8.6 The Site is in a predominantly residential area which has a good level of access to public transport, particularly by Overground and by bus, with London Underground stations within walking distance. The public transport accessibility of the Site has been reviewed in context of the Proposed Development and new routes available through the Site and found that the northern half of the Site is a PTAL of 5 (Very Good) and the southern half of the site a PTAL 4 (Good).

#### ES Non-Technical Summary

8.8.7 Vehicle Traffic: The Development does not include any additional car parking beyond that which would be delivered by the Consented Chelsea Creek Development basement. Car parking for the Development would be provided within the Consented Chelsea Creek Development basement, and the number of car parking spaces to be provided does not increase from that which has already been approved (i.e. 402).

8.8.8 The Transport Assessment (TA) which accompanies the planning application for the Development calculates a net increase of 1 two-way vehicle trips during the AM peak hour, and a net decrease of 60 two-way vehicle trips during the PM peak hour for the Development when compared against Block G & H of the Consented Chelsea Creek Development. The cumulative effect of the Development and Block A to F of the Consented Chelsea Creek Development will therefore not significantly change the predicted vehicle trips on Imperial Road and Townmead Road from that assessed by the 2011 ES and 2011 ES Addendum (i.e. Negligible to Minor Adverse which is not significant in EIA terms).

8.8.9 Public Transport: The TA which accompanies the planning application provides a full assessment of the Development on the public transport network. The TA reports that the Development will result in a net increase of 11 and decrease of 3 two-way bus trips in the AM and PM peak hours; a net increase of 44 and 20 two way underground/ overground trips in the AM and PM peak hours respectively; and, a net decrease of 6 and 14 two-way rail trips in the AM and PM peak hours respectively, when compared to that predicted for the Block G and H of the Consented Chelsea Creek Development. The TA concludes that the increase or decrease in passengers using the bus and underground/ overground/ rail services as negligible. Therefore, this could not represent a significant cumulative effect with the Consented Chelsea Creek Scheme.

8.8.10 To mitigate construction and demolition stage impacts, time and route restrictions on demolition and construction activity are expected to be controlled through a Demolition and Construction Logistics Plan or equivalent. No adverse effects were identified in the assessment of the operation stage. However, a Travel Plan and a Delivery and Servicing Plan will be implemented to support efficient operation of the development and support efficient and sustainable travel.



## Car Parking

- 8.8.11 The proposed development proposes a total of 49 basement level car parking spaces (including 12 blue badge bays) distributed amongst the three blocks which equates to 0.15 parking ratio, with a 3% disabled parking ratio based on the number of residential units in line with Draft London Plan standards (2017). The proposed development results in a reduction of 19 car parking spaces.
- 8.8.12 The commercial aspects of the development will be car-free, and therefore it is likely that the vast majority of employees and visitors will arrive and depart at the site via public transport.
- 8.8.13 The applicant has stated that the Chelsea Creek development will provide 4 car club spaces, with the potential to convert up to 6 more bays if demand is required, which is deemed adequate.

## Blue badge car parking

- 8.8.14 Car parking for blue badge holders for residents and staff will be located within the basement, which has a clearance of 2.2 metres. A total of 12 car parking spaces, which equates to 10% of total car parking provision for buildings G and H, will be marked as accessible spaces for use of blue badge holders. The level of blue badge parking will be secured by the s106 legal agreement.

## Electric Vehicle Charging Points

- 8.8.15 In addition, 20% of all spaces will be for electric vehicles with an additional 80% passive provision for electric vehicles in the future which equates to 12 active and 49 passive in accordance with Draft London Plan.

## Cycle Parking

- 8.8.16 The proposed on-site cycle parking provision will be provided in accordance with the s.96a Application, which will be covered and secure (for long stay spaces) and will adhere to LBHF and Draft London Plan (2017) cycle parking standards for all land uses. Cycle parking will take the form of Sheffield stand type arrangements. The following provision by land-use and location is summarised below.
- 8.8.17 A total of 730 long stay cycle spaces will be provided for the residential land use which will be located in segregated bike stores within each block at basement level with convenient access to cores. The cycle parking spaces will be accessed via the car park.
- 8.8.18 A total of 8 long stay cycle parking spaces are proposed for the retail use which will be located at basement level too. Showers and lockers will be provided for employees to encourage cycling.

8.8.19 A total of 38 cycle spaces are proposed within the site's public realm areas for use by visitors to the residential units (10 spaces), and all retail land use cycle spaces (28 spaces).

#### Trip Generation

8.8.20 Overall, the Proposed Development is considered to:

- Give residents a choice about how they travel. The site is located close to good frequency bus routes and rail services, good quality pedestrian and cycle routes and in close proximity to key local facilities;
- Secure safe and suitable access to the site, for all people by sustainable modes. Improvements are proposed to the transport network that cost effectively limit the significant impacts of the development;
- The proposal creates a safe and secure layout which minimises conflicts between traffic, cyclists and pedestrians;
- A reduction in car parking ratio of 0.15 from the consented development, in line with local policy and change in the way people travel within the local census output areas;
- A reduction in vehicle movements from the consented development;
- A Travel Plan will be implemented at the Proposed Development to encourage and monitor sustainable travel,
- A reduction in car drivers will maximise the take up of sustainable transport modes; and
- The level of car parking is appropriate for the scale of the Proposed Development.

8.8.21 The Proposed Development and mitigation measures have been designed to maximise the potential for sustainable travel and minimise any impacts on the local transport networks. The Proposed Development is therefore considered to be more sustainable and appropriate than the consented development for Buildings G and H despite the increase in the number of residential units.

#### Construction Logistics

8.8.22 In accordance with policy T2 and T7 of LBHF's Local Plan a Transport Assessment is submitted with the Application, alongside a Construction Logistics Plan (CLP) sets out how the impact of the demolition and construction phases of the proposed development will have on the local highway network. Consideration of nearby sensitive uses, proposed developments and planned measures inform the CLP. Both have been prepared by WSP. The Transport Assessment finds that mitigation will be required of construction stage impacts. Time and route restrictions on demolition and construction activity are expected to be controlled through a Demolition and Construction Logistics Plan.

8.8.23 A framework construction logistics plan was submitted with the application within the transport assessment, which also incorporates issues relating to the proposed elements of demolition and will be secured by the S106 legal agreement in accordance with policy T7 of the Local Plan 2018.

## Delivery and servicing

- 8.8.24 Servicing of the Proposed Development will take place at ground floor level and in the basement within the site boundary. Adequate operating space will be provided for the servicing of each land use type.
- 8.8.25 The internal road layout has been designed to accommodate all typical service vehicles and to ensure that drivers are able to turn around without the need to reverse long distances.
- 8.8.26 Officers had strong reservations regarding the shared surface proposed along the approach to the Tower (Building H1); the square front the Tower and the area along the edge of the canal fronting Buildings H1, H2 and H3. The proposals have been amended to introduce a roundabout in the south eastern corner of the application site to be used for deliveries and general drop-off / pick-ups. Bollards will only allow access beyond the roundabout for emergency vehicles and a small site management refuse vehicle.

## Waste Management Strategy

- 8.8.27 A Waste Management Strategy has been produced for the development and submitted as part of the application. It summarises relevant policy and guidance documents, forecasts the volume of household and commercial waste produced and provides details of the storage areas and the strategy for collection.
- 8.8.28 Refuse will be separated into recyclable and non-recyclable waste by the residents and commercial tenants. Residents will dispose of their waste via the refuse chutes in each residential core, and the commercial units will take their waste to the J2 block service road and deposit in the Orient House refuse store.
- 8.8.29 Waste will then be collected by the Estate Manager who will then take the waste to the compactors stored under the railway arches adjacent to Imperial Wharf for collection by the Council.
- 8.8.30 The refuse strategy has worked successfully for Stage 1 at Imperial Wharf by minimising congestion and any impact to local resident's. The applicant has submitted additional details confirming that these compactors have sufficient capacity.

## Accessibility and safety

- 8.8.31 The approach to the design of the public realm, landscaping and each building has been designed to maximise access to all parts of the Site, regardless of age or ability.
- 8.8.32 There will be level access to all residential and non-residential buildings. All shared communal residential entrances will be level.

## Transport and Highways Summary

- 8.8.33 The Site benefits from high levels of public transport accessibility and benefits from good levels of pedestrian permeability and cycling accessibility. By establishing permeability as a key masterplan principle from the commencement of the design work for the proposal, the proposal makes a successful further contribution to the enhanced permeability and connectivity of the wider area and the Site itself.
- 8.8.34 Furthermore, the proposals will support the aspirations of policy at various levels to reduce travel by car as a mode share through the creation of a high quality public realm; clear pedestrian and cycling routes through the site; the provision of parking below the maximum level permitted by adopted policy; the provision of cycle parking in line with the strictest standards.
- 8.8.35 The above measures, along with measures to ensure the maximum reasonable level of servicing is diverted underground, will contribute to improvements in the experience of the streetscape, supporting TfL's Healthy Streets indicators. The proposals would result in a net benefit to the street experience.
- 8.8.36 To ensure the effects of the proposal are properly managed, management plans have been produced in support of the application including a framework travel plan, a construction and demolition logistics plan, a car park management plan and a delivery and servicing management plan.
- 8.8.37 Officers consider that subject to conditions relating to the submission of travel plans, provision of cycle and disabled car parking, refuse and servicing delivery plans, restrictions relating to hours of use and the submission of a satisfactory demolition and construction logistics plans, the development would not detrimentally impact on the highway network and would be in accordance with London Plan policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 and 6.14 and Local Plan policies T2, T3, T4, T5 and T7 and CC7.

