

Ward: Fulham Broadway

Site Address:

284 - 288 North End Road London SW6 1NH



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Reg. No:
2017/04216/FUL

Case Officer:
Daniel Allen

Date Valid:
31.10.2017

Conservation Area:

Committee Date:
12.02.2019

Applicant:

Governside Limited
C/o Agent

Description:

Demolition of existing building, and redevelopment of the site to provide a four storey 100 bedroom hotel (Use Class C1) and retail unit at ground floor level (Use Class A1).
Drg Nos:

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Strategic Director, Growth and Place be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) listed below

To authorise the Strategic Director, Growth and Place, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

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

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

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

1613 PL1-100; Structural engineering report for planning (24560, dated 13/10/2017); Phase 1 Flood Risk Assessment (FRA) (2808 rev 2.1, dated Sept 2017); received 30/10/2017.

1613 PL1-101-A; 1613 PL1-102-A; 1613 PL1-104-B; 1613 PL1-105-B; 1613 PL1-106-B; 1613 PL1-107-C; 1613 PL1-108-C; 1613 PL1-109 C; 1613 PL1-111 B; 1613 PL1-112 B; 1613 PL1-113 B; Sustainable Design and Construction Statement including Appendices (dated 20/09/17, amended 08/01/18); received 01/08/2018.

Pedestrian Environment Review System (PERS) Audit (T&PPB7185R001D0.1 Rev 0.1, dated 10/10/18); Cycling Environment Review System (CERS) Audit (T&PPB7185R001D0.1 Rev 0.2, dated 11/10/18); received 12/10/2018.

1613 PL1-103 B; received 19/11/18.

1613 PL1-110 B; 1613 PL1-115; received 26/11/18.

To ensure a satisfactory external appearance and to prevent harm to the street scene and nearby heritage assets, in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 3) The development hereby approved shall not commence (including works of site clearance and demolition of existing buildings), prior to:

(i) approval by the Council of a valid and enforceable building contract and agreed demolition plan for redevelopment of the site in accordance with this planning permission, or approval by the Council of an alternative means of ensuring that it is satisfied that redevelopment of the site will take place within 6 months of the discharge of contamination conditions attached to this planning permission, and that such redevelopment will be carried out without interruption;

(ii) written notice of the start date for the demolition process has been submitted to the Council. Such notification shall be to the Council's Head of Development Management and shall quote the application reference number specified in this decision letter.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the Building of Merit and the settings of neighbouring Grade II listed building, in accordance with Policies DC1, DC2, and DC8 of the Local Plan (2018).

- 4) (i) Notwithstanding the submitted details, prior to commencement of the development hereby approved, a final Demolition Management Plan (including a Demolition Method Statement) shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works, and other matters relating to demolition management to be agreed.

(ii) No demolition shall commence until a risk assessment based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition) has been undertaken and a method statement for emissions control (including an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring) has been submitted to and approved in writing by the Local Planning Authority. The appropriate mitigation measures to minimise dust and emissions must be incorporated into the site-specific Demolition Method Statement. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. Demolition works shall be undertaken in accordance with the approved details.

The Demolition Management Plan and Statement shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the amenities of local residents and the area generally, 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.

- 5) Notwithstanding the submitted details, prior to commencement of the development hereby approved, a final Demolition Logistics Plan (DLP) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the number, size and routes of demolition and construction vehicles per day/week, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, details of the access arrangements and delivery locations on the site, details of any vehicle holding areas, and other matters relating to traffic management to be agreed as required. The approved details shall be undertaken in accordance with the terms and throughout the period set out in the DLP.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway, in accordance with Policies 6.11 and 6.12 of the London Plan and T1, T6 and T7 of the Local Plan 2018.

- 6) Notwithstanding the submitted details, prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings) a final Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include any external illumination of the site during construction, contractors' method statements, waste classification and disposal procedures and locations, suitable site hoarding/enclosure, dust and noise monitoring and control. Approved details for each relevant phase, or part thereof shall be implemented throughout the project period.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the amenities of local residents and the area generally, in accordance with Policies 5.18, 5.19, 5.20, 5.21 and 5.22 of the London Plan, Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

- 7) Notwithstanding the submitted details, prior to commencement of the development hereby approved, a final Construction Logistics Plan (CLP) shall have been submitted to and approved in writing by the Local Planning Authority. The CLP should 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 parking; storage of any skips, oil and chemical storage etc.; access and egress points; and; membership of the

Considerate Contractors Scheme. The approved details shall be undertaken in accordance with the terms and throughout the period set out in the CLP.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, in accordance with Policies 6.11 and 6.12 of the London Plan and T1, T6 and T7 of the Local Plan 2018.

- 8) Notwithstanding the details specified on the drawings hereby approved, the development shall not commence (save for works of site clearance and demolition of existing buildings) until particulars and samples (where appropriate) of all the materials to be used in all external faces of the buildings; including details of colour, composition and texture of the brick, and the bond, pointing style and mortar mix, the colour, composition and texture of the metal and stone work; details of all surface windows; roof surfaces; roof top plant and general plant screening; shop front treatments, including window opening and glazing styles and all external hard surfaces including paving, have been submitted and approved in writing by the Local Planning Authority. A sample panel showing the external materials as appropriate shall also be erected onsite for the Council's inspection prior to commencement of the works. 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 and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 9) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings) detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of each of the approved buildings have been submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed external finish, fenestration (including framing and glazing details), shop front and entrances and roof top plant and plant screening. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan (2016) and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 10) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings) detailed plans, sections and elevations at a scale of 1:20 of the rooftop plant and other roof structures shall have been 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 in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 11) Prior to the installation of the solar panels hereby approved, details of the solar panels including their layout and the angle of the PV panels relative to the surface of the roof, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the PV panel installation has been implemented in accordance with the approved details, and it shall thereafter be permanently retained as such.

To ensure a satisfactory external appearance, and to prevent harm to the neighbouring conservation area, in accordance with Policies 5.3, 7.6 and 7.7 of the London Plan (2016), Policies DC1, DC2, and DC8 of the Local Plan (2018).

- 12) Prior to occupation of the development hereby approved, details of all proposed external lighting, including security lights shall have been submitted to and approved in writing by the Local Planning Authority, and the use shall not commence until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Policies DC1, DC2, DC8, CC12 and CC13 of the Local Plan (2018).

- 13) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), a statement of how "Secured by Design" requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to occupation of the development hereby approved and permanently maintained thereafter.

To ensure a safe and secure environment in accordance with Policy 7.3 of the London Plan (2016) and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 14) The entrance doors to the North End Road elevation at ground floor level hereby permitted shall have a level threshold at the same level as the area fronting the entrance. The entrance door shall not be less than 800mm wide.

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policy 7.2 of the London Plan (2016), Policies DC1, DC2 and DC8 of the Local Plan (2018), and Policies DA1 and DA6 of the Planning Guidance Supplementary Planning Document (2018).

- 15) A minimum of 10% of all hotel bedrooms hereby approved shall be capable of meeting the needs of wheelchair users and shall be designed and capable of adaptation, in accordance with the Council's Supplementary Planning Document (2018). This arrangement shall thereafter be permanently retained.

To ensure the provision and retention of facilities for all, including disabled people, in accordance with Policy 4.5 of the London Plan (2016) and Policies E3, DC1, DC2 and DC8 of the Local Plan (2018) and DA1 and DA8 of the Planning Guidance Supplementary Planning Document (2018).

- 16) The main lift core within the development shall contain at least one fire rated lift, details of which shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of the building. All lifts within the building shall have enhanced lift repair service running 365 day/24 hour cover to ensure that no occupiers (including wheelchair users) are trapped if the lift breaks down. The fire rated lift shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the proposal provides an inclusive and accessible environment in accordance with Policy 7.2 of the London Plan (2016) and Policy DC2 of the Local Plan (2018).

- 17) The noise level in rooms of the Class C1 (hotel) 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 are not adversely affected by noise in accordance with Policies E3, CC11 and CC13 of the Local Plan (2018).

- 18) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating the bedrooms from adjoining rooms and the common parts, within the development. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site are not adversely affected by noise in accordance with Policies E3, CC11 and CC13 of the Local Plan (2018).

- 19) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from the hotel bedrooms. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 15dB the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site are not adversely affected by noise in accordance with Policies E3, CC11 and CC13 of the Local Plan (2018).

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

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment, in accordance with Policies E3, CC11 and CC13 of the Local Plan (2018).

- 21) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/ equipment, extract / ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment, in accordance with Policies E3, CC11 and CC13 of the Local Plan (2018).

- 22) Prior to commencement of the development hereby approved, a preliminary risk assessment report shall have been 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 Policy CC9 of the Local Plan (2018).

- 23) Prior to commencement of the development hereby approved, a site investigation scheme shall have been 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 Policy CC9 of the Local Plan (2018).

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

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

- 25) 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 Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 26) 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 Local Planning Authority. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the 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 Policy CC9 of the Local Plan (2018).

- 27) 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 Local Planning Authority where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the 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 Policy CC9 of the Local Plan (2018).

