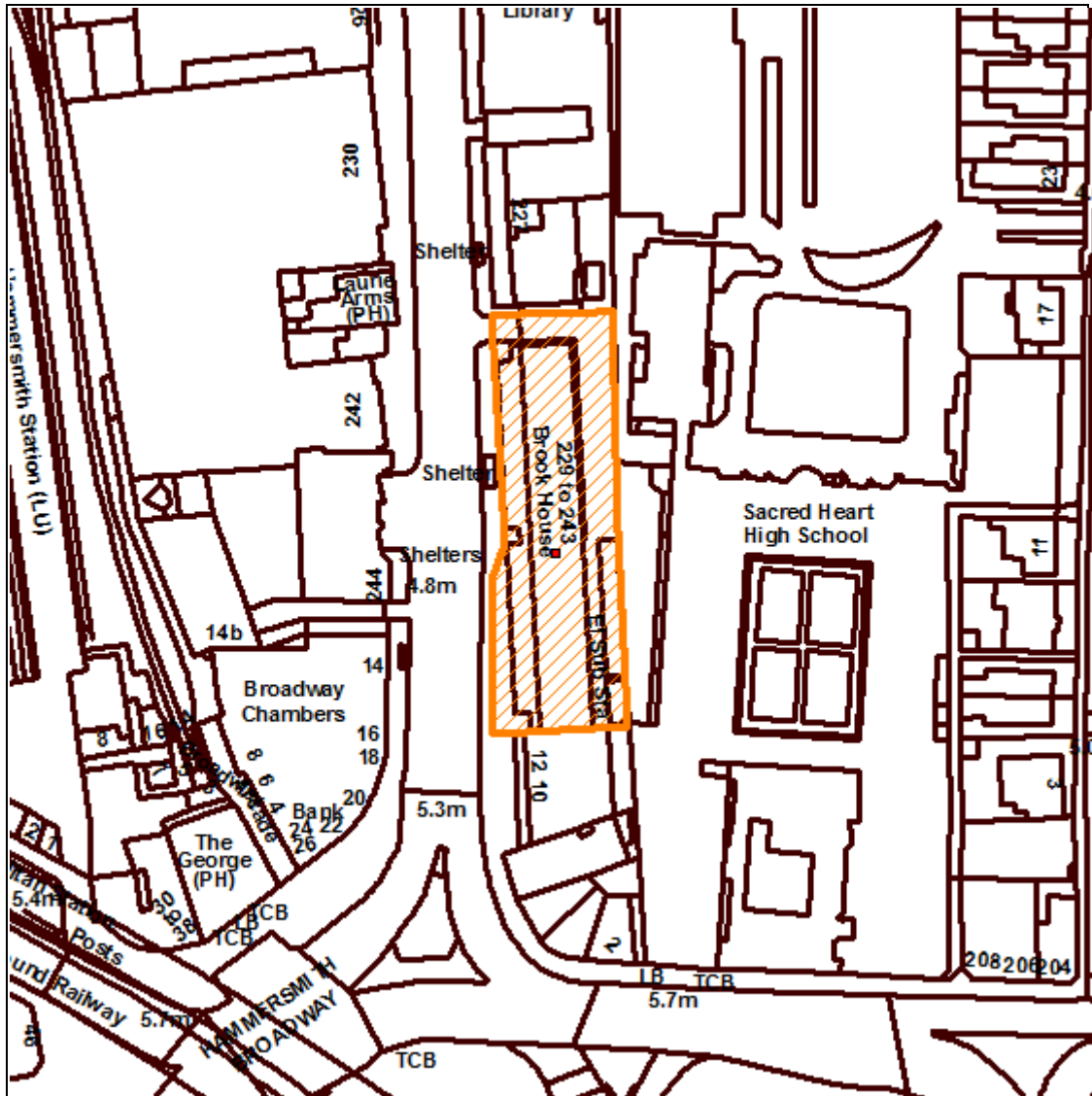


**Ward:** Hammersmith Broadway

**Site Address:**

Brook House 229 - 243 Shepherd's Bush Road London W6 7AN



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For identification purposes only - do not scale.

**Reg. No:**  
2018/02776/FUL

**Case Officer:**  
Grace Harrison

**Date Valid:**  
20.08.2018

**Conservation Area:**  
Constraint Name: Hammersmith Broadway  
Conservation Area - Number 22  
Constraint Name:  
Brook Green Conservation Area - Number 3

**Committee Date:**  
02.04.2019



**Applicant:**

Daniel Watney LLP  
c/o Daniel Watney LLP

**Description:**

Change of use of building from offices (Class B1) with mixed commercial units on the ground floor into a hotel (Class C1) with a retail unit (Class A1) and restaurant (Class A3) on the ground floor; recladding of whole building to all elevations; erection of a two-storey roof extension; erection of a ground floor infill extension to the front elevation; associated highways works.