## 8.9 ENVIRONMENTAL CONSIDERATIONS

- 8.9.1 **The NPPF** identifies an environmental role for the planning system and recognises the need for environmental objectives. The NPPF also acknowledge the need to make effective use of land when considering the impact of development.
- 8.9.2 **London Plan Policies 5.1 and 5.2** focus specifically on how to mitigate climate change, and the carbon dioxide emissions reduction targets that are necessary across London to achieve this. Developments are required to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions (be lean); adopting sustainable design and construction measures and prioritising decentralised energy (be clean), including renewables (be green).
- 8.9.3 **London Plan Policy 5.2** requires an overall reduction in carbon emissions over minimum building regulation levels following the energy hierarchy.

Policy 5.2 - development proposals to make the fullest contribution to minimising carbon dioxide emissions. This is achieved through applying the following hierarchy;

Be Lean: Use less energy.

Be Clean: Supply energy efficiently.

Be Green: Use renewable energy.

- 8.9.4 **London Plan Policy 5.5** seeks to ensure that all Development Plan Documents (DPDs) identify and safeguard existing heating and cooling networks and maximise the opportunities for providing new networks that are supplied by decentralised energy. The Mayor and boroughs will also work to identify and establish network opportunities to ensure delivery of networks and to maximise potential for existing development to connect to them. Decentralised energy in development proposals is addressed through policy 5.6 in the London Plan which requires all development proposals to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 8.9.5 **London Plan Policy 5.7** further states that major developments should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. There is a presumption that all major development proposals will achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible. The London Plan incorporates policy to encourage future adaptation to climate change, with paragraph 5.46 stating that 'all developments should make the fullest contribution to London's adaptation to climate change'. The following London Plan policies promote and support the most effective adaptation to climate change, including minimising overheating and contribution to heat island effects (Policy 5.9); minimising solar gain in summer (Policy 5.9); contributing to reducing flood risk including applying principles of sustainable urban drainage Policy 5.12 and London Plan policy 5.13); minimising water use (Policy 5.15); and protecting and enhancing green infrastructure (Policy 5.10).
- 8.9.6 **London Plan Policy 5.3** seeks to ensure future developments meet the highest standards of sustainable design and construction. Policy 5.6 seeks to ensure developments evaluate CHP systems and where a new CHP system is appropriate examine opportunities to extend the scheme beyond the site boundary. Policy 5.7 aims to reduce carbon dioxide emissions through the use of on site renewable energy generation. Policy 5.10 promotes and supports urban greening and advises that development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening.
- 8.9.7 **The London Plan** sets a target of 60% (below 1990 levels) reduction in London's carbon dioxide emissions by 2025 (Policy 5.1). Energy use in new development should be reduced by appropriate siting, design, landscaping and energy efficiencies within the building. Where possible, new development should link to existing decentralised energy systems and

update these systems. Energy Assessments will be required to demonstrate the reduction in carbon emissions achieved by the proposed development. New development also needs to maximise the amount of energy generated from renewable sources, including measures to help minimise water use.

- 8.9.8 **Local Plan Policy CC13** addresses wider amenity considerations arising from development. It requires developments to show there will be no detriment to the amenities of existing surrounding occupiers and provides similar protections to prospective residents. It requires mitigations to avoid nuisances from (for example) smoke, fumes, gases, dust, steam, light, vibration, smell, noise, spillage of gravel and building aggregates or other polluting emissions.

#### Environmental Impacts

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

1. Sustainability and Energy (8.10)
2. Floodrisk, Drainage and Water Sources (8.11)
3. Waste and Recycling (8.12)
4. Ground Conditions (8.13)
5. Air Quality (8.14)
6. Noise and Vibration (8.15)
7. Lighting (8.16)
8. Sunlight Daylight (8.17)
9. Wind and Microclimate (8.18)
10. Ecology (8.19)
11. Archaeology (8.20)
12. Safety and resilience to emergencies

- 8.9.10 Below follows a planning assessment of the development impacts against adopted planning policies and relevant supplemental guidance notes

#### 8.10 **SUSTAINABILITY AND ENERGY**

- 8.10.1 **The NPPF** state that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy.
- 8.10.2 **London Plan Policies 5.1, 5.2 and 5.3** require developments to make the fullest contribution to the mitigation of and adaptation to climate change, ensure sustainable design and construction and minimise carbon dioxide emissions. Policies 5.5, 5.6, 5.7 and 5.8 require developments to provide decentralised energy, renewable energy and innovative energy technologies where appropriate.
- 8.10.3 **The Mayor's Sustainable Design and Construction SPG** provides guidance on the implementation of London Plan Policy 5.3 and provides a

range of additional guidance on matters relating to environmental sustainability.

- 8.10.4 **Local Plan Policy CC1** requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. **Policy CC2** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.
- 8.10.5 **Draft London Plan Policy SI2** seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.
- 8.10.6 **Draft London Plan Policy SI3** identifies Heat Network Priority Areas, which include the Fulham Gasworks site. Here, major proposals should have a communal heat system in accordance with a hierarchy that priorities connection to local existing or planned heat networks, followed by: use of available local secondary heat sources; generation of clean heat/power from zero-emission sources; and use of fuel cells. CHPs are ranked fifth of the six options, followed by ultra-low NOx gas boilers. Supporting text explains that further information about the relevance of CHP in developments of various scales will also be provided in an Energy Planning Guidance document, which will be kept updated as technology changes, however this guidance has not yet been published. The draft Plan states that it is not expected that gas engine CHP will be able to meet the standards required within areas exceeding air quality limits with the technology that is currently available.
- 8.10.7 **Draft London Plan Policy SI4** seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals will reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.

## Assessment

- 8.10.8 As required, a Sustainability Statement has been provided with the application. In terms of sustainable design and construction, the new development has been designed with reference to the Mayor's Sustainable Design and Construction SPG. This contains a number of priority and best practice measures on issues such as land use, site layout, building design, use of resources such as energy, water and building materials, promoting nature and biodiversity, managing flood risk and pollution impacts and inclusion of climate change adaptation measures.
- 8.10.9 During construction, a Site Waste Management Plan will provide a framework for monitoring the quantity of waste produced on-site and monitoring of energy and water consumption during construction to allow comparison against best practice benchmarks and improvements to be made.
- 8.10.10 The Proposed Development is expected to achieve a 12% improvement from Building Regulations Part L 2013 via energy demand reduction alone. This is in full accordance with current and emerging London Plan Policy. When following the energy hierarchy, the overall predicted CO<sub>2</sub> reduction across the Site is predicted to be 36.47%, which represents an annual saving of approximately 186.45 tonnes of CO<sub>2</sub>. In order to achieve zero carbon for the residential aspects of the development, a further carbon offset payment is calculated to be £584,732.
- 8.10.11 The design of the buildings together with the mechanical, electrical, plumbing systems and sustainability features have been optimised so that demand for energy is minimised. The Proposed Development has been designed in accordance with energy efficient passive design principles as to create a sustainable development.
- 8.10.12 The non-residential units (shell only) have the potential to achieve a score of 72.4%, which equates to a 'Excellent' BREEAM rating.
- 8.10.13 Officers consider that the development meets the requirements of the London Plan Policy 5.3 and Policy CC2 of the Local Plan implementing measures wherever possible to provide a high level of sustainability. Measures include the following: re-using previously developed land, low car provision, encourages cycle use by providing cycle parking, provides recycling facilities, including water efficiency measures and sustainable energy measures to reduce CO<sub>2</sub> emissions, use of sustainable building materials including timber, tree planting that increases biodiversity, flood risk minimisation measures and noise and air quality mitigation measures.

## Energy

- 8.10.14 As required, an Energy Assessment and Dynamic Overheating Report have been provided with the application. As the scheme is a major residential



development, the residential aspects are required to comply with the London Plan's zero carbon requirement.

8.10.15 The Proposed Development has been designed in accordance with the Mayor's "Be Lean", "Be Clean" and "Be Green" energy hierarchy. The Applicant demonstrates commitment to delivering climate change mitigation measures at Buildings G and H, Chelsea Creek as follows:

- The Development has been designed to achieve a total reduction in CO<sub>2</sub> emissions of 36.47% over the TER AD L 2013 through Be Lean, Be Clean and Be Green measures and successfully delivers the target of a 35% reduction in CO<sub>2</sub> over Approved Document Part L (AD L) 2013.
- The Development achieves the zero carbon homes standard by calculating a carbon offset payment for the remaining CO<sub>2</sub> emissions.
- The domestic elements of the Development will be designed to ensure that mains-water consumption will successfully deliver a target of 105 litres or less per person per day (excluding an allowance of 5 litres or less per person per day for external water consumption).

8.10.16 Solar PV are incorporated on the non-domestic elements to achieve the minimum on-site reduction target of 35%. A total of 6.3 kWp has been specified. This is equivalent to approximately 25 x 250-watt panels or roof area of 42 sqm positioned at a southerly orientation and at a 30-degree pitch.

8.10.17 Subject to the inclusion of conditions requiring the implementation of the submitted documents as set out above and the inclusion of the carbon offset payment in the s106 agreement, officers consider that the proposed development accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan and Policies CC1, CC2 and CC7 of the Local Plan.