- 28) Notwithstanding the details submitted, prior to occupation/use of the relevant part of the development hereby approved a final Delivery and Servicing Plan shall have been submitted to and approved in writing by the Local Planning Authority for that part. Details shall specify the number of weekly deliveries and collections and size

of vehicles to be used, as well as the times for deliveries, vehicle movements and quiet loading/unloading measures. The measures/scheme shall be implemented in accordance with the approved details prior to occupation of that part of the development hereby approved, and thereafter permanently retained and maintained in line with the agreed plan.

In order to ensure that satisfactory provision is made for the servicing needs of the development and management and disposal of refuse, recycling, and other waste and to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and other disturbance, in accordance with Policies TLC2, T2, E3, CC7, CC11, and CC13 of the Local Plan (2018).

- 29) The development hereby approved shall not be occupied until details of secure cycle parking spaces to be provided in connection with the proposed Class C1 hotel have been submitted to and approved in writing by the Local Planning Authority, and such details shall be implemented prior to the occupation or use of the hotel and permanently retained thereafter for such use.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers, in accordance with Policies 6.9 and 6.13 of The London Plan (2016) and Policies E3 and T3 of the Local Plan (2018).

- 30) Prior to occupation/use of the relevant part of the development hereby approved the refuse storage arrangements shown on approved drawing 1613-PL1-104 Rev B, including provision for the storage of recyclable materials, shall have been fully implemented. All refuse/recycling generated by the development hereby approved shall be stored within the approved areas. These areas shall be permanently retained for this use.

To ensure the satisfactory provision of refuse storage and recycling, in accordance with Policies CC7 and CC13 of the Local Plan (2018).

- 31) No removal of refuse nor bottles/cans to external bins or external refuse storage areas shall be carried out other than between the hours of 08:00 to 20:00 on Monday to Friday and 10:00 to 18:00 on Saturdays; and at no time on Sundays and Public/Bank Holidays.

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

- 32) The ground floor 'Retail Unit' shall be used solely for the purposes of a retail use only and for no other purpose, including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any subsequent Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

In granting this permission, the Council has had regard to the particular circumstances of the case. The increase in the number of bedrooms could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with

Policies T1, TLC2, DC1, DC2, DC8, CC10, CC11, CC11, CC12 and CC13 of the Local Plan (2018).

- 33) The hotel use shall be used solely for the purposes of a hotel only and for no other purpose, including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any subsequent Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

In granting this permission, the Council has had regard to the particular circumstances of the case. The increase in the number of bedrooms could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policies T1, E3, DC1, DC2, DC8, CC10, CC11, CC11, CC12 and CC13 of the Local Plan (2018).

- 34) The Class C1 (hotel) use hereby approved shall have a maximum of 100 bedrooms.

In granting this permission, the Council has had regard to the particular circumstances of the case. The increase in the number of bedrooms could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policies T1, E3, DC1, DC2, DC8, CC10, CC11, CC11, CC12 and CC13 of the Local Plan (2018).

- 35) The 'breakfast room' hereby approved shall only be used to serve breakfast to guests of the Class C1 (hotel) hereby approved.

To ensure the use of the building and grounds does not harm the amenities of the existing neighbouring residential properties as a result of noise and disturbance, in accordance Policies CC11 and CC13 of the Local Plan (2018).

- 36) There shall be no access flat roof areas provided by the development hereby approved, except for maintenance purposes, and no part of the flat roof areas provided by the development shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure other than those shown on the approved drawings shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.

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

- 37) Unless otherwise indicated on the drawings hereby approved, no plumbing or pipes, other than rainwater pipes, shall be fixed externally on the front (North End Road) or side (adjacent to No.282 North End Road) elevations of the building.

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

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC2, DC8, CC11 and CC13 of the Local Plan (2018).

- 39) No external roller shutters shall be attached to the retail frontage to the North End Road elevation, and the window glass at ground level of the development, including the hotel frontage, shall not be mirrored, painted or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy 7.6 of The London Plan, Policies DC1, DC2, and DC8 of the Local Plan (2018).

- 40) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without having first been submitted to and approved in writing by the council. The development shall only be carried out in accordance with the details hereby approved.

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

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

To ensure a satisfactory external appearance and to preserve the integrity of the design of the building in accordance with DC1, DC2, DC8 and DC9 of the Local Plan (2018), and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by artificial lighting, in accordance with Policies CC12 and CC13 of the Local Plan (2018).

- 42) Prior to occupation/use of the relevant part of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority of the operating hours of use of each commercial part of the development. The uses hereby approved shall only operate as per the details approved.

In order that noise disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents in compliance with Policies CC11 and CC13 of the Local Plan (2018).

- 43) The uses hereby permitted shall not commence until all external doors to the premises have been fitted with self-closing devices, which shall be maintained in an operational condition; and at no time shall any external door be fixed in an open position.

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

- 44) Prior to commencement of the development hereby permitted, details of methods proposed to identify any television interference caused by the proposed development, including during the construction process, and the measures proposed to ensure that television interference that might be identified is remediated in a satisfactory manner shall have been submitted to and approved in writing by the Local Planning Authority. The approved remediation measures shall be implemented immediately that any television interference is identified.

To ensure that television interference caused by the development is remediated, in accordance with Policy 7.7 of The London Plan 2016, and Policies DC1 and DC2 of the Local Plan 2018.

- 45) Prior to the commencement of each of the demolition and construction phases of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors 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_x 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 PM₁₀ 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 ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 46) Prior to the commencement of the above ground works of the development hereby permitted (excluding site clearance and demolition) a Ventilation Strategy report in order to mitigate the impact of air pollution and include the following information:
- a) Details of the air intake locations for the C1 class use at roof level on the rear elevations
 - b) Details of openable windows for C1 class use
 - c) Details of air intakes locations for A1 class use on the rear elevations
 - d) Details of the independently tested mechanical ventilation system with NO_x, PM_{2.5}, PM₁₀ filtration. The NO₂ filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, PM_{2.5} and PM₁₀ in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

To ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 47) Prior to occupation of the development a report with details of the combustion plant in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the Council. The report shall include the following:
- a) Details to demonstrate that the termination height of the shared Flue stack for the combustion plant has been installed a minimum of 3 metres above any openable window and/or roof level amenity area of the tallest part of the building in the development
 - b) Details to demonstrate that all the Ultra Low NO_x Gas fired boilers, Emergency diesel Generator Plant and associated abatement technologies shall not exceed a minimum dry NO_x emissions standard of 30 mg/kWh (at 0% O₂) and 95mg/Nm⁻³ (at 5% O₂) respectively.
 - c) Details of emissions certificates, and the results of NO_x emissions testing of each Ultra Low NO_x gas boiler and Emergency Diesel Generator Plant by an accredited laboratory shall be provided following installation and following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). Where any combustion based energy plant does

not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NOx abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

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

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 ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 48) Prior to occupation of the development hereby permitted a Low Emission Strategy for the operational phase in order to mitigate the impact of air pollution 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 vehicle 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) Cargo Bike (2) Electric Vehicle (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG, (6) Petrol 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 ensure that the amenity of occupiers of the development site and neighbouring occupiers is not adversely affected by poor air quality, in accordance with Policy 7.14 of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

- 49) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings), a drainage strategy detailing any on and/or off site drainage works, shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

To prevent any increased risk of sewer flooding and to ensure the satisfactory storage of/disposal of waste/surface water from the site in accordance with Policy 5.13 of The London Plan and Policies CC3 and CC4 of the Local Plan (2018).

- 50) No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). Any piling must thereafter be undertaken in accordance with the terms of the approved Piling Method Statement.

In the interests of protecting local underground sewerage utility infrastructure and surface water drainage in accordance with Policy CC4 of the Local Plan 2018.

- 51) Prior to commencement of the development hereby approved (save for works of site clearance and demolition of existing buildings) and impact study of the existing water supply infrastructure shall have been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand in accordance with Policy CC4 of the Local Plan 2018.

- 52) The development hereby permitted shall only be carried out in accordance with the sustainable design and construction recommendations set out in the approved 'Sustainable Design and Construction Statement (dated: September 2017, Amended 8th January 2018)'. Within 6 months of first occupation/use of the premises, confirmation that the development meets the requirements of the 'Very Good' BREEAM rating shall be submitted (in the form of a post-construction BREEAM assessment), to the council for its written approval.

To ensure that sustainable design is implemented, in accordance with Policy 5.3 of The London Plan 2011 and Policies DC1, DC2 and CC2 of the Local Plan (2018).

- 53) The development shall only be carried out in complete accordance with the carbon reduction measures outlined within the approved 'Sustainable Design and Construction Statement (dated: September 2017, Amended 8th January 2018)', unless otherwise submitted to and approved in writing by the council. The development shall only be carried out in accordance with the details approved, and shall be permanently maintained as such thereafter.

To ensure that the development is consistent with the Mayor's carbon emissions objectives in accordance with Policies 5.1, 5.2 and 5.7 of the London Plan (2016) and in accordance with Policies DC1, DC2, CC1 and CC2 of the Local Plan (2018) and Policy EN1 of the Planning Guidance Supplementary Planning Document (2018).