Drg Nos: 4089/P/199; 4089/P/200; 4089/P/201; 4089/P/202; 4089/P/203; 4089/P/204; 4089/P/205; 400401 Rev P1. 4089/P/301 Rev A; 4089/P/206; 4089/P/207; 4089/P/302 Rev A; 4089/P/303; 4089/P/304 Rev A; 4089/P/308; 4089/P/309; 4089/P/401; 4089/P/402; 4089/P/403; 4089/P/404; 4089/P/405 (all received 15.03.2019);

**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 in accordance with the following approved drawings:

4089/P/199; 4089/P/200; 4089/P/201; 4089/P/202; 4089/P/203; 4089/P/204; 4089/P/205; 4089/P/206; 4089/P/207; 4089/P/301 Rev A; 4089/P/302 Rev A; 4089/P/303; 4089/P/304 Rev A; 4089/P/308; 4089/P/309; 4089/P/401; 4089/P/402; 4089/P/403; 4089/P/404; 4089/P/405 (all received 15.03.2019) and 400401 Rev P1.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with the policies of the London Plan (2016) and Policies DC1 and DC4 of the Local Plan (2018).

- 3) The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least 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.

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

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

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

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

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

- 6) The development hereby permitted shall not be occupied or used until the sustainability measures specified within the submitted BREEAM Pre-Assessment Report (Greengage, August 2018) have been fully implemented. The sustainability measures shall thereafter be permanently retained for the life of the development.

To ensure the implementation of sustainable design and construction measures, in accordance with Policies 5.1 and 5.2 of the London Plan (2016), the National Planning Policy Framework (2019) and Policies CC1 and CC2 of the Local Plan (2018).

- 7) The development hereby permitted shall not be occupied or used until the energy efficiency and carbon reduction measures specified within the submitted Energy Statement (by PSH) have been fully implemented. The measures shall thereafter be permanently retained for the life of the development.

To ensure the implementation of sustainable design and construction measures, in accordance with Policies 5.1 and 5.2 of the London Plan (2016), the National Planning Policy Framework (2019) and Policies CC1 and CC2 of the Local Plan (2018).

- 8) The development hereby approved shall be constructed and carried out in accordance with the submitted Drainage Plan (drawing no. 400401 Rev P1) and shall be permanently retained as such thereafter.

To ensure satisfactory provision for drainage of surface water run off from the site, in accordance with Local Plan (2018) Policies CC3 and CC4.

- 9) 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 council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during demolition and construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; 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 6 and Euro VI); 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 NOx and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>; 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.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

- 10) Prior to commencement of above ground works in the development hereby permitted, (excluding site clearance, demolition and basement works) a Ventilation Strategy report in order to mitigate air pollution from combustion plant emissions and vehicle emissions shall be submitted to and approved in writing by the Council. The Ventilation Strategy report should include the following information:
  - a) Details and locations of the air intake locations for C1 use class at rear roof level
  - b) Details and locations of air intakes locations for A1 and A3 use class on the rear elevations
  - c) Details and locations of air extract locations to demonstrate that they are located a minimum of 2 metres away from the fresh air intakes

d) Details of the independently tested mechanical ventilation system with NO<sub>x</sub>, PM<sub>2.5</sub>, PM<sub>10</sub> filtration for C1 use class. The NO<sub>2</sub> filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, PM<sub>2.5</sub> and PM<sub>10</sub> in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

The whole system shall be designed to prevent summer overheating and minimise energy usage. 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.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

11) Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate 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 all the combustion Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area of the development plot and meet the overriding minimum requirements for Chimney heights of the third edition of the 1956 Clean Air Act memorandum.

b) Details of emissions certificates, and the results of NO<sub>x</sub> emissions testing of each Ultra Low NO<sub>x</sub> gas boiler and Emergency Diesel Generator Plant to demonstrate that all the Ultra Low NO<sub>x</sub> Gas fired boilers, Emergency Diesel Generator Plant and associated abatement technologies shall meet a minimum dry NO<sub>x</sub> emissions standard of 30 mg/kWh (at 0% O<sub>2</sub>) and 95 mg/Nm<sup>-3</sup> (at 5% O<sub>2</sub>) respectively by an MCERTS accredited laboratory shall be provided following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). Where any combustion plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NO<sub>x</sub> abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

c) Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 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.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

- 12) Prior to occupation of the development hereby permitted a Low Emission Strategy for the operational phase of the development 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 poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NOx and particulates from on-road vehicle transport by the use of 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, and energy generation sources. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

- 13) Prior to the occupation of the development hereby permitted, details of the construction of the green wall on Shepherd's Bush Road shall be submitted to and approved in writing by the Council. Details shall include system type, planting schedule and a maintenance plan. The green infrastructure shall be constructed and planted in full accordance with the Phytosensor Toolkit, Citizen Science, May 2018 and the 'First Steps in Urban Air Quality', TDAG, 2017 guidance documents within the first available planting season following completion of Buildings. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of these buildings shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of air quality and visual amenity, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

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

- 15) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall 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).