## 8.11 FLOOD RISK DRAINAGE AND WATER RESOURCES

8.11.1 **The NPPF** seeks to meet the challenge of climate change, flooding and coastal change by supporting the transition to a low carbon future in a changing climate taking account of flood risk and coastal change.

8.11.2 **London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15** require new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. **Policy 5.3** identifies the efficient use of natural resources (including water) as a principle for informing the achievement of other policies in the London Plan. **Policy 5.11** Part A subsection b recognises the role of green roofs and walls in delivering sustainable urban drainage objectives. **Policy 5.13** further states that development should utilise SuDS unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and manage surface water run-off close to source. **Policy 5.14** states that planning decisions must ensure that

adequate waste water infrastructure capacity is available in tandem with development.

- 8.11.3 **Local Plan Policy CC2** requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. **Policy CC3** requires a site-specific Flood Risk Assessment (FRA) for developments in Flood Zones 2 and 3 that: a. addresses the NPPF requirements; b. takes account of the risk of flooding from all relevant sources; c. integrates appropriate flood proofing measures where there is a risk of flooding; and d. provides structural waterproofing measures in subterranean elements and using non-return valves or equivalent to protect against sewer flooding.
- 8.11.4 **Local Plan Policy CC4** ('Minimising surface water run-off with sustainable drainage systems') requires all proposals for new development to 'manage surface water run-off as close to its source as possible and on the surface where practicable, in line with the London Plan drainage hierarchy'. It also requires all major developments to implement SuDS 'to enable reduction in peak run-off to greenfield run off rates for storms up to the 1 in 100-year event (plus climate change allowance)' and to provide a sustainable drainage strategy to demonstrate how the strategy will enable these requirements. These are to be retained and maintained for the lifetime of the development, with details of their planned maintenance to be provided.
- 8.11.5 **Draft London Plan Policy SI13** sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be design and implemented to address water efficiency, river quality, biodiversity and recreation.

#### Assessment

- 8.11.6 The Proposed Development will incorporate Sustainable Urban Drainage Systems (SuDS) features such as a green roof, podium gardens and soft landscaping to attenuate flows, remove pollutants at source and reduce the volume of runoff through evapotranspiration, and rainwater harvesting.
- 8.11.7 The Planning Application is accompanied by Flood Risk Assessment (FRA) and Drainage Strategy (DS) which demonstrates that the Proposed Development has been designed to operated safely and without significantly increasing flood risk elsewhere. The FRA and DS includes independent proposals for drainage which shows the Development complies with the requirements stipulated within the London Plan Policy 5.3 and the Local Plan Policy CC4.
- 8.11.8 All surface water was to be discharged directly to the canals and Dock. No restriction on surface water discharge rates where applied by the Environment Agency to the Consented Chelsea Creek Scheme for water discharged into the canals and Dock.

- 8.11.9 Surface water from within the Site situated above the basement will be collected at high level within the basement. The eastern section of Building H is located outside the basement footprint. Surface water from this area will pass to below ground level and drain by gravity to the canal. It is proposed to install hydrodynamic vortex separators on both the basement drainage system and the below ground network system. These separators remove pollutants from the surface water and will ensure that clean water is pumped into the canal and Dock.
- 8.11.10 The diverted Eel Brook sewer would receive all foul water from the Proposed Development and the rest of the Consented Chelsea Creek Development.
- 8.11.11 Officers have reviewed the details submitted and agree that drainage hierarchy are capable of not only providing flood risk attenuation, but delivers additional benefits such as reducing water use, improving water quality, providing biodiversity etc. However, very little detail has been provided on these measures. Some basic information is included on some measures on the plans, but further details are required.
- 8.11.12 A condition is proposed to secure the submission of a Surface Water Drainage Strategy which shows how Sustainable Drainage Systems (SuDS) will be designed into the development, in line with the requirements of the London Plan Drainage Hierarchy to maximise the levels of storm water attenuation and reduce final discharges of surface water to greenfield rates where feasible.
- 8.11.13 Following the implementation of mitigation measures within the Construction Environment Management Plan (CEMP), there are likely to be negligible effects in relation to water resources throughout the demolition and construction phases of the Proposed Development.
- 8.11.14 Operationally, mitigation measures, including the use of interceptors will additionally reduce the impact of pollutants contained within surface water run-off, will mitigate against pollution in waterways. The implementation of identified mitigation measures during the operational phase of the Proposed Development are likely to result in residual impacts that are negligible to moderately beneficial.
- 8.11.15 Subject to the inclusion of conditions requiring the submission of a Surface Water Drainage Strategy and Flood Risk Assessment for each relevant development plot officers consider that the proposed approach would be acceptable and in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC2, CC3, CC4 and CC5 of the Local Plan which requires development to minimise future flood risk.

## 8.12 WASTE AND RECYCLING

8.12.1 **London Plan Policies 5.16 and 5.18** seeks to achieve waste net self-sufficiency. It seeks to (inter alia) minimise waste, encourage the reuse and reduction in use of materials, increase recycling and composting levels in local authorities and in construction, excavation and demolition, reduce the proportion of waste exported from London and wherever practicable waste should be removed from and brought to sites by water or rail transport.

8.12.2 **Local Plan Policies CC6 and CC7** sets out the Council's intention to pursue the sustainable management of waste and requires all new developments to 'include suitable facilities for the management of waste generated by the development, including the collection and storage of separated waste and where feasible on-site energy recovery'.

### Assessment

8.12.3 An operational waste strategy for the Consented Chelsea Creek Development, approved by the Council, is already in place.

8.12.4 It is proposed that refuse and recycling from Blocks G & H would be collected as follows:

- G1, G2, H1 cores – Residents utilise waste chutes on each floor;
- G3, H2 cores – Residents utilise refuse store within basement; and
- H3 core – Residents utilise refuse store at ground floor level next to entrance lobby.

8.12.5 Refuse rooms will contain Eurobins. The bins will then be collected by the Chelsea Creek Estate Management and moved to a dedicated compactor located in the railway arches in Imperial Wharf. The refuse truck will travel from the entrance to the car park, along Imperial Road and to the Railway Arches which are located opposite Block D at Imperial Wharf.

8.12.6 The commercial operators will be required to deposit their refuse and recycling in the refuse store of Block J2, Orient House, which is part of the Imperial Wharf development located to the south east of Block A. A number of commercial operators may wish to operate their own system to dispose of refuse and recycling. This will be discussed with the operator at the time they apply for their license to alter.

8.12.7 Subject to the inclusion of conditions requiring the implementation of the submitted documents as set out above, officers consider that the proposed development accords with Policies 5.16 and 5.18 and Policies CC6 and CC7 of the Local Plan.

## 8.13 GROUND CONDITIONS

8.13.1 **London Plan Policy 5.21** explains that 'the Mayor supports the remediation of contaminated sites and will work with strategic partners to ensure that the development of brownfield land does not result in significant harm to human

health or the environment, and to bring contaminated land to beneficial use'. For decision-making, the policy requires 'appropriate measures' to be taken to ensure that development on previously contaminated land does not activate or spread contamination.

- 8.13.2 **Local Plan Policy CC9** requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development will be refused 'unless practicable and effective measures are to be taken to treat, contain or control any contamination'. Any permission will require that any agreed measures with the council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.
- 8.13.3 **Key principles LC1-6 of the Planning Guidance SPG** identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.
- 8.13.4 The applicant has submitted a Land Contamination Preliminary Risk Assessment Report. The assessment addresses potential sources of contamination, potential mitigation measures and potential effects of such mitigation, during the construction and operational or occupational phases.
- 8.13.5 At present, the Site comprises scrubland, bare-ground, hardstanding, a compound and storage areas for contractors involved in construction of the wider Chelsea Creek site. St George House, an office building which is occupied by SGDL and support staff, is located at the northern extent of the Site, with a car park and open space.
- 8.13.6 The below ground works for Building G and H are approved by the Current Chelsea Creek Planning Permission and comprise a single basement structure beneath each building. A canal spur is proposed in between Buildings G and H with surrounding hard landscaping.
- 8.13.7 The applicant confirms that contamination at the Site would be addressed through planning conditions attached to the Consented Chelsea Creek Development. It is reasonably assumed that other cumulative schemes would be required to investigate, remediate and validate their sites as required by the statutory contaminated land regime. Collectively, the cumulative schemes should therefore lead to an overall reduced level of contamination in the local area risk, if present, which would be a minor beneficial effect to all receptors. Therefore, the cumulative schemes in combination with the Development would not give rise to a beneficial cumulative ground conditions of contaminative effects once completed.
- 8.13.8 During the construction proposed mitigation measures and good site practices within the Construction Environmental Management Plan (CEMP) will ensure dust control measures, reuse of materials on site, all plant and

equipment to be inspected for leaks prior to use to prevent accidental release of contaminants to soil, groundwater and surface water, wheel washing of all vehicles to prevent uncontrolled transport of contaminated material off-site, vehicle and plant cleaning and refuelling to be restricted to suitably protected areas; and appropriate handling, storage, testing and transport of oils, tars and sludges with removal to a waste facility for disposal with appropriate duty of care paperwork, or for recycling.

8.13.9 Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site; or a sensitive use is proposed. The conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies CC9 and CC13 of the Local Plan.

8.13.10 During the operation of the development it will introduce on site residents as a new receptor to contamination. Mitigation will comprise additional site investigation, risk assessment, remediation and verification to reduce the impact to on-site residents. With the proposed mitigation measures employed, it is considered that the impact on human health and the environment would be negligible.