- 54) Notwithstanding the submitted details, prior to the commencement of the development hereby permitted (save works of site clearance and demolition works of existing buildings), a final Surface Water Management Strategy shall be

submitted to and approved in writing by the Local Planning Authority. The Surface Water Management Strategy should include details of how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures. Information provided shall include details on the specification, location, and attenuation capabilities (storage volumes) of the proposed SuDS measures such as permeable paving, green/brown/blue roofs and green wall, and rainwater harvesting system. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, along with confirmation from Thames Water of their acceptance of these. Information on the number, location and connections for the proposed attenuation tanks should also be provided. A finalised plan drawing (to scale) of the proposed SuDS measures (including detailed plan drawings of all roof areas, showing the scale of the green/brown/blue roofs and green wall) should be provided which shows all connections (including off-site connections). Management and maintenance details for all proposed SuDS measures should also be provided along with an implementation plan for the drainage scheme, taking into consideration any phasing of works on-site. The Surface Water Management Strategy shall be implemented in accordance with the approved details, and thereafter all sustainable drainage measures shall be maintained and permanently retained in accordance with the approved details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan and Policies CC3 and CC4 of the Local Plan (2018).

- 55) Prior to the commencement of above ground works (save works of site clearance and demolition works of existing buildings), details of the green/brown/blue roofs and green walls of the development, including planting and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority. The green/brown/blue roofs and green walls shall be implemented in accordance with the approved details prior to occupation/use of the development hereby permitted, and thereafter be permanently retained and maintained in line with the agreed details.

To ensure the provision of green and brown roofs and walls in the interests of visual amenity, sustainable urban drainage and habitat provision, in accordance with Policies 5.11, 5.13 and 7.19 of the London Plan (2016) and Policies DC1, DC2, DC8, CC4, OS4, and OS5 of the Local Plan (2018).

- 56) The development hereby permitted shall be constructed in accordance with the flood risk mitigation measures identified in the 'Phase 1 Flood Risk Assessment' and 'Structural engineering report for planning' submitted with this application have been carried out. The scheme shall thereafter be permanently maintained as such thereafter.

To ensure that the flows of foul and surface water run-off is managed in a sustainable manner, in accordance with Policy 5.13 of The London Plan 2011, Policies CC3 and CC4 of the Local Plan 2018.

Justification for Approving the Application:

- 1)
 1. Land Use: The principle of the development is considered acceptable, as Officers consider that sufficient weight be afforded to the wider economic benefits of the development in providing a high-quality scheme of retained retail space within the primary shopping frontage, together with the employment and visitor generating hotel development, within the Town Centre and Regeneration Area, to outweigh the loss of the three residential units. The proposal complies with the NPPF (2018), Policies 4.5 and 4.7 of the London Plan (2016), and Policies FRA, TLC1, TLC2, E2 and E3 of the Local Plan (2018).
 2. Design and heritage: The principle of the land use is considered acceptable. The loss of the existing building of merit has been justified and the height, scale, massing, and detailed design of the replacement hotel building is acceptable within the local context, and would not harm the character and appearance of the application site and would appropriately connect the surrounding townscape. The proposal would make a positive contribution to the urban environment and would not cause undue harm to the setting of the Grade II listed building at No.282 North End Road. The development is therefore acceptable in accordance with the principles of the NPPF (2018), Policies 7.1, 7.2, 7.4, 7.5 and 7.6 of the London Plan (2016), and Policies DC1, DC2 and DC8 of the Local Plan (2018).
 3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. Measures would be secured by conditions to minimise noise and disturbance from the operation of the hotel and any associated mechanical equipment to nearby occupiers from the development. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies DC1, DC2, CC11 and CC13 of the Local Plan and EN1 of the Planning Guidance Supplementary Planning Document (2018).
 4. Safety and Access: A condition will ensure the development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.2 (2016) and Policy DC2 of the Local Plan (2018). The proposal would provide ease of access for all people, including disabled people, in accordance with Policies 4.5 and 7.2 of the London Plan (2016), Policies E3 of the Local Plan (2018) and Key Principles DA1, DA6 and DA9 of the Planning Guidance Supplementary Planning Document (2018).
 5. Highways matters: Subject to conditions, and the completion of a satisfactory legal agreement relating to the submission of a Travel Plan, servicing and delivery plan, and a DLP and a CLP; funding towards cycle and highway improvements; together with the prevention of coach bookings there would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 5.13, 6.1, 6.2, 6.3, 6.9, 6.10, 6.11 and 6.13 of the London Plan (2016), Policies T1, T2, T3, T4, T5, CC7, CC9, CC10, CC11, CC12 and CC13 of the Local Plan (2018) and Policies TR1, TR2, TR3 and WM9 of the Planning Guidance Supplementary Planning Document (2018).

6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have respect the proposal is therefore in accordance with the NPPF (2018), Policies 5.11, 5.12, 5.13, 5.14 and 5.15 London Plan (2016), Policies CC2, CC3 and CC4 of the Local Plan (2018) and FR1 and FR3 of the Planning Guidance Supplementary Planning Document (2018).

7. Sustainability and Energy: Measures are proposed in relation to minimising energy use and CO2 emissions and sustainable design and construction. These will be secured by conditions with a carbon-off setting payment in lieu secured through Section 106 legal agreement. The development would therefore be acceptable in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of the London Plan (2016), Policies of CC1 and CC2 of the Local Plan (2018) and SDC1 of the Planning Guidance Supplementary Planning Document (2018).

8. Air Quality: There will be an impact on local air quality because of the demolition, construction, and operation of the proposed development. However, conditions prior to the commencement of above ground works are included to mitigate the impact of the development and to ensure neutral air quality outcomes in accordance with Policy 7.14 of the London Plan (2016) and Policies CC10 and CC13 of the Local Plan (2018).

9. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan (2016), Policies CC11, CC12 and CC13 of the Local Plan (2018) and NN1, NN2 and NN3 of the Planning Guidance Supplementary Planning Document (2018).

10. Planning Obligations: The application proposes that its impacts are mitigated by way of carbon-off setting payment and financial contributions to fund construction related jobs and apprenticeships, a local procurement initiative, and improvements that are necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with Policy 8.2 of the London Plan (2016) and Policy INFRA1 of the Local Plan (2018).

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

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 30th October 2017
Drawing Nos: see above

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

Consultation Comments:

Comments from:
Thames Water - Development Control

Dated:
22.11.17

Neighbour Comments:

Letters from:	Dated:
Flat A , 391 North End Road London SW6 1NR	03.12.17
29 Raton rd Fulham sw61lw	20.11.17
29 racoon rd Fulham sw61lw	09.11.18
6 Crowther Close Fulham SW6 7EY	30.11.17
6 Crowther Close Fulham SW6 7EY	30.11.17
6 Crowther Close Fulham SW6 7EY	30.11.17
NAG	06.12.17
30 Halford Road London SW6 1JT	11.01.18
Flat 2 393 North End Road London SW6 1NR	28.11.17
383 North End road London SW6 1NP	17.11.17
5 Crowther Close Fulham SW6 7EY	01.12.17
5 Crowther Close Fulham SW6 7EY	01.12.17
Top Flat 383 North End Road London SW61NP	28.11.17
Wilberforce House Station Road London NW4 4QE	01.12.17
29 racoon rd Fulham sw61lw	20.11.17
29 racoon rd Fulham sw61lw	20.11.17
The First Floor Flat 3 Anselm Road London SW6 1LH	01.12.17
391a North End Road London SW6 1NR	03.12.17
119 Ellen Wilkinson house Fulham Sw6 7sy	13.10.18
369-371 North End Road London Sw6 1NW	14.10.18
72b Lakeside Road London W14 0DY	13.10.18
8 Grangecliffe Gardens London SE25 6SZ	12.10.18
290a Fulham Palace Rd London SW6 6HP	22.10.18

OFFICERS REPORT

1.0 SITE DESCRIPTION, RELEVANT HISTORY AND PROPOSALS

Site and Surrounding Area:

1.1 The application site (0.06ha) comprises a three-storey building occupied by a retail unit (Class A1) at ground floor level with ancillary storage/service space at basement level, and 3 maisonette flats (Class C3) at first and second floor level. The site is located on the western side of North End Road, opposite its junction with Anselm Road to the east, and Coomer Place to the north.

1.2 A gated pedestrian alleyway (Buckler's Alley) separates the site from the four-storey mixed use hotel and retail building at Nos.290-302 North End Road to the south. To the north the site abuts the boundary of a two storey Grade II listed office building at No.282 North End Road.

1.3 North End Road forms part of the Prime retail frontage of Fulham Town Centre, and is characterised by mixed use development, with commercial uses at ground floor level, and residential uses above. Beyond the retail frontages, extending to the east and west of North End Road, the area is predominantly residential in character.

1.4 The existing building is locally listed as a Building of Merit, though the site is not located within a conservation area.