8.13.11 Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that the proposed development accords with NPPF Paragraphs 118 and 178 and Policy 5.21 of the London Plan and Policy CC9 of the Local Plan given that all identified potentially significant effects during the demolition and construction and the operational stages can be suitably adequately mitigated, such that the significance of the residual effects of the Proposed Development will be negligible and that the land will be suitable for the proposed uses.

## 8.14 AIR QUALITY

8.14.1 **LBHF** was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions). **Paragraph 124** relates to air quality and it states planning decisions should ensure that any new development in air Quality Management Areas is consistent with the local air quality action plan.

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

8.14.3 **The Mayor's Air Quality Strategy (2010)** seek to minimise the emissions of key pollutants and to reduce concentrations to levels at which no, or minimal, effects on human health are likely to occur.

8.14.4 **Local Plan Policy CC10** seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements.

#### ES Non-Technical Summary

8.14.5 The Development does not generate significant vehicle trips and the Development would utilise an existing CHP unit within the Consented Chelsea Creek Development. The cumulative effect of the Development and Block A to F of the Consented Chelsea Creek Development would therefore be as reported within the 2011 ES and 2011 ES Addendum, i.e. Neutral for all receptors. The Air Quality Assessment which accompanies the planning application has undertaken an operational phase impact assessment of the Development. The assessment confirms that the Development would result in a negligible change on Nitrogen Dioxide, PM10 and PM2.5 levels. Therefore, this could not represent a significant cumulative effect with the Consented Chelsea Creek Scheme.

#### Assessment

8.14.6 The applicant has submitted an Air Quality Assessment which is an assessment of the likely significant effects on local air quality as a result of the Proposed Development. The development site is within the borough wide Air Quality Management Area (AQMA).

8.14.7 The Site is located away from any major roads, but is located in close proximity to the stack of the energy centre in Block L of the Imperial Wharf development. The assessment submitted demonstrated that future residents of the Proposed Development will experience acceptable air quality, with pollutant concentrations below the air quality objectives.

8.14.8 The operational impacts of increased traffic emissions arising from the additional traffic on local roads, due to the Proposed Development, has been assessed. The assessment shows that there will be no significant effects as a result of the additional road traffic generated by the Site at any existing, sensitive receptor.

8.14.9 During the construction works, a range of best practice mitigation measures will be implemented to reduce dust emissions and the overall effect will be 'not significant'. Appropriate measures have been set out in the Air Quality Assessment, to be included in the Dust Management Plan for the works. The Proposed Development has also been shown to meet the London Plan's requirement that new developments are at least 'air quality neutral'.

8.14.10 The Councils Environmental Quality Team has reviewed the Air Quality Assessment submitted with the application. It is considered that the Proposed Development will introduce new receptors into an area of poor air

quality that currently fails the WHO air quality guideline values for PM2.5 and PM10. Additional Mitigation measures will be required to make the development acceptable in accordance with policy CC10. Officers recommend that conditions be attached to any approval requiring details to be submitted for approval relating to (1) Combustion based Energy Plant compliance with Emission Standards; (2) Low Emissions Strategy; and (3) Air Quality Dust Management Plan.

8.14.11 Subject to the inclusion of conditions requiring the submission of a revised Air Quality Assessment prior to the commencement of above ground works of the development to address mitigation measures, officers consider that the proposed development can accord with Policies 7.14 of the London Plan and Policy CC10 of the Local Plan.

## 8.15 NOISE AND VIBRATION

8.15.1 **London Plan Policy 7.15** states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, a development and promoting new technologies and improved practices to reduce noise.

8.15.2 **Local Plan Policy CC11** seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development 'in the most appropriate locations'. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected 'where necessary'.

8.15.3 **Local Plan Policy CC13** seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.

### Assessment

8.15.4 The applicant has submitted an assessment of the noise and vibration effects arising from the Proposed Development.

8.15.5 During construction, on-site, the implementation of good industry standards, guidance and practice procedures (i.e. Considerate Contractors scheme) will be followed in order to minimise noise effects. Noise and vibration will be managed to reduce impacts, and mitigation measures have been set out within the Construction Environmental Management Plan.

8.15.6 Given that the Development does not generate significant vehicle trips from that accessed within the 2011 ES and 2011 ES Addendum, the cumulative effect of the Development and the Consented Chelsea Creek Development would be negligible which is consistent with the findings of the 2011 ES and ES Addendum (i.e. negligible). The Noise Assessment which accompanies



the planning application has undertaken an operational phase impact assessment of the Development. The assessment confirms that the effects of the Development would result in a +0.1dB change on one road link (Imperial Road) with the remaining five road links experience no change in traffic noise levels as a result of the Development.

8.15.7 Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that the proposed development accords with the NPPF, Policy 7.15 of the London Plan and Policies CC11 and CC13 of the Local Plan.

## 8.16 LIGHTING

8.16.1 **London Plan Policy 7.5** states that 'London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces'. Paragraph 7.19 notes that the lighting of the public realm requires 'careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security, and reducing light pollution'. Paragraph 7.22 notes that 'lighting of, and on, buildings should be energy efficient and appropriate for the physical context'. Paragraph 7.61 notes that promotion of nature conservation should be integral to development proposals and, in this context, states that the indirect effects of development (which include lighting) need to be considered alongside direct impacts (such as habitat loss).

8.16.2 **Local Plan Policy CC12** seeks to control potential adverse impacts from lighting by requiring all development proposals seeking permission for external lighting to submit details to demonstrate they it would be appropriate for the intended use, provide the minimum amount of light necessary to achieve its purposes, be energy efficient, and provide adequate protection from glare and light spill.

8.16.3 **Draft London Plan Policy D7** mirrors the policy and text relating to lighting in the adopted London Plan. Paragraph 3.7.10 further states seeks to ensure that lighting of public realm is appropriate to address safety and security issues and to make night-time activity areas and access routes welcoming and safe, whilst minimising light pollution.

8.16.4 A Lighting Strategy has been submitted with the application as part of the Design and Access Statement. The strategy seeks to enhance the user experience of the public realm, to make it a safe and enjoyable night time environment, reinforce wayfinding, and minimise light spill and light pollution. Feature lighting has been kept to a minimum, however, where it is proposed it is intended to enhance landscape and architectural features. This applies to the pedestrian link under Plot J, which is made visually engaging by lighting in the illustrative design.

8.16.5 The applicant has also submitted an Artificial Lighting Strategy and Impact Study (ALSIS) with the Application. This demonstrates how the overall proposal will support actual and perceived levels of safety within the Site at night-time, meanwhile minimising the potential adverse effects of artificial lighting. In respect of the detailed component, the ALSIS finds that:

- the Proposed Development shows low levels of intrusive light and light pollution;
- all exterior areas of the Proposed Development have been illuminated to a level that complies with relevant guidelines to ensure a safe and comfortable public realm;
- upward light spill from proposed luminaries is minor (not significant);
- if façade lighting is introduced and is designed in accordance with criteria set out in Section 3.2 in of this document, the effects are anticipated to be minor (not significant);
- the internal lighting is deemed to be within recommended criteria and within the permissible emissions of light onto the surrounding areas and adjacent buildings; and
- there will be negligible amounts of light spill to neighbouring properties.

8.16.6 With regards to the outline component, the ALSIS notes that the future detailed design of the outline phases should limit light spill from ground level lighting and from buildings onto the adjacent habitats along the railway line and Chelsea Creek waterways to ensure that there is no adverse impact on nocturnal species such as foraging/commuting bats and nesting/roosts birds'. This is most relevant to the taller elements but light spill impacts on surrounding vegetation is also relevant during detailed lighting design for the park, the play area adjacent to the railway line and in proximity to any new habitats created as part of the proposed development itself.

8.16.7 Officers consider that these findings together with the recommendations made by the ALSIS submitted that the impacts of artificial light arising from the Proposed Development can be minimised and managed to avoid adverse impacts on existing and new receptors and to promote energy efficiency, meanwhile promoting and supporting a safe and reasonably activated night-time experience of the public realm.

8.16.8 Subject to the inclusion of conditions requiring the implementation of the submitted documents, officers consider that the proposed development accords with Policies 7.5 of the London Plan and Policies CC12 of the Local Plan in terms of safety, inclusivity and designing out crime.

## 8.17 **SUNLIGHT AND DAYLIGHT**

8.17.1 **The NPPF** states that daylight and sunlight guidance should be applied flexibly 'where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)' (paragraph 123c). The Mayor's Housing SPG also makes clear that 'an appropriate degree of flexibility' should be applied when assessing the

impacts of new development on surrounding properties and within developments.

- 8.17.2 **London Plan Policy 7.6** requires new buildings and structures to ensure that they do not cause unacceptable harm to the amenity of surrounding land and buildings in relation to a number of factors, including overshadowing. Policy 7.7 further states that tall buildings should not adversely affect their surroundings in terms of overshadowing and reflected glare.
- 8.17.3 **The Mayor's Housing SPG Policy 7.6** makes clear that 'an appropriate degree of flexibility' should be applied when assessing the impacts of new development on surrounding properties and within developments. In particular paragraph 1.3.45 states 'Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.' Paragraph 1.3.46 further states 'The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.'
- 8.17.4 **Local Plan Policy HO11** addresses detailed residential standards and, in seeking a high standard of design, seeks to ensure the protection of existing residential amenities; 'including issues such as loss of daylight, sunlight, privacy and outlook'. Local Plan Policies DC2 and Policy DC3 states that all new builds and tall buildings must be designed to respect good neighbourliness and the principles of residential amenity.
- 8.17.5 Finally, **SPD Key Principle HS1** states that, "Where communal open space is provided, development proposals should demonstrate that the space: is designed to take advantage of direct sunlight..." And, SPD Key Principle SDC1 states that, "Other effects buildings can have on the local climate include: Overshadowing and reducing access to sunlight"
- 8.17.6 **The BRE Guidelines** are typically used to assess daylight and sunlight. The Guideline sets out three methods for assessing daylight into a room including the Vertical Sky Component (VSC) method; plotting of the no-sky line method and the Average Daylight Factor (ADF) method. The introduction to the guide however stresses that it should not be used as an instrument of planning policy and should be interpreted flexibly because lighting is only one design factor for any scheme. Sunlight assessment is based on annual probable sunlight hours (APSH) and winter sunlight hours. In terms of overshadowing of gardens and open spaces the BRE guide recommends that for an open space to appear adequately sunlit through the

year, more than half of the space should receive at least two hours of sunlight at the March equinox.

## **EXTERNAL EFFECTS**

- 8.17.7 The ES assess the effect of the proposed development on the daylight and sunlight amenity of all relevant adjoining residential properties. An overshadowing assessment has also been undertaken for all relevant public and private amenity space that could be affected.
- 8.17.8 During demolition and construction, the effect of development on the daylight, sunlight and overshadowing will vary through the construction process, but will likely be limited until the massing of the proposed buildings reach close to completion.
- 8.17.9 For the Completed Development the assessment confirms that all sunlight and daylight results to sensitive receptors beyond the Site and the Consented Chelsea Creek Development (i.e. Chelsea Island and properties tested in Lots Road and Maltings Place) would meet the recommendations in the BRE guidelines. The effect of the Development is therefore negligible.
- 8.17.10 For Block L of Imperial Wharf, 86% of windows tested would meet the BRE guideline for VSC in either experiencing 27% VSC, or where there is a reduction in the baseline VSC, this is no more than a 20% reduction. The majority of those windows which do not meet the guideline, are either situated below a balcony or serve dual aspect rooms (both circumstances which can mean the VSC results can be misleading when reviewed alone). The DD results show that all rooms tested would meet the BRE guidelines, with no impacts. Given the presence of balconies on Block L and the limited number of windows not meeting the BRE guidelines for VSC, the effect of the Development on Block L Imperial Wharf is negligible to minor adverse.
- 8.17.11 For Block E of the Consented Chelsea Creek Development, 88% of the windows tested would meet the BRE guidelines for VSC. Those which do not, are all windows serving dual aspect rooms and/or situated below balconies. 90% of rooms tested meet the recommendations of the BRE guidelines for DD and those which do not are bedrooms which the BRE guideline states are 'less important' than main living rooms. All relevant windows would meet the recommendations of the BRE guidelines for APSH and show no effect. The effect of the Development on Block E is therefore negligible to minor adverse.
- 8.17.12 The VSC results for Block F of the Consented Chelsea Creek Development show that 25% of windows tested would meet the BRE guidelines and 49% would meet them for DD. Only 16 rooms needed to be tested for APSH and 11 (69%) of these rooms would meet the recommendations of the BRE guidelines for both annual and winter APSH. The 5 rooms which would not do so are all bedrooms which the BRE guideline state are 'less important' than living rooms. The effect of the Development on this Block F is therefore major adverse.

8.17.13 The baseline results show that 60.4% of the amenity spaces tested receive at least 2 hours of direct sunlight on 21st March which is the relevant BRE guideline level. The overshadowing analysis of the Development indicates that the amenity area of Blocks L, F and E will receive a reduction of direct sunlight with 34.4% of the area receiving 2 hours of direct sunlight on 21st March. The significance of effects is considered to be permanent and minor to moderate adverse.

8.17.14 It should be noted that the results for the Development are similar to the effects that the approved Blocks G & H Consented Chelsea Creek Development has on Block F and the surrounding amenity space.

### **Overshadowing to Existing Amenity Areas**

8.17.15 The baseline results show that 60.4% of the amenity spaces tested receive at least 2 hours of direct sunlight on 21st March. The PO analysis of the Development indicates that the amenity area of Blocks L, F and E will receive a reduction of direct sunlight with 34.4% of the area receiving 2 hours of direct sunlight on 21st March.

8.17.16 These levels would be comparable to the levels already consented and enjoyed within the wider Consented Chelsea Creek Development and landscaping would be designed to suit the environment.

8.17.17 By way of a comparison, the Consented Chelsea Creek Development Blocks G and H had an almost identical impact on the amenity area of Blocks L, F and E with 35% of the area receiving 2 hours of direct sunlight on March 21st.

8.17.18 The significance of effects is considered to be permanent and minor to moderate adverse.

### **INTERNAL EFFECTS**

8.17.19 A separate report on the daylight and sunlight within the proposed dwellings and sunlight to proposed amenity spaces has also be produced.

### **Daylight within the Development**

8.17.20 In Building G a total of 370 habitable rooms were tested, of which 136 are LKDs, 232 are bedrooms and two are studios. Of the 136 LKDs tested, 35 (26%) adhere to the BRE guidelines. Another 40 (30%) of the LKDs tested receive more than 1.2% ADF which is within 0.6 times the target value. Out of 232 bedrooms tested, 206 (89%) adhere to the BRE guidelines and of the two Manhattan studios tested, there is a 100% adherence to the BRE guidelines.

8.17.21 In Buildings H2 and H3, a total of 240 habitable rooms were tested, of which 86 are LKDs, 147 are bedrooms, and seven are studios. Of the 86 LKDs tested, 53 (62%) adhere to the BRE guidelines. Out of 147 bedrooms

tested, 130 (88%) adhere to the BRE guidelines and of the seven studios tested, there is a 100% adherence to the BRE guidelines.

8.17.22 In Building H1, a total of 83 habitable rooms were tested, of which 29 are LKDs, 42 are bedrooms and 12 are Manhattan studios. Of the 29 LKDs tested, 23 (79%) adhere to the BRE guidelines. Out of 42 bedrooms tested, 40 (95%) adhere to the BRE guidelines and out of 12 studios tested, 6 (50%) adhere to the BRE guidelines.

8.17.23 The lowest daylight values will tend to be in the inner facing elevations between Buildings G and H, occupied by a combination of bedrooms and LKDs. The LKDs are particularly large open spaces so to serve the multi-purpose function of the room, however this necessarily leads to lower average daylight levels across the space. The kitchen areas to the rear of the space may be less well lit, but they will have supplementary task lighting as is common in kitchens and will also be linked to a better daylight living/dining area.

### **Sunlight within the Development**

8.17.24 The results indicate that overall, 43% of all the south-facing rooms tested for sunlight would satisfy the BRE annual APSH and 49% for the winter APSH targets. Although we have tested various types of habitable rooms, as mentioned above at paragraph 6.19, the guidelines focus on main living rooms. If one focusses on the main living rooms (in this case the LKDs), for each of the south-facing units tested, the analysis confirms that 41% of LKDs receive above 20% annual APSH, with many windows far surpassing the BRE target of 25% annual APSH. Furthermore, 57% of the south-facing LKDs adhere to the winter APSH guidelines.

8.17.25 As mentioned previously, if all rooms on all floors were tested, then this adherence level would materially increase as the sunlight levels increase on the upper levels of the building.

8.17.26 All of the LKDs in Buildings G and H, which fall below the APSH targets, are located beneath balconies. As explained above, sunlight is hampered by the projecting or recessed balconies, but they provide valuable amenity space and the sunlight reaching the balconies, whilst not included in the APSH calculation at the centre of the windows, will undoubtedly contribute to the perception of and access to sunlight when using the balcony and thus to the overall degree of satisfaction.

### **Daylight and Sunlight August 2018 Assessment**

8.17.27 Within the proposed scheme a number of the LKDs will have the kitchen area at the back of the room, which will be less well daylight. In such instances we therefore notionally truncated the room to exclude the kitchen and tested the living/dining (LD) area and assessed it against the 1.5% ADF target for living rooms.

8.17.28 Anstey Horne have undertaken further daylight/sunlight modelling based on the truncation of the Living/kitchen/dining rooms in order to test the scheme against the 1.5% ADF target for living rooms. The results demonstrate an increase in adherence levels from 72% to 82%.

8.17.29 For Block G, previously 370 habitable rooms were tested, of which 136 are LKDs, 232 are bedrooms and two are studios. The new analysis includes 374 habitable rooms, of which 39 are LKDs, 232 are bedrooms, eight are studios and 95 are LDs. From the August analysis, in Block G of the 136 LKDs tested, 35 (26%) adhered to the BRE guidelines. Out of the 232 bedrooms tested, 206 (89%) adhered to the BRE guidelines and of the two Manhattan studios tested, there is a 100% adherence to the BRE guidelines. The revised analysis shows of the 39 LKDs now tested, 25 (64%) adhere to the guidelines. Out of the 232 bedrooms tested, 206 (89%) adhered to the BRE guidelines and of the eight Manhattan studios tested, five adhere to the BRE guidelines. Of the 95 new LDs, 52 (55%) adhere to the guidelines.