1.5 The site has public transport accessibility level (PTAL) of 6a on a scale of 1- 6b, with 6b having the highest PTAL. There are several bus stops located within a short distance from the site along North End Road with Fulham Broadway station a short distance to the south east. The site is also located within Flood Zone 2.

Relevant Planning History:

1.6 In 2016, application 2016/04876/FUL was withdrawn for the demolition of existing building and redevelopment of the site to provide a part four/part five storey hotel comprising 103 rooms, excavation to accommodate an additional basement and retail space on the ground floor.

1.7 In 2017, the applicants submitted a pre-application proposal for the demolition of existing building and redevelopment of the site to provide a part 4, part 5 storey hotel and retail uses.

Proposed Development:

1.8 The application involves demolition and redevelopment, comprising the erection of a four-storey mixed-use building providing retail (116sqm) floorspace at ground floor level, and a 100-bedroom hotel (Class C1) to the remainder of the building. The proposals also include further excavation of the existing basement to provide an additional (second) basement level in association with the C1 hotel use.

1.9 Associated cycle and refuse stores for the retail and hotel use are sited at ground floor level, along with plant and photovoltaic (PV) panels provided at roof level. A biodiverse 'green roof' is proposed across the development, with a 'green wall' at the northern flank elevation adjacent to No.282 North End Road.

1.10 The proposal follows the withdrawal of the 2016 application and extensive pre-application discussions. The main changes to the scheme can be summarised as follows:

- Reduction in height from five-storey to four-storey building;
- Increased set back of fourth floor;
- Increased setback of the north/north east corner away from the Grade II listed building at No.282 North End Road;
- Reduced massing to the rear facing Crowther Close;
- Increased area of 'green roof', and installation of 'green wall'.

2.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

Pre-Application Consultation

2.1 The submission also includes a Statement of Community Involvement (SCI) which details the schemes progression through pre-application public consultation. Some 840 residents were invited to a public exhibition held in September 2017 which was also attended by representatives from The Fulham Society and the Hammersmith & Fulham Historic Buildings Groups. Additional meetings were also held with residents of Crowther Close and local ward Councillors. The applicants also contacted local market traders.

2.2 Generally, the response from those who attended both the presentations was very positive. In particular, the design revised design was considered much better than the previous withdrawn scheme; the reduction in scale with a cut back at the side was welcomed. Some concerns were raised about possible ground floor uses, the construction programme in relation to other construction sites in the area, impact on neighbouring properties and traffic.

Consultation for planning application

2.3 The application was advertised by site and press notices and individual notification letters were sent to 245 neighbouring properties. A further site and press notice advertising the application as a departure from the Council's development plan were published in December 2018.

2.4 In total, representations from 15 interested parties have been received raising objection to the proposals on the following grounds:

- Loss of existing Class C3 residential use
- The need for the development/further hotel use
- Impact upon Class A1 retail provision
- Height, scale and massing, out of context with the surrounding properties
- Failure to preserve or enhance the adjacent listed building
- Noise and disturbance
- Overlooking and loss of privacy
- Light pollution
- Loss of daylight/sunlight and outlook
- Poor layout of hotel rooms
- Security
- Subsidence from proposed basement excavation
- Rainwater overspill from green roofs
- Detrimental impact on North End Road Market
- Increased pollution from traffic movements
- Duration of construction period
- Disruption to Market and neighbours during construction period
- Parking, congestion, pick-ups/drop-offs

2.5 Thames Water raise no objections to the proposals subject to condition and informative

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations to be assessed in light of the revised National Planning Policy Framework (NPPF) (2018), the London Plan (2016), and the Council's development plan comprising the Local Plan (2018) and Planning Guidance SPD (2018) include; the principle of the development in land use terms; design and impact upon designated and non-designated heritage assets; impact on the amenities of neighbouring residents; highways and traffic generation; sustainability and other environmental quality considerations.

Draft London Plan

3.2 The draft London Plan was published in late 2017 and was subject to public consultation during spring 2018. An Examination in Public (EiP) began in January 2019, and publication of the new Plan is expected later this year. It is therefore considered that the 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).

4.0 LAND USE

4.1 The site is located within the Fulham Regeneration Area (FRA), a 47ha area comprising Fulham Town Centre and the Mayoral designated Earl's Court and West Kensington Opportunity Area. Fulham Town Centre is designated in the London Plan as a Major Town Centre, and provides a wide variety of shopping facilities serving the needs of the surrounding communities. The centre is generally healthy with low vacancy rates, although retail on North End Road has seen higher vacancy and less investment. Local Plan Strategic Policy FRA identifies that there is a substantial opportunity for regeneration within the Fulham Regeneration Area (FRA) and for development to benefit the wider community.

Loss of Residential:

4.2 London Plan Policy 3.14 states that 'The Mayor will, and boroughs and other stakeholders should, support the maintenance and enhancement of the condition and quality of London's existing homes. Loss of housing...should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace'.

4.3 Local Plan Policy HO1 states that in seeking to meet and exceed the annual housing delivery targets of the London Plan, the Council will [inter alia] retain existing residential accommodation. This is supported by Policy HO2 which states that the Council will resist proposals which would result in a net loss of permanent residential accommodation as a result of redevelopment or change of use without replacement. Notably, Strategic Policy FRA seeks the delivery of 7,000 additional homes within the Fulham Regeneration Area, the Policy also highlights the need for regeneration in the North End Road area in order to improve its economic health.

4.4 The existing mixed-use building comprises 3 flats on the first and second floors (accessed from the rear) and the proposed redevelopment would result in the loss of these flats which are in poor physical condition. While, the net loss of these units would represent a departure from the local plan significant weight should be given to the wider economic benefits of the proposed mix-use development. The proposals would retain a retail use at ground floor level within the primary shopping frontage and create an

employment / visitor generating hotel use, within the Town Centre and Regeneration Area. On balance Officers consider that the loss of the residential accommodation is acceptable in principle.

Retail:

4.5 London Plan Policy 4.7 supports a strong, partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres, and in taking planning decisions on proposed retail and town centre development.

4.6 Strategic Policy FRA seeks that development proposals 'enhance the vitality and viability of Fulham Town Centre...' Policy TLC1 of the Local Plan makes clear that the Council will seek to work with stakeholders to enhance the vitality and viability of the boroughs town centres to maintain the retail function of the primary shopping areas, seeking a mix of shop sizes and types. In respect of Fulham Town Centre, supporting paragraph 8.7 to Policy TLC1 states that the Council will support the Centre 'to re-establish its historic role in the locality and maintain its status as a major town centre in the London Plan. Local Plan policies will seek to provide further shopping and leisure uses at an appropriate scale to meet locally generated needs.'

4.7 Policy TLC2 adopts a flexible approach in respect of changes from Class A uses at street level to 'alternative uses which can be shown to be complementary to the shopping frontage, maintain or increase the vitality and viability of the town centre and do not have an adverse impact on the local area'. In setting assessment criteria development proposals will be considered on the basis that [inter alia]:

- no more than 40% of the length of the prime retail frontage as a whole will be permitted to change to non-class A1 uses
- the nature and characteristics of the proposed use are complementary to the shopping frontage;
- the proposed use contributes to the function of the centre in terms of the size of the unit, the length of its frontage and the location of the unit within the centre

4.8 The application site is located within the Prime Retail Frontage of Fulham Town Centre. The existing retail unit comprises some 20m of street frontage, with 495sqm of Class A1 floorspace floor at ground floor level and ancillary basement. The proposed development results in the loss of approximately 370sqm of retail (Class A1) floorspace at ground floor and basement. The new ground floor unit would be 116sqm but would retain the majority of the existing frontage (approx.15m). The continued use of retail at ground floor, albeit reduced, is considered acceptable against Policy TLC2 of the Local Plan.

Hotel Use:

4.9 Paragraphs 80 and 81 of the revised NPPF outlines the Government's commitment to securing economic growth in order to create jobs and prosperity; and to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. The NPPF emphasises that significant weight be placed on the need to support economic growth and productivity.

4.10 London Plan Policy 4.5 aims for boroughs to support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision. The Policy seeks to achieve 40,000 net additional hotel bedrooms across London by 2036.

4.11 Strategic Policy FRA seeks that development proposals within the Fulham Regeneration Area [inter alia] 'contribute toward the provision of...9,000 jobs; enhance the vitality and viability of Fulham Town Centre, particularly on North End Road...; secure economic benefits...to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment; and; provide appropriate social, physical, environmental and transport infrastructure to support the needs arising from the area as a whole'.

4.12 Local Plan Policy E1 states the Council will support the local economy and inward investment in the borough. Policy E3 adds that permission will be granted for new visitor accommodation within the three town centres, the Earls Court and West Kensington and White City Opportunity Areas. The justification to Policy E3 sets out the criteria against which proposals for visitor accommodation and facilities should be considered. These include:

- well located in relation to public transport;
- no detrimental impact on the local area;
- no loss of priority uses such as permanent housing;
- provision of adequate off-street servicing;
- at least 10% of hotel bedrooms designed as wheelchair accessible;
- a high standard of design; and
- schemes should add to the variety and quality of local visitor accommodation.

4.13 Located within Fulham Town Centre, with the PTAL 6a rating, the site has excellent access to public transport links (underground, overground, and local buses). Accordingly, the proposed hotel use in this location is considered appropriate.

Conclusions:

4.14 Within the Fulham Regeneration Area, Strategic Policy FRA identifies that North End Road is in need of regeneration. Whilst the loss of the existing residential accommodation represents a departure from the development plan, Officers are satisfied that the wider benefits of the development in this location justify the loss in this instance. The proposed development would contribute toward the vitality and viability of North End Road and the wider regeneration area in accordance with Local Plan Strategic Policy FRA and Policy TLC2, with the 100-bed hotel contributing towards the expansion of visitor accommodation within the borough in accordance with London Plan Policy 4.5 and Policy E3 of the Local Plan. The proposals also include a financial contribution toward local employment for paid and unpaid placements and an apprenticeship during the construction phase, employment opportunities during the operational phase, as well as seeking local procurement. These economic and financial contributions would be secured by a legal agreement.

4.15 Overall, the proposed development accords with the principles of Local Plan Policies TLC1 and TLC2, being complementary to the shopping frontage and the town centre, maintaining its vitality and viability. The proposed redevelopment would also result in the retention of employment uses on site as well as provide additional

employment generating floorspace and employment opportunities within the borough. For these reasons, Officers consider that the loss of residential accommodation is, in this instance, considered to be outweighed by the wider economic and regeneration benefits of the replacement development.

4.16 The proposed land use is therefore considered acceptable in principle with regards to the relevant provisions of the revised NPPF (2018), the London Plan (2016), and Strategic Policy FRA, and Housing', Town Centre', and Local Economy and Employment policies within the Local Plan (2018), subject to compliance with other relevant policies of the development plan.

5.0 HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

Streetscene Context:

5.1 No.284-288 North End Road is a locally listed as a Building of Merit. Its main interest is that it is representative of an earlier mid-19th Century scale to North End Road, and is one of the few surviving parts of a terrace. The existing building is three-storeys in height, with the upper floors sitting over the back of the building, and therefore significantly setback from the front building line and immediate streetscene of North End Road.

5.2 With regard to the significance of the existing Building of Merit, internally the ground floor has been cleared of party walls, fireplaces, ceilings, floors, and staircases to create a single open-plan retail space. The windows and doors to the front (North End Road) elevation have also been replaced. Little of the original plan form and internal fabric remains.

5.3 Adjoining the site to the north is the mid-19th Century Grade II listed building at No.282 North End Road. Set behind a front garden, the property has a 'villa style' appearance and was formerly occupied by T. Crowther and Son architectural salvage company, who are believed to have embellished the building from several demolished properties. In the late 1990s the property was extended and converted for use as a health centre, NHS offices and clinic. The substantial rear extension is attached to the original building by means of a glazed link.

5.4 The character of this stretch of North End Road is relatively consistent in scale but is varied in terms of architectural character and quality, with the western edge having greater variation in roof line and elevational design than to the east.

Planning Policy Context:

5.5 The NPPF emphasises the importance of well-designed buildings and places, stating in paragraph 124 that 'Good design is a key aspect of sustainable development, [and] creates better places in which to live and work and helps make development acceptable to communities.' Paragraph 127 adds that planning decisions should ensure that developments [inter alia]:

'- b) are visually attractive as a result of good architecture, layout...;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

5.6 London Plan Policy 7.1 requires that all new development is of high quality that responds to the surrounding context and, amongst other matters, improves access to social and community infrastructure. Policy 7.4 requires development to 'have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.' Policy 7.6 relates to architecture and the design of developments, and seeks development of a high-quality design, of a scale that is appropriate to its setting, and built using high quality materials. It should complement the surrounding built form and should not cause unacceptable harm to the amenity of surrounding buildings. Policy 7.8(D) states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials, and architectural detail.

5.7 Local Plan Policy DC1 requires all development within the borough to create a high-quality urban environment that respects and enhances its townscape context and heritage assets. Policy DC2 furthers the above, seeking that new build development be of a high standard of design, compatible with the scale and character of existing development and its setting. Development proposals must respect (a) the historical context of the site, (b) the scale, mass, form and grain of surrounding development, (e) good neighbourliness, (g) sustainability objectives, and, (h) the principles of accessible and inclusive design. Local Plan Policy DC8 seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment including listed buildings. Additional guidance in respect of proposals to Buildings of Merit within Chapter 6 of the Planning Guidance SPD.

Historic Environment Planning Policy Context:

5.8 It is key to the assessment of this application that the decision-making process is based on the understanding of the specific duties in relation to listed buildings required by the relevant legislation, particularly the principal statutory duties stated within Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act together with the requirements set out in the NPPF.

5.9 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...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

5.10 Local planning authorities are required to assess the significance of any heritage asset affected by development proposals, including effects on their setting. This assessment shall be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (NPPF, para 190).

5.11 When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 of the NPPF states that "...great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be". Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting...any harm or loss should require clear and convincing justification.

5.12 Where a proposal would result in harm to the significance of a designated heritage asset it should be identified whether the harm is substantial or less than substantial. If the harm is substantial the proposed development should be considered in respect of paragraph 195 of the NPPF and if the harm is less than substantial the development should be considered in respect of paragraph 196 of the NPPF.

5.13 NPPF Paragraph 197 relates to the effect of an application on the significance of a non-designated heritage asset (i.e. Building of Merit) and states: "...In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

5.14 Paragraph 198 adds that "Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred."

Significance of Heritage Assets:

5.15 The designated heritage assets that stand to be affected by the proposals are the setting of the Grade II listed building at No.282 North End Road. Consideration will also be afforded to the impact of the proposals upon the existing Building of Merit on the application site as a non-designated heritage asset.

Demolition/Loss of the Building of Merit:

5.16 In assessing the loss of the existing Building of Merit, Officers have had regard to the provisions of paragraph 197 of the NPPF, Local Plan Policy DC8, and Key Principle BM2 of the Planning Guidance SPD. Key Principle BM2 outlines the Council's presumption against 'the demolition, loss or harmful alteration to buildings, structures and artefacts that are of local townscape, architectural or historic interest...unless [inter alia]:

1. (a) The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or
- (b) The proposed development would outweigh the loss or harm to the significance of the non-designated heritage asset; and
- (c) The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses'.

5.17 The significance of the non-designated asset has been assessed in accordance with Historic England's methodology for assessing "significance" as set out in "Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment".

5.18 In line with these principles, Officers have assessed the overall heritage significance of the existing building to be 'low'. Moreover, Officers are satisfied that the proposed demolition would not result in the loss of aesthetic or communal value within the building.

5.19 In reaching this conclusion regard has been had to the high degree of internal and external alteration to the property, which has resulted in the loss of a significant amount of original fabric, and the limited architectural interest or craftsmanship in the few

remaining areas of built fabric. From this position, it is considered that the work likely to be necessary to bring the building up to an acceptable modern-day standard, compatible with that offered by the proposed development, would inevitably result in the loss of more of the existing fabric.

5.20 Nonetheless, in accordance with paragraph 198 of the NPPF, Condition 3 is attached, requiring the submission of a signed building contract for the replacement development before commencing demolition.

5.21 Taking the above into consideration, when balancing the scale of the loss of the non-designated heritage asset in accordance with NPPF paragraph 197, the demolition of the building of merit is outweighed by the planning merits, including the townscape benefits, of the proposed scheme discussed elsewhere within this report. The proposals are therefore considered satisfactory against the relevant provisions of the NPPF, Policies 7.2, 7.4, 7.6, and 7.8 of the London Plan, Policies DC1, DC2, and DC8 of the Local Plan, and Key Principle BM2 of the Planning Guidance SPD in this respect.

Height, Scale, and Massing:

5.22 The scheme has changed from that previously withdrawn under 2016/04876/FUL and that submitted during the 2017 pre-application discussions. The scale and mass of the building has been significantly reduced within the proposed scheme, to include a reduction in the height, achieved through the removal of the fifth storey, and an increased setback of the fourth storey, with further setbacks adjacent to No.282 and to the rear.

5.23 Notwithstanding these reductions, the height of the proposed development is greater than that currently on site. However, this increase in height and scale is carefully governed by its immediate context.

5.24 To the south, the general height, massing, and building line of the proposals matches that of Nos.290-302. To the north, the neighbouring Grade II listed building at No.282 sets itself back from the predominant building line. To address this, the proposal reinforces the ground floor building line but pushes the mass of the first, second and third floors back from the north-east corner, so that the massing on the northern elevation does not step forward of the front building line of the listed building. The resultant form significantly eases the mass of the building away from No.282, to avoid appearing visually over dominant, and providing 'breathing space' between the two buildings whilst maintaining views to the listed building from the south.

5.25 The fourth 'attic' floor, whilst in overall terms, higher than the existing building, listed building, and adjacent three-storey terrace, would be set back on the front/east and north elevations, and is considered suitably recessive in appearance. Given the measures taken to reduce and set back the mass of the building from the northern boundary, it is not considered that this additional height will harmfully undermine the setting of the listed building or be overbearing within this context of North End Road.