8.17.30 Officers have considered both the external and internal effects. The policy framework clearly supports the flexible application of daylight, sunlight and overshadowing guidance in order to make efficient use of land, and not to inhibit density. These policy documents resist the rigid application of guidelines and signal a clear recognition that there may be circumstances in which the benefits of not meeting them are justifiable, so long as acceptable levels of amenity are still enjoyed. The Proposed Development would provide acceptable internal levels of amenity, and existing receptors will continue to enjoy acceptable levels of amenity even where reductions in current levels of daylight or sunlight will take place beyond those recommended by BRE guidelines. Together with the contribution the Proposed Development would make to housing need and open space provision through its proposed form, density and layout, the proposal is acceptable in respect of daylight, sunlight and overshadowing impacts.

## 8.18 WIND AND MICROCLIMATE

8.18.1 **London Plan Policy 7.6** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to (inter alia) wind and microclimate. **London Plan Policy 7.7** states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing.

8.18.2 **The Mayor's Sustainable Design and Construction SPG** recognises at paragraph 2.3.7 that large buildings can alter their local environments and affect the micro-climate and notes that the Lawson Comfort Criteria can be used to assess the impact of a large building on the comfort of the street environment. It further states that developers should assess the potential impacts at ground level of any building that is significantly taller than its surroundings.

- 8.18.3 **Local Plan Policy DC3** states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing. **Policy CC2** seeks to ensure that developments are comfortable and secure for users and avoid impacts from natural hazards. In supporting text paragraph 13.7 explains that this policy is intended to ensure that developments help to enhance open spaces and contribute to well-being.
- 8.18.4 **Draft London Plan** further addresses wind and microclimate. Indirectly, draft Policy GG1 requires streets and public spaces to be planned for circulation by the comfort in comfort and safety, and to be welcoming. More directly, draft Policy D8 addresses the environmental impact of tall buildings, requiring careful consideration of the wind (and daylight, sunlight penetration and temperature) conditions around tall buildings and their neighbourhoods so that they do not compromise the comfort and enjoyment of them. Draft paragraph 3.1.2 further states the importance of a comfortable pedestrian environment with regard to levels of sunlight, shade, wind, and shelter from precipitation.

#### ES Non-Technical Summary

- 8.18.5 When the Development is in place, Site conditions generally get windier as a result of the introduction of a tall building although the majority of tested locations remain acceptable for their intended use (e.g. walking/sitting). During the windiest season (winter) wind effects range from negligible to moderate beneficial at all locations across the Site with landscaping and wind mitigation measures in place.
- 8.18.6 Following initial wind tunnel testing and a mitigation workshop, landscaping and other design measures were introduced to reduce potentially adverse wind effects to provide suitable (and safe) wind levels for intended uses on some balconies, roof terraces and thoroughfares. With these measures in place, pedestrian level wind conditions would be safe for all users and the effects on pedestrian safety from the Development would be negligible.
- 8.18.7 In terms of pedestrian comfort, wind conditions are expected to be suitable for pedestrian walking through and around the Development. Entrances within the Development are also expected to be suitable for pedestrian ingress/egress. Public and communal amenity spaces are generally expected to enjoy suitable conditions for associated recreational activities.
- 8.18.8 Private roof-top terraces and balconies within the Development are expected to be suitable for outdoor seating during summer with the residual effects considered negligible to minor adverse.
- 8.18.9 Within the surrounding area, wind conditions remain suitable for existing activities. The Development is therefore considered to have negligible effect on surrounding wind conditions.



## Assessment

8.18.10 An assessment of the wind and microclimatic effects of the Proposed Development has been carried out and is detailed in the ES. It finds that:

- When the Proposed Development is in place, Site conditions generally get windier as a result of the introduction of a tall building although the majority of locations remain acceptable for their intended use (e.g. walking/sitting).
- During the windiest season, winter, wind effects range from negligible to moderate beneficial at all locations across the Site due to the implementation of landscaping and wind mitigation measures in place.
- Following initial wind tunnel testing and a mitigation workshop, landscaping and other design measures were introduced to reduce potentially adverse wind effects to provide suitable (and safe) wind levels for intended uses on some balconies, roof terraces and thoroughfares. With these measures in place, pedestrian level wind conditions would be safe for all users and the effects on pedestrian safety from the Proposed Development would be negligible.
- In terms of pedestrian comfort, wind conditions are expected to be suitable for pedestrian walking through and around the Proposed Development. Entrances within the Proposed Development are also expected to be suitable for pedestrian ingress/egress. Public and communal amenity spaces are generally expected to enjoy suitable conditions for associated recreational activities.
- Private roof-top terraces and balconies within the Proposed Development are expected to be suitable for outdoor seating during summer with the residual effects are considered negligible to minor adverse.
- Within the surrounding area, wind conditions remain suitable for existing activities.

8.18.11 The Proposed Development is therefore considered to have negligible effect on surrounding wind conditions. Subject to the inclusion of conditions requiring the implementation of the submitted documents, officers consider that the proposed development accords with Policies 7.6 and 7.7 of the London Plan and Policies DC3 and CC2 of the Local Plan in terms of wind and microclimate.

## 8.19 ECOLOGY

8.19.1 **The NPPF** expects decisions to minimise impacts on and provide net gains and encourage opportunities for biodiversity improvements (Paragraph 170 and 175)

8.19.2 **London Plan Policy 7.19** requires development proposals to make positive contributions to biodiversity (its protection, enhancement, creation and management) wherever possible and to prioritise improving access to nature in arrears deficient in accessible wildlife sites. **Policy 7.21** of the London Plan supports the retention of existing trees of value and encourages the provision of additional trees, particularly large-canopied species, in new developments.

- 8.19.3 **Local Plan Policies OS1 and OS5** seeks to enhance biodiversity and green infrastructure in LBHF by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm.
- 8.19.4 **Draft London Plan** sets more ambitious targets for ecology and urban greening, which includes a target to increase tree cover in London by 10% by 2050. **Policy G5** states that major development proposals should 'contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage'. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments, based on Urban Greening Factors set out in Table 8.2 of the draft Local Plan. Higher standards of greening are expected of predominately residential developments (target score 0.4). **Policy G7** states that existing trees of quality should be retained wherever possible or replace where necessary. New trees are generally expected in new development, particularly large-canopied species.
- 8.19.5 Ecology effects are typically associated with the construction phase of a development. The Consented Chelsea Creek Development has already delivered a variety of ecological enhancement measures that include landscape design proposals and a wetland habitat creation scheme that forms part of the Chelsea Creek marina proposals. The Development does not affect the delivery of ecological enhancement measures within the wider Chelsea Creek site and therefore the cumulative effect of the Development and the Consented Chelsea Creek Development would be as reported within the 2011 ES and 2011 ES Addendum (i.e. moderate beneficial).
- 8.19.6 Officers consider that the proposed development accords with Policies 7.19 and 7.21 of the London Plan and Policies OS1 and OS5 of the Local Plan in terms of ecological and urban greening.

## 8.20 **ARCHAEOLOGY**

- 8.20.1 **The NPPF** (Paragraph 189) requires developers to submit an appropriate desk-based assessment and, where necessary a field evaluation if a site includes, or has the potential to include heritage assets with archaeological interest in order to limit any harmful effects on the historic environment.
- 8.20.2 **Local Plan Policy 7.8** states that new development should make provision for the protection of archaeological resources. It recognises the significance of London's heritage assets and historic environment and states the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping. Part E states that new developments should 'incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology' and notes that 'where the

archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset'. **Paragraph 7.31** notes that 'substantial harm to or loss of a designated heritage asset should be exceptional.... Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal'. **Paragraph 7.32** recognises the value of London's heritage, stating that 'where new development uncovers an archaeological site or memorial, these should be preserved and managed on-site. Where this is not possible provision should be made for the investigation, understanding, dissemination and archiving of that asset'.

- 8.20.3 **Local Plan Policy DC1** states the following: 'The existing character of the borough is heavily influenced by a variety of historical, landscape and architectural assets. Some of these are of national importance, such as listed buildings and the Fulham Palace Moated Site, whereas others are of borough importance, including archaeological priority areas... and locally listed buildings of merit. However, whether they are of national or local importance, they should be considered in all developments in accordance with the policies of the National Planning Policy Framework (NPPF) and the associated Historic England Historic Environment Planning Practice Guide'.
- 8.20.4 **Local Plan Policy DC8** states that the council will conserve the historic environment by protecting, restoring and enhancing its heritage assets and sets criteria for planning applications. Supporting paragraph 5.2.3 states that where the preservation of remains in situ is not possible or is not merited, 'planning permission may be subject to conditions and/or formal agreement requiring the developer to secure investigation and recording of the remains and publication of the results'.
- 8.20.5 Archaeological and Built Heritage (On Site) effects are typically associated with the construction phase of a development and therefore there would be no cumulative effects within the completed Development phase. The Consented Chelsea Creek Development and Imperial Wharf sites were subject to an archaeological desk-based assessment and a subsequent archaeological evaluation in March 1999, prepared by CgMS Environmental (Appendix 3.2A). The evaluation concluded that any below ground archaeological remains formerly present on the sites had been removed by modern development, demolition and remediation.

## 8.21 **SAFETY AND RESILIENCE TO EMERGENCIES**

- 8.21.1 **London Plan (Paragraph 7.13)** concerns safety, security and resilience to emergencies. It requires development proposals to contribute to the minimising of physical risks, including fire and flooding and related hazards, crime and terrorism. Risks relating to flooding and crime are considered elsewhere in this report.

- 8.21.2 **Local Plan (Paragraph 12.11)** states that the council will seek to ensure that new developments are sustainable durable and adaptable, and deliver safe and inclusive environments. On fire safety in particular, it states the following. 'Fire Regulations have to be checked both from a structural aspect and also to ensure fast and easy escape from a building. Building regulations are completely separate from planning control and approval under them does not mean that planning permission has been given, nor does a planning permission imply approval under the Building Regulations. Applicants are advised to contact Building Control for guidance and advice early in the design stages of a scheme.
- 8.21.3 **Draft London Plan Policy GC6** seeks to help London become a more efficient and resilient city, by requiring those involved in planning and development to 'create a safe and secure environment which is resilient against the impact of emergencies including fire and terrorism'. **Draft Policy D3** requires developments to be design to 'incorporate safe and dignified emergency evacuation for all building users' including (in all developments that include lifts) at least one lift per core that is a fire evacuation lift suitable to be used to evacuate people who require level access from the building. The draft London Plan further seeks to extend the above consideration of fire risk to introduce specific policies to address the reduction of fire risk.
- 8.21.4 The Proposed Development will achieve the highest fire standards, with both adopted and emerging policy requirements being met. According to the applicant they have employed a fire consultancy to advise on the development proposals from the start of the design development process and a Fire Safety Strategy has been prepared in support of the Application.
- 8.21.5 The details submitted demonstrates how the Proposed Development will be accessible by emergency service vehicles; the envisaged safety measures to be proposed within apartments; the means of escape for residents, commercial occupiers and basement users; smoke control measures for all buildings featuring residential corridors; and the structural strategy that will maximise resilience to fire risk.
- 8.21.6 Subject to the inclusion of conditions requiring the submission of an updated Fire Strategy, officers consider that the proposed development accords with London Plan, Local Plan and Draft London Plan in respect of safety and resilience to emergencies.

## 8.22 **SOCIO ECONOMICS AND COMMUNITY EFFECTS**

- 8.22.1 **London Plan Policy 3.1** presents the Mayor's commitment to ensuring equal life chances for all Londoners, borne out of the recognition that meeting the needs of particular groups and communities is key to addressing inequalities and fostering diverse communities. **Policies 3.3, 3.8 and 3.11** relate to increasing housing supply, ensuring housing choice and reaching affordable housing targets. **Policy 3.6** state that all children and young people have safe access to good quality, well-designed, secure and stimulating play and informal recreation facilities. **Policy 3.16** sets out that

London requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. **Policy 3.17** states the Mayor will support the provision of high quality health and social care appropriate for a growing and changing population, particularly in areas of under-provision or where there are particular needs. **Policy 4.12** seeks to improve access to employment and employment opportunities for Londoners, supporting local employment, development and training.

8.22.2 **Local Plan Policies E1 and E2** relate to employment uses. The Local plan states that plans for the SFRRRA should meet a number of needs including the following:

- Deliver new residential development to contribute to the South Fulham Riverside target of 4,000 additional dwellings by 2035;
- Include employment based uses that will meet local business needs and are compatible with residential development in the most accessible parts of the area;
- Include appropriate small-scale retail, restaurants/ cafes and leisure uses to support day to day needs; and
- Secure economic benefits for the wider community around the SFR Regeneration Area by providing programmes to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment.

8.22.3 **Draft London Plan** provides revised housing targets for LBHF. For the period 2019/20 to 2028/29 the Draft London Plan sets out a target for 16,480 new homes to be delivered, an annual average of 1,648.

#### ES Non-Technical Summary

8.22.4 During Construction it is estimated that the Development will generate an approximate monthly average of 300 construction jobs over the duration of the construction of the Proposed Development, which is considered a negligible effect at the regional level. This construction employment would lead to additional spending in the local area and benefits for the supply chain (for example suppliers and trades) which cannot be quantified. However, these effects would be beneficial.

8.22.5 The completed Development would provide new employment floorspace. This will likely accommodate between 20 and 30 jobs. This is considered a minor beneficial effect at the local level and negligible at all other spatial scales. The Development would deliver 415 new homes on the Site. This is considered a moderate beneficial effect at the local level; minor beneficial at the borough level; and negligible at the regional level. The ES submitted state that based on the future housing provision, the estimated future population of the Proposed Development would be approximately 717 residents. The ES assessment concludes that in the long term there will be negligible effects on education facilities in the area given current assessments of surplus capacity. There is assessed to be a negligible effect on health facilities within the local area. The proposed development will

assist in ensuring the planning policy aspirations for the high-quality regeneration of the South Fulham Riverside area are achieved.

## Assessment

8.22.6 The ES submitted with the application concludes that overall the Proposed Development has a beneficial impact on the local population, increasing economic activity and improving access to quality open space. The effect on education healthcare services is assessed as negligible.

8.22.7 The significance of effects has been defined with reference to specific standards, accepted criteria and legislation where available. The EIA submitted has considered the effects during construction and the operation of the Proposed Development. The main conclusions from the ES on the impact on Socio Economics by the completed development are summarised below.

**Table: Summary of Effects of the Development**

Effect	Receptor (Sensitivity)	Temporal Scale	Magnitude	Mitigation and Monitoring	Residual Effect
<b>Construction</b>					
Construction employment	Construction industry (low)	Temp	Low	None required	Negligible
Economic benefits through supply chain effects and spending by construction workers	Economy (not quantified)	Temp	Not quantified	None required	Beneficial (not quantified)
<b>Operational Development</b>					
Provision of employment floorspace	Local Economy (high)	Perm	Low	None required	<b>Minor</b> beneficial at the local level and <b>negligible</b> at all other spatial scales
Housing delivery	Housing market (medium)	Perm	Medium	None required	<b>Moderate</b> beneficial at the local level; <b>minor</b> beneficial at the borough level; and <b>negligible</b> at the regional level
Demand placed on education facilities	Existing education provision (low)	Perm	Low	None required	Negligible
Demand place on primary	Existing primary healthcare	Perm	High	Financial contributions (subject to	Negligible

healthcare facilities	provision (high)			local planning priorities and viability) via CIL	
Effect	Receptor (Sensitivity)	Temp	Magnitude	Mitigation and Monitoring	Residual Effect
Demand for open space and playspace	Playspace (low)	Perm	Medium	Financial contributions (subject to local planning priorities and viability) via CIL	Negligible
Demand for leisure facilities	Leisure (low)	Perm	Not quantified	None required	Negligible
Additional spending by residents and employees	Local economy (high)	Perm	Low	None required	<b>Minor</b> beneficial effect at the local level and <b>negligible</b> effect at all other spatial scales

## 8.23 SIGNIFICANT CUMULATIVE EFFECTS

- 8.23.1 No significant effect interactions have been identified during the construction stage of the project.
- 8.23.2 The significant environmental effects identified from the completed Development are generally beneficial, long term in duration and are applicable throughout the life span of the Development. Some adverse residual effects have been identified in relation to Daylight, Sunlight and Overshadowing (to neighbouring properties), Heritage, Townscape and Visual, and some localised wind effects that would be intermittent during the year depending on weather and microclimate conditions. These issues would not interact to give rise to a cumulative effect.
- 8.23.3 The completed Development is likely to give rise to a socio-economic effect interaction due to the local population, including residents and economic receptors, experiencing the creation of new employment opportunities; increased local spending by new residents and employees; and the general townscape and visual amenity improvements associated with the Development.
- 8.23.4 The assessment identified 8 cumulative schemes which have the potential to overlap with the Development and thus could give rise to cumulative effects. However, it has been assumed that the Development and the

cumulative schemes would adhere to good practice site management measures and plans (to be agreed by the Council) and that standard mitigation measures would be in place to minimise the potential for significant cumulative effects during construction works.

- 8.23.5 On this basis all cumulative construction effects are considered to be temporary, short-term in nature and not significant for the following topics: Transport and Access; Air Quality; Noise and Vibration; Ground Conditions; Water Resources, Flood Risk and Drainage; and Ecology.
- 8.23.6 For the Completed Development the assessment identified no significant cumulative effects for the following technical topics: Transport and Access; Air Quality; Noise and Vibration; Ground Conditions; Water Resources, Flood Risk and Drainage; Archaeology; Built Heritage (On Site); Biodiversity.
- 8.23.7 Beneficial cumulative socio-economic effects would include approximately 6,950 residential units, up to 1,600 jobs; local spending and provision of open space.

### **Mitigation, Monitoring and Residual Effects**

- 8.23.8 The ES includes a summary of the proposed mitigation measures and significant residual effects for all the topics considered. No monitoring measures have been identified as being necessary.
- 8.23.9 During the two-year programme of construction works, some adverse heritage, townscape and visual effects will occur, although these effects are temporary, even with effective implementation of the CEMP and CLP in place. It is expected that the CEMP and CLP would be secured by planning condition prior to the commencement of any works commencing for the Development. These documents include mitigation measures identified as part of the EIA as well as good practice site management. They also outline how the critical construction activities will be undertaken, specifically in relation to the environmental, public health and safety aspects and traffic management of the Development.
- 8.23.10 For the Completed Development mitigation measures have been designed into the Development where possible, and once constructed and occupied, the Development is expected to have the following beneficial effects:
- Provision of up to 415 new homes (including affordable homes) and between 20 to 30 jobs;
  - Additional spending boost to the local community (approximately £6 million per year);
  - Provision of new areas of public open space; and
  - An improved heritage, townscape and visual setting.



8.23.11 The only residual adverse effects once the Proposed Development is complete are predicted to be in relation to daylight, sunlight and overshadowing and heritage, townscape and visual effects, specifically from Brompton Cemetery (classified as 'less than substantial harm').