5.26 Similarly, the proposed plant/lift overruns at roof level, whilst providing additional height to the development, given their setback within the roof form, and relatively modest scale and height, these additions are not considered to unduly detract from the visual amenities of the proposals, streetscene, or setting of the neighbouring list building, and are considered acceptable in this respect.

5.27 Officers consider that the proposed development represents an opportunity to enhance the appearance of this part of North End Road with a building that fits comfortably into its context, matching the height of its adjoining neighbour No.290-302 to the south, and stepped slightly, with a reduced massing and set back building line, to sensitively bridge the gap in the streetscene to the Grade II listed No.282.

Elevations and Materials:

5.28 The proposed building has been designed to retain an active and engaging street frontage, with the large glazed 'shopfront' openings and fascia's, clearly defined by brick piers, framed by projecting metal surrounds and a slim fascia panel, the depth of which is considered appropriate for signage. The inclusion of a stall riser gives the shopfront a good sense of scale and proportion.

5.29 The proposed shop front is a significant improvement on the existing, and will provide a higher quality base along the frontage which contributes to the visual activity of the ground floor street environment and is complementary to the Prime Retail Frontages along this part of North End Road.

5.30 The first and second floor bays are defined by a well-proportioned rhythm, grouped into three sets of pairs. The bays are made from elongated aluminium windows, set within a projecting metal surround. Windows to the side elevations are recessed within an aluminium frame. All windows are headed by a single brick soldier course. The northern flank elevation returns to a two-storey green wall, which gives visual interest to the corner, and would be prominent in south facing views along the street.

5.31 The fourth 'attic' storey, which is set back from the leading cornice and parapet line, is considered to be suitably articulated with metal cladding, protruding joint/vertical strip details, and a top horizontal detail which finishes the building well.

5.32 The proposed development has a clear base, middle, and top, and is well proportioned. The external brick finish, with brick the principle building material of the terrace, is contextually appropriate. The proposal looks to use a natural light multi-tonal brick, with intermittent white tones, to help the building transition from its listed neighbour to the more uniform tones texture of No.290-302 North End Road. Further articulation is given to the facades through the use of a cornice detail and parapet at second floor level. Condition 8 will secure the details of this external finish.

Basement Development:

5.33 Local Plan Policy DC11 concerns new basements and extensions to existing basements, and typically seeks to restrict basement development to one storey, part (d) of Policy DC11 however identifies that exceptions may be made on large sites.

5.34 Policy DC11 further identifies that development proposals for basements should [inter alia]:

- not result in an unacceptable impact on the amenity of adjoining properties or on the local, natural and historic environment during and post construction;
- be designed to minimise the risk of flooding and help reduce the volume and flow of surface water run-off through appropriate use of SuDS;
- be designed to safeguard the structural stability of the existing building, nearby buildings and other infrastructure; and;

- provide a Construction Method Statement (CMS) (carried out by a qualified structural or civil engineer); and; a construction traffic management plan as part of the CMS to ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety.

5.35 Supporting paragraph 12.63 expands on part (d) and defines 'larger sites' as new major developments, generally located in a commercial setting, or of the size of an entire or substantial part of an urban block. The application site and development proposals are considered to fall within this exception, and two-storey basement development may be considered favourable subject to the acceptability of the proposals against the other relevant provisions of Policy DC11.

5.36 The existing building comprises a single basement floor, operating as ancillary storage and break-out space in association with the retail (Class A1) use. The proposed development seeks the further lateral and downward excavation of the existing basement to create a second basement level. Both basement levels are proposed to be occupied in association with the hotel (Class C1) use, providing a further 28 bedrooms, plant, and staff rooms.

5.37 The additional accommodation within the basement mitigates against increased height, bulk, and mass of the development, and internalises plant equipment seeking to preserve the visual and residential amenities of the surrounding area. Moreover, the proposed lightwells are internal, or sited to the side and rear of the development, ensuring that they are not apparent in views from North End Road, and screened to a degree from neighbouring properties owing to the boundary walls.

5.38 The application is supported by a Structural Engineering Report, and during the course of the application Officers have actively sought the provision of a detailed Construction Logistics Plan. The submitted reports satisfactorily detail the method of basement excavation and construction, and the impact of the proposed development upon the local highway network and operation of North End Road. This element, along with an assessment of the proposed development in respect of flood risk and surface water management, is discussed in further detail below.

Impact upon the Setting of Grade II Listed Building:

5.39 No.282 North End Road, along with its gate and piers, was Grade II listed on 12 May 1970. This list description identifies the form and decorative external appearance of the 'villa' style frontage property as the reasons for its designation. The full description notes: "GV II House, mid-19th century. Two storeys and basement. Stuccoed and painted. Originally a plain house, but much decorated in recent years. Four windows wide with architrave surrounds, decorative sphinxes above the ground floor windows small paned sashes. The main front has three pilasters and a projecting cornice, the parapet is decorated with vases and a stone lion. Cast iron railings to the front steps. Doorcase to 2nd bay from left, 18th century, imported".

5.40 The villa is set back from North End Road behind a front garden and is the only remaining representation of an earlier building alignment in this local context, which has now changed significantly.

5.41 The proposed development therefore must respond to both the listed building and the present townscape. In Officers view, the proposal responds to the sensitive context

of the listed building in a number of ways. First, through the use of a stepped front elevation which aligns with the listed building to the north and Travelodge building to the south, the proposal appropriately bridges the difference in front building line and creates a consistent frontage to North End Road. At the ground floor, the proposal maintains the established building line of the Building of Merit and North End Road while also providing a higher quality shopfront and address to the street.

5.42 Second, the proposed massing is sensibly distributed across the building so that it responds to the listed building and its setting. The 11m set back of the upper floors on the northern part of the elevation preserves views to the listed building from the south; which together with the recessed fourth floor, moves the additional height away from the listed building and provides a clear sense of separation. The proposed massing is therefore, not only mindful of the listed building but has made a significant attempt to be respectful of its setting. Further, design details such as the corncicing and green roof and wall on the northern elevation also help to create a more subservient relationship to the listed building. However, in fulfilling its urban design role in North End Road by bringing more of the building forward to the street, the proposal does create a greater sense of enclosure to the Listed Building. This is not considered to cause undue harm to its setting.

5.43 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant provisions of the NPPF, Policies 7.2, 7.4, 7.6, and 7.8 of the London Plan, and Policies DC1, DC2, and DC8 of the Council's Local Plan.

Conclusions:

5.44 In visual amenity terms Officers consider that the proposals represent a high-quality development, and a positive opportunity to regenerate this part of the Town Centre, and to enhance the quality of the townscape along North End Road.

5.45 Overall, the height, scale, massing, and detailed design of the proposals is acceptable within the local context, and would not harm the character and appearance of the application site and would appropriately connect the surrounding townscape. The proposal would make a positive contribution to the urban environment and would not cause undue harm to the setting of the Grade II listed building at No.282 North End Road. The development is therefore acceptable in accordance with the principles of the NPPF (2018), Policies 7.1, 7.2, 7.4, 7.5 and 7.6 of the London Plan (2016), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

6.0 RESIDENTIAL AMENITY

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

6.2 SPD "Housing Standards" Key Principle HS6 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, privacy, light and noise and disturbance. Key Principle HS7 (iii) requires new windows to be positioned at least 18 metres away from existing windows or if the standard cannot be met, then they must be

designed to ensure no loss of privacy. Key Principle HS8 requires that balconies and terraces do not cause harm to the existing amenities of neighbouring occupiers by reasons of noise and disturbance or opportunities for overlooking.

Outlook:

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

6.4 In terms of outlook, the most affected properties are in North End Road and Crowther Close. On the opposite side of the road, Nos.381-387 North End Road include retail at ground floor and residential above and the proposed development would be positioned some 15m setback from the residential windows in that building. Taking into account a notional 45-degree line from the first-floor of the first floor of Nos.381-387 North End Road, the proposed development would not result in any infringement.

6.5 From the rear, the main four storey bulk of the proposed development would be positioned a minimum of 15m from the residential units on the upper floors at Nos.7-11 Crowther Close and it is considered that the proposed siting and mass would retain a satisfactory sense of openness to these neighbouring properties.

6.6 No.6 Crowther Close, a three-storey dual-aspect property with two-storey back addition adjoins the rear boundary with the application site. The flank elevation of No.6 has three habitable windows that face the rear of the application site which include a study/office at ground floor, a bedroom at first floor and a bedroom window at second floor level (opening onto a roof terrace). There is an existing high wall on the party/boundary with the application site which means that the ground floor window is already enclosed and would suffer no additional loss of outlook. Officers acknowledge that the proposals would result in some loss of outlook to the bedroom windows in the flank elevation of No.6. To reduce the impact of this the opposing proposed rear elevation of the development would include an approx. 5.5m setback from the upper floor flank windows, with the rear of the proposed building staggered south-to-north to largely follow that of the raised party boundary. Notably the main front and rear elevations of No.6 would not be affected by the development - the windows within the main rear elevation serve a dual-aspect kitchen/dining room at ground floor level, and living room at first floor level. The proposals would have no impact on the primary living spaces (living room, kitchen/dining room) which benefit from a north/south dual-aspect outlook orientated away from the development proposals.

6.7 Overall, based on on-site judgement Officers consider that the resulting change in outlook is acceptable in this case.

Privacy:

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

6.9 The form, massing, and set backs of the proposed development ensure that a separation distance of at least 18m is maintained between the proposed windows and adjacent habitable elevations of properties along North End Road (to the east), Coomer Place (to the north), and Crowther Close (to the west). Consequently, Officers consider that the proposals would not have an undue impact upon the privacy amenities of neighbouring properties.

6.10 A number of flat roof forms are proposed at various levels across the development. Condition 36 is attached to prevent these spaces being converted or occupied as a terrace or other form of external amenity space. Subject to such a condition, the proposal accords with SPD Key Principle HS7(iii).

Daylight and Sunlight:

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

Daylight:

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

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

6.14 No Sky-Line NSL measures the distribution of daylight within a room. It indicates the point in a room from where the sky cannot be seen through the window due to the presence of an obstructing building. The NSL method is a measure of the distribution of

daylight at the 'working plane' within a room. In houses, the 'working plane' means a horizontal 'desktop' plane 0.85 metres above floor level. This is approximately the height of a kitchen work surface. The NSL divides those areas of the working plane in a room which receive direct sky light through the windows from those areas of the working plane which do not. For houses, the rooms to be assessed should include living rooms, dining rooms and kitchens. Bedrooms should also be analysed, although in terms of NSL they are considered less significant in terms of receiving direct sky light. Development will affect daylight if the area within a room receiving direct daylight is less than 80% of its former value.

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

6.16 The application is supported by a Daylight and Sunlight Report which considers the impact of the development upon the daylight and sunlight amenities of 130 windows at Nos.274 North End Road & 4 Coomer Place; 373-387 North End Road (first & second floors); 389 North End Road; 7-11 Crowther Close (first and second floors); and; 6 Crowther Close. Officers have assessed this report.

6.16 With the exception of 1 second floor flank window at No.6 Crowther Close, the proposals accord with the BRE guidelines. The VSC and NSL figures retained for the second-floor flank window at No.6 as a result of the proposals would each be 70% of their former value which falls short of the target of 80%. Given that the one affected window does not form part of the primary living space and the BRE recommends that guidance be used flexibly, on balance taking account of this urban townscape setting the overall daylight impact is considered acceptable.

Sunlight:

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

6.18 The proposed development accords with the BRE and would have an acceptable sunlight impact.

Noise and Disturbance:

6.19 London Plan Policy 7.15 states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise, separating new noise sensitive development from major noise sources through the use of distance screening, or internal layout and promoting new technologies and improved practices to prevent noise.

6.20 Local Plan Policies CC11, CC12, and CC13 are aimed at ensuring that proposed development do not unduly affect the amenities of neighbouring occupiers by reason of increased noise and disturbance. Noise Key Principles of the Planning Guidance SPD concern the sound insulation, noise generating development, and construction and operational noise.

6.21 The application is supported by a Demolition and Construction Management Plan which proposes mitigation in respect of the environmental impacts during the construction phase. Whilst this document is considered acceptable in principle by the Council's Public Protection Team, in advance of the appointment of a final contractor and in seeking to preserve the amenities of neighbouring occupiers, final detailed Management Plans' for both the demolition and construction phases are secured by Conditions 4 and 6.

6.22 Conditions 5 and 7 would be attached to any permission also secure final detailed Construction Logistics Plans for both demolition and construction phases of the development.

6.23 A Noise Impact Assessment has been submitted which recommends acceptable enhanced glazing to ensure that the rooms at the development site meet the requirements of BS8223:2014. The acoustic report also proposes plant noise limits which are proposed to be set at the measured background noise levels. Conditions will secure details of noise, vibration and odour controls of the equipment (Conditions 17-21).

6.24 Further conditions are attached in respect of the controls over the operation of the premises, limiting the number of hotel rooms to 100, restricting the operation of the breakfast room, seeking details of the proposed operating hours of the development, and prohibiting the erection of any further plant/mechanical extract equipment.

6.25 Subject to such conditions the proposed development is not considered to have an undue impact upon the residential amenities of neighbouring properties in respect of increased noise and disturbance.

7.0 ACCESSIBILITY

7.1 London Plan Policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design. Local Plan Policy DC2 and SPD Key Principles DA1, DA6 and DA9 require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings. Specifically, London Plan Policy 4.5 and Local Plan Policy E3 require at least 10% of hotel rooms to

be accessible. Access requirements have now been incorporated into Building Regulations.

7.2 The Design and Access Statement confirms the proposed hotel will comply with current standards. In particular, the proposals include 10 accessible hotel rooms (10% of all the bedrooms), which will be located on various levels. All entrances in the development from the street and forecourt would be level and there would be an accessible lift serving all floors available for visitors and staff. Detailed access matters would be covered under Building Regulations. On this basis the proposal accords with London Plan Policy 4.5, Policies E3 and DC2 of the Local Plan, and SPD (2018) Key Principles DA1, DA6 and DA9.

8.0 CRIME PREVENTION/SECURE BY DESIGN

8.1 The NPPF, London Plan Policy 7.3, Policies DC1 and DC2 of the Local Plan and SPD "Sustainable Design and Construction" Key Principles requires new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment. Full details of how the proposed development would incorporate crime prevention measures to provide a safe and secure environment would be secured by Condition 13.

9.0 TRANSPORT AND HIGHWAY MATTERS

9.1 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.

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

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

9.4 Whilst no maximum standards are set for hotel uses, in PTAL 4-6 areas on-site provision should be limited to operational needs and parking for disabled people.

9.5 The site is very well served by public transport and as such has a Public Transport Accessibility level (PTAL) of 6a, which is classified as 'excellent' in terms of its proximity to the public transport networks, service availability and walking time to public transport, with numerous bus routes servicing North End Road, and Fulham Broadway and West Brompton stations a short distance from the site.

9.6 The proposed development does not make provision for off-street parking. Moreover, due to the constraints of the site it is not possible to provide disabled parking spaces on-site. The nearest shared-use parking bays are located on Coomer Place, approximately 30m north of the hotel entrance. Parking bays are provided on both sides

of Coomer Place and the route between these parking bays and the hotel is level and without obstruction.

9.7 Aside from servicing most vehicular trips to the site are likely to be taxi (and private hire vehicle trips). The applicant predicted the number of motor vehicles (excluding service vehicles) to the site based on data for six hotel sites within the London that were on the national data-base. This predicted 4 motor vehicles in the am peak, 8 motor vehicles in the pm peak, and a total of 56 motor vehicles between 7am and 10pm (8% of the total trips). As a check on this data the applicant arranged their own counts at the Travelodge hotel at 284 - 288 North End Road in November 2018. Scaling this to the number of bedrooms for the survey results indicated 1 motor vehicle in the am peak, none in the pm peak and a total of 32 motor vehicles between 7am and 10pm (8.5% of total trips). The applicant proposes to direct taxis to Coomer Place to the north of the hotel entrance where pick up and drop off with not interfere with traffic on North End Road. The Travel Plan can include provision for staff to direct taxis to Coomer Place. This survey also estimates service traffic as consisting of 9 light goods vehicles between 7am and 10pm (2.4% of total trips at this site).

9.8 The Council's Highways Officer has considered the impacts of the proposed development in respect of trip generation alongside the submitted Transport Assessment, and raises no objection to the proposals. The Transport Assessment provides comparable survey data of the existing Travelodge hotel at Nos.290-302 North End Road which, together with the reduced floorspace to the Class A1 retail unit, predict a decrease in the number of person trips to/from the site.

9.9 There would be no provision for coach parking on the site, and the applicant has agreed to enter into an obligation not to permit coach parking on North End Road or neighbouring streets in association with the hotel development. This will be secured through the legal agreement.

Travel Plan:

9.10 The application is accompanied by a framework Travel Plan which sets out the objectives and measures to be incorporated in a full Travel Plan which will aim to target both staff and guests. The Council's Highways Officer is satisfied with the framework document and recommends a full Travel Plan in line with Transport for London guidance together with allowance for periodic monitoring by the Council, and revision if necessary. These measures are to be secured by obligation within a legal agreement.

Walking:

9.11 The application has been supported by a Pedestrian Environment Review System (PERS) audit, which concludes that the conditions for walking in the local area and access to the site from nearby public transport nodes are generally good. Nonetheless, the PERS audit identifies some further enhancements that could make pedestrian access and wayfinding from the surrounding area to the site more convenient and safer. A contribution towards such improvements is to be secured through the legal agreement.

Cycle Parking:

9.12 Echoing Policy 6.9 of the London Plan, Local Plan Policy T2 seeks to develop and promote a safe environment for cyclists across the borough to encourage residents and businesses to consider these modes. Policy T3 seeks to increase and promote opportunities for cycling through the provision of convenient, accessible, and safe secure cycle parking within the boundary of the site.