8.23.12 The Site is currently under used and this has resulted in uncharacteristic high light levels for an urban environment in London which allows daylight and sunlight to easily reach the surrounding properties / windows. The Site is recognised as an area of development opportunity within local policy. Therefore, there is reasonable expectation that the Site and surrounding areas will be redeveloped in the future in order to meet the regional and local development objectives, which call for a greater number of homes and amenities. Therefore, daylight, sunlight and the urban townscape will change as the area is redeveloped and this should be borne in mind when considering these residual effects.

## 8.24 COMMUNITY INFRASTRUCTURE LEVY (CIL) / PLANNING OBLIGATIONS

8.24.1 This development would be subject to a London-wide community infrastructure levy (Mayoral CIL2). MCIL2 will also be chargeable at a rate of £80/sqm for new development except for health and education. Relief is available on residential floorspace for social housing. The GLA expect the Council, as the collecting authority, to secure the levy in accordance with Policy 8.3 of The London Plan.

8.24.2 The Proposed Development would also be liable for Borough CIL (BCIL). The LBHF CIL Charging Schedule identifies the type of developments liable to pay BCIL. BCIL is chargeable on the Proposed Development at the rates of £400 per sqm (/sqm) for new residential floorspace and £80/sqm for Use Class A floorspace and for health and fitness leisure centres.

8.24.3 The Community Infrastructure Levy Regulations state that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

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

8.24.5 **London Plan Policy 8.2** states that: 'When considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. Development

proposals should address strategic as well as local priorities in planning obligations. Affordable housing and other public transport improvements should be given the highest importance'. It goes on to state: 'Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.'

- 8.24.6 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) states: 'The Council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms: 'Community Infrastructure Levy The Council will charge CIL on developments in accordance with the CIL Regulations (as amended) and the LBHF CIL Charging Schedule. The Council will spend CIL on:
- infrastructure in accordance with the H&F Regulation 123 (R123) List;
  - projects identified for 'Neighbourhood CIL'; and
  - CIL administration expenses (no more than the statutory cap).

#### Section 106 Agreements ('S106s')

- 8.24.7 The Council will seek to negotiate S106s, where the S106 'tests' are met, for:

- the provision of infrastructure projects or types not specified on the R123 List (through either financial contributions or 'in kind' delivery); and
- non-'infrastructure' provisions, such as for affordable housing (see policy H03) and S106 monitoring expenses.'

- 8.24.8 The LBHF CIL Charging Schedule identifies a number of exceptions to the R123 List where the Council intends to negotiate S106 obligations to secure the provision of infrastructure. Two of the identified exceptions are:

- Provision of infrastructure which is required to ensure compliance by a development with a policy of the Development Plan and any relevant SPDs which specifically requires provision on the relevant site: and
- An item of infrastructure or the improvement, replacement, operation or maintenance of any infrastructure) that is specifically required to make a planning application acceptable (subject to there being no more than 5 planning obligations (already entered into since April 10) for that item at the time).

- 8.24.9 The application involves the redevelopment of an underused site to provide a high quality residential-led scheme within South Fulham Riverside Regeneration Area. The planning obligations set out in the heads of terms are therefore considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the proposed development.

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

## **9 S106 OBLIGATIONS**

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

- A. Affordable housing
  - 35% of residential units to be affordable housing.
  - 40% to be intermediate tenure (households of up to £60,000 including service charges) and 60% to be rented tenure (London Affordable Rent – excluding service charges).
- B. Secure provision of basement
  - Provisions as to conditionality link the associated amended basement plans (submitted pursuant to the non-material amendment to the wider Chelsea Creek planning permission) to implementation of the current application.
- C. Release of extant obligations
  - Relevant provisions to release and alterations to obligations of the existing S106 agreement for the approved Chelsea Creek development
- D. Car permit free
  - Commitment to ensure the proposed development is car-permit free.
- E. Infrastructure contributions
  - Extant consent infrastructure financial contribution of approx. £2,150,000
- F. Energy and sustainability
  - Carbon dioxide emission offset contribution (approx. £580,732)
- G. Traffic, transport and highways
  - TfL station improvements to Imperial Wharf Station (£200,000)
  - Residential Travel Plan - monitoring cost (£3,000 paid at review years 1, 3 and 5)
  - Construction Workforce Travel Plan - monitoring cost (£3,000 paid every 12 months from the anniversary of commencement of development)
  - Construction Logistics Plan monitoring cost (£3,000 CLP submitted prior to commencement)
- H. Employment and training
  - Employment and Training Strategy

- Apprentices, paid and unpaid Work Placements, and Local Procurement. (Financial contribution of approx. £350,000)
- I. Play Space
- Contributions to off-site play provision for children over 5 (400 sq.m shortfall in on site play) (Financial contribution of approx. £80,000)
- J. CCTV
- Link system with that of the Council (Financial contribution of approx. £40,000)
- K. Council Monitoring and Professional Fees
- Financial contribution of approx. £10,000

## **10 CONCLUSION AND RECOMMENDATION**

- 10.1. Land Use: All the proposed land uses are supported by adopted policy. Officers consider that the residential-led mixed use development is appropriate in this location and would replace an underused brownfield site. The proposal is therefore supported in land use terms subject to the satisfaction of other development plan policies and is considered to be in accordance with the NPPF, London Plan Policies 2.13 and 3.3 and Policies SFRRRA, HO1, HO3 and HO4 of the Local Plan 2018.
- 10.2. Affordable Housing: The proposal would help to regenerate the wider South Fulham Riverside Regeneration Area whilst maximising the value of the existing vacant site. The development provides the maximum reasonable proportion of affordable housing on site. This is supported in order to maximise the delivery of much needed affordable housing within the borough. The proposal is therefore considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8 and 3.9 and Policy HO3 of the Local Plan 2018.
- 10.3. Housing: The proposal provides a range of unit sizes which are considered to respond positively to the site characteristics and given consideration to the wider demographics, would lead to a development that would maintain a mixed and balanced ward. The amenity and play space provided broadly accords with the adopted policies and would provide high quality of private and communal amenity for future occupants together with a high standard of residential accommodation. The density is acceptable, given the location within the South Fulham Riverside Regeneration Area and transport accessibility of the site and the resultant acceptable quality of the residential accommodation which will deliver 415 homes. The proposal is therefore supported and is considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8 and 3.9 and Policies HO1, HO3, HO4, HO5 and HO6 of the Local Plan 2018.
- 10.4. Design and Conservation: Development of this site provides an opportunity for significant enhancement and regeneration of this area. The proposal complies with Local Plan policy DC1 in that it respects the existing

townscape context, demonstrates tangible urban design benefits and is consistent with the Council's wider regeneration objectives, and in doing so is sensitive to the setting of local heritage assets. The development would provide new high-quality spaces and public realm. The proposed built form has a massing which responds to the proposed spaces and surrounding townscape. The elevations have an architectural character which provides interest across all frontages and relates to the consented Chelsea Creek Development. The relationship between the built form and public realm would assist in the creation of a sense of place. It is considered that this is compliant with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF, London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6 and 7.8 and Policies H04, DC1, DC2 and DC8 of the Local Plan 2018.

- 10.5. Transport: The number parking spaces provided are in line with adopted policy and are suitable for this development in this location. There would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions would secure satisfactory provision of cycle and refuse storage, construction and logistics and management while a Travel Plan is secured by legal agreement. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is very good, and is well served by public transport. External impacts of the development would be controlled by conditions and section 106 provisions. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development therefore accords with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan, Policy T1, T2, T3, T4 and T5 of the Local Plan 2018.
- 10.6. Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise/disturbance and overlooking, no unacceptable loss of sunlight or daylight or outlook for an urban environment to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with London Plan Policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7 and 7.14 and Policies DC1 and DC2 of the Local Plan (2018).
- 10.7. Safety and Access: A condition would ensure the development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and Policy DC1 of the Local Plan 2018. The development would provide 10% of all units as wheelchair units, level access, a lift to all levels and suitable circulation space. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people and an Inclusive Accessibility Management Plan is provided for approval. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policy 7.2 of the London Plan and Policy H06 of the Local Plan 2018.

- 10.8. Sustainability and Energy: The application proposes a number of measures to reduce CO2 emissions with a carbon offset payment secured (approx. £584,732). A revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail for all development plots within the outline element. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The proposed development therefore accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan and Policies CC1 and CC2 of the Local Plan 2018.
- 10.9. Flood Risk: A revised Flood Risk Assessment would be required for all development plots in order to ensure the risk of flooding at the site remains low and is considered acceptable. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system with further information on surface water drainage secured by condition. The development would therefore be acceptable in accordance with the NPPF, Policies 5.11, 5.13, 5.14 of the London Plan and Policies CC3 and CC4 of the Local Plan 2018.
- 10.10. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan and Policy CC9 of the Local Plan 2018.
- 10.11. Microclimate: The development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings. The proposals are considered to comply with Policies 5.3, 7.6 and 7.7 of the London Plan and Policy DC2 of the Local Plan 2018.
- 10.12. Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. Contributions relating to transport and highways improvements, 35% Affordable Housing, 10% Wheelchair User Dwellings, CCTV Strategy, carbon offset payment (approx. £584,732), and local training and employment opportunities and procurement are secured. The proposed development would therefore mitigate external impacts and would accord with Policy INFRA 1 of the Local Plan 2018.
- 10.13. Accordingly, it is recommended that the proposed development be granted planning permission subject to the conditions listed and the completion of a s106 agreement securing the heads of terms contained within this report.