9.13 The proposals make provision for 24 cycle parking spaces, 18 for the Class C1 hotel and 6 for the Class A1 retail unit. Both premises are proposed to comprise internally accessed secure cycle stores at ground floor level. Whilst acceptable in principle, following review by the Highway's Officer further details of the cycle parking provision are requested to be secured by condition (Condition 29).

9.14 In addition, the application has been supported by a Cycling Environment Review System (CERS) audit, which concludes that the conditions for cycling in the local area are generally good with access to recommended cycle routes relatively close to the site. Nonetheless, the CERS audit identifies some further enhancements that could make cycle use more attractive and ensure that car trips are minimised. A contribution towards such improvements is to be secured through the legal agreement.

Servicing and Delivery:

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

9.16 Adequate refuse storage for both the hotel and retail premises has been provided within the proposal within clearly defined areas. Condition 30 will ensure that the refuse is stored in accordance with approved details.

9.17 A draft Delivery and Servicing Plan (DSP) has been submitted alongside the application. The Council's Highways Officer raises no objections in principle to this document, which provides detail on the operational servicing of the premises, which would likely result in a reduction in servicing and delivery trips in comparison with the larger existing retail unit.

9.18 On review of the draft DSP, and having regard to the existing traffic management of North End Road and nearby Coomer Place, Officers are satisfied that through appropriate management and timing of deliveries, the servicing and delivery requirements of the development are able to be undertaken without prejudice to the use of North End Road. Nonetheless, a final Delivery and Servicing Plan tailored to the proposed development is to be secured by Condition 28.

Demolition and Construction Management:

9.19 Due to the constrained location of the application site, with North End Road a Borough Distributor Road, a Bus Priority Route, and comprising an active market (operating Monday-Saturday), the applicants and Officers have afforded significant consideration to the impact of the development during the demolition and construction phases.

9.20 A draft Construction and Demolition Logistics Plan (DCLP) informed by several Officer meetings, has been submitted during the course of the application. This document outlines the best possible route for construction vehicles to take, as informed by the Council's Network Management Officers, and would enable deliveries and associated vehicle and pedestrian movements to take place without undue disturbance to the free-flow of traffic along North End Road.

9.21 Following revisions to the draft DCLP the Council's Highways Officer is satisfied that the demolition and construction works would not adversely impact upon the operation of the public highway and associated activities along North End Road. However, as the final contractors will not be appointed until a decision on the application is made this will require further details prior to the commencement of both demolition and construction works. The final documents are secured by Conditions 5 and 7 in accordance with Policies 5.18 and 7.14 of the London Plan (2016), Policies T1, T6, T7, CC10, CC11, CC12 and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

10.0 ENVIRONMENTAL QUALITY

FLOOD RISK AND SUSTAINABLE DRAINAGE SYSTEMS (SuDS)

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

10.2 The site is located within the Environment Agency's Flood Zone 2 which indicates that there is a 'medium' flood risk from the Thames. In terms of other flood risks, the proposals include further basement excavation, so groundwater and sewer flood risk will need to be assessed and mitigated. The site is not located within a surface water flooding hotspot; however, this does not preclude the need to manage surface water (see paragraph 10.4 below).

10.3 A Flood Risk Assessment (FRA) has been submitted with the application. The FRA states that the new development will incorporate basement waterproofing and sewer flood protection measures, the Council's Environmental Policy Team are satisfied with the details and which would be secured by Condition 56.

10.4 The existing site is 100% impermeable and all surface water run-off is directed into the sewer network. In terms of managing surface water run-off from the proposed development, Officers have requested additional details to demonstrate that the proposals maximise on-site surface water management in accordance with the London Plan 'drainage hierarchy'. Whilst the further detail provided within the revised Surface Water Management Plan is acceptable in principle, the Council's Environmental Policy Team have requested a final Management Plan to detail the full range of SUDS measures proposed, confirmation of final discharge of surface water from the site and attenuation levels, and maintenance arrangements. This detail is secured by Condition 54.

SUSTAINABILITY AND ENERGY/CARBON REDUCTION

Sustainable Design and Construction:

10.4 A Sustainable Design and Construction Statement has been submitted with the application. The Statement shows that the sustainable design and construction measures for the proposed buildings will meet the "Very Good" BREEAM rating. The proposals meet the requirements of Local Plan Policy CC2 and London Plan Policy 5.3 on Sustainable Design and Construction.

10.5 Further details for the implementation of the sustainable design and construction measures are required regarding the submission of a post construction BREEAM assessment, to confirm achievement of the "Very Good" rating and confirmation of the implementation of the residential measures will be secured by Condition 52.

Energy Assessment/Carbon Emissions Reduction:

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

10.7 The submitted Sustainable Design and Construction Statement details the energy efficiency and low/zero carbon technologies that are planned for the site to help reduce energy use and minimise CO₂ emissions, including use of renewables in the form of Heat Pumps and solar PV Panels. These measures are calculated to achieve a 29% reduction in CO₂ emissions, falling short of the 35% target set in the London Plan. In line with Mayoral guidance, the applicant has agreed to a payment in lieu of £19,260 to mitigate the shortfall. Overall, the reductions in CO₂ would be secured by Conditions 11 and 53, and a legal agreement.

AIR QUALITY:

10.8 The London Plan Policy 7.14 and Local Plan Policy CC10 seeks to reduce the potential adverse air quality impacts of new developments. Mitigation measures to reduce emissions and exposure to poor air quality must be taken. The application site is located within the borough wide Air Quality Management Area (AQMA), and in an area of very poor air quality due to the road traffic vehicle emissions from North End Road. The impact of transport emissions during the demolition, construction, and energy plant emissions during the operational phase will have an impact on local air quality.

10.9 The Council's Environmental Quality Team have considered the proposed development and submitted Air Quality Assessment and raise no objections subject to Conditions 45 to 48 relating to air quality, namely with regard to compliance with emissions standards, low emissions strategy, mechanical ventilation and dust management.

CONTAMINATION:

10.10 London Plan Policy 5.21 and Local Plan Policy CC9 states that Council will support the remediation of contaminated land and that it will take measures to minimise

the potential harm of contaminated sites, to ensure that mitigation measures are put in place.

10.11 Potentially contaminative land uses, past or present, are understood to occur at, or near to this site. Site investigation together with a risk assessment, remediation and long-term monitoring would all need to be carried out during and following any redevelopment works, to ensure that no unacceptable risks would be caused to humans, controlled waters or the wider environment. Following review of the application the Council's Land Contamination Team consider the proposals satisfactory subject to details secured by Conditions 22 - 27.

11.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Mayoral CIL

11.1 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. The relevant Mayoral CIL rate for new development Hammersmith and Fulham is £50 per sqm (GIA) of floorspace created.

11.2 An estimate of £71,600 based on the additional floorspace has been calculated. The GLA expect the Council as the collecting authority to secure the levy in accordance with London Plan Policy 8.3.

Local CIL:

11.3 The Council has also set a CIL charge from September 2015. The CIL Charging Schedule identifies charging levy areas and the site falls within Zone Central B. Within this zone the rate for A Class Uses is £80/sqm, with a Nil rate for C1 hotel use.

11.4 Whilst the existing retail unit is currently vacant, it has been in lawful use for a period of six months within the previous three years. As CIL would be liable only on the uplift in floorspace, on the basis that there will be a decrease in the retail floor space, it is considered that this element of the proposals will also not be CIL liable.

12.0 PLANNING OBLIGATIONS:

12.1 London Plan Policy 8.2 and Local Plan Policy INFRA1 recognise the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability.

12.2 In the event that planning permission was resolved to be granted, the applicant would be required to enter into a legal agreement. The Legal Agreement will include the following clauses:

- (1) £19,260 carbon-off setting payment in lieu for the development
- (2) Contribution to economic development (£24,375) including the following:
 - Construction phase (£17,500) comprising;
 - 2 paid and 2 unpaid construction work-placements
 - 1 apprenticeship
 - Operational phase (£3,500)

- Local procurement (£3,375)

(3) Construction of temporary crossover serving the site from North End Road

(4) Fund footway works along the frontage of the development

(5) Funding for implementation of minor highway works identified within PERS and CERS Audits

(6) Development to be 'Coach free'

(7) Provision of a Travel Plan with Year 1, Year 3 and Year 5 monitoring review by the Council, with a monitoring fee of £3,000 per review

13.0 CONCLUSION

13.1 The loss of the existing residential units and the nature of the proposed land use and redevelopment of the site are considered acceptable in principle. The loss of the existing Building of Merit has been justified and the replacement development would be compatible with the scale and character of existing townscape and would preserve the setting of the adjacent Grade II listed building. The proposal would not result in demonstrable harm to the living conditions of neighbouring residential properties. The cumulative impact of the development, subject to conditions and a Section 106 legal agreement would not have a significant impact upon the highway, parking, or environment and as such the proposal is in accordance with relevant national guidance, London Plan (2016) policies, the Hammersmith and Fulham Local Plan (2018) and Supplementary Planning Guidance Supplementary Planning Document (2018).

14.0 RECOMMENDATION:

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