- 16) 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 Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

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



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

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

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

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

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

- 20) The development hereby approved shall not be used or occupied until a plan of the basement car park indicating four blue badge parking spaces, two electric

vehicle charging points (one active provision and one passive provision), and a swept path analysis for entries and exits has been submitted to, and approved in writing by the council. Thereafter the basement car park shall be implemented in accordance with the plan approved and permanently retained as such thereafter.

To ensure satisfactory provision for car parking for blue badge holders and electric vehicle charging, in accordance with Policy T4 and Appendix 7 of the Local Plan (2018) and Key Principle TR7 of the Planning Guidance Supplementary Planning Document (2018).

- 21) The development hereby approved shall not be used or occupied until provision for 22 long-stay cycle parking spaces has been made in the form of an enclosed vertical cycle store to the rear of the building at ground floor level, in accordance with that shown on approved drawing no 4089/P/200. Thereafter the cycle parking spaces shall be permanently retained as such thereafter.

To ensure satisfactory provision for cycle parking and to thereby encourage sustainable and active modes of travel, in accordance with Local Plan (2018) T3 and Appendix 8 of the Planning Guidance Supplementary Planning Document (2018).

- 22) Prior to commencement of the development hereby approved, a Demolition and Construction Logistics Plan shall be submitted to, and approved in writing by, the Council. This must be in accordance with Transport for London (TfL) requirements and should seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off-peak hours only. Thereafter the approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, in accordance with Policies T1 and T7 of the Local Plan (2018).

- 23) The development hereby approved shall be operated in accordance with the submitted Delivery and Servicing Plan (RGP, report ref. PRPP/17/3761/DSP03) for the life of the development.

To ensure satisfactory arrangements for deliveries to and servicing of the development to ensure these vehicle movements do not cause congestion or other unnecessary disruption to the local highways network, in accordance with Local Plan (2018) Policy T1 and Key Principle TR27 of the Planning Guidance Supplementary Planning Document (2018).

- 24) The development hereby permitted shall not commence until details and samples of all materials to be used on the external faces of the building, including walls, roof coverings, windows and doors, have been submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

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

- 25) Prior to commencement of the development hereby permitted, a sample panel of a bedroom window module to the front elevation, including surrounding brickwork,

shall be constructed on site and then subsequently inspected and approved in writing by the Council. The development shall only be carried out in accordance with the details approved and it shall thereafter be permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the adjacent conservation area in accordance with Local Plan (2018) Policies DC1 and DC4.

26) The development shall not commence until detailed drawings in plan, section and elevation at a scale of no less than 1:20, have been submitted and approved by the council with regards to the following elements:

- Typical ground floor shopfront;
- Front bedroom window module;
- Ground floor front entrance bays;
- Front dormer windows;
- Lift overrun;
- Rear projecting bay box.

No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

27) Prior to the occupation of the development hereby permitted, details of the construction of a green roof on the flat roof of the building shall be submitted to and approved in writing by the Council. Details shall include system type, planting schedule and a maintenance plan. The approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of air quality, visual amenity and sustainable drainage, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

28) No plumbing, extract flues or pipes may be fixed on the front elevation of the building.

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

29) No plant, machinery or equipment shall be mounted externally on any part of the building outside of the designated plant areas identified on the approved drawings.

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

30) No alterations or additions shall be made to the external appearance of the building (including the installation of air-conditioning units, ventilation fans, extraction equipment) without full planning permission first being obtained.

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

- 31) No external security shutters or roller blinds shall be installed externally to the shopfront hereby approved.

To ensure a satisfactory external appearance in accordance with Policies DC1 and DC5 of the Local Plan (2018).

- 32) The use of the restaurant (Class A3) premises shall not be permitted outside of the hours of 06:00 to 12 o'clock midnight Mondays to Saturdays or outside of the hours of 07:00 to 23:00 on Sundays and Bank Holidays.

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

- 33) The use of the retail unit (Class A1) premises shall not be permitted outside of the hours of 06:00 to 12 o'clock midnight Mondays to Saturdays or outside of the hours of 07:00 to 23:00 on Sundays and Bank Holidays.

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

- 34) The development hereby approved shall not be used or occupied until full details of any external artificial lighting have been submitted to, and approved in writing by, the council. Those details shall include, but not be limited to:

- Lighting contours to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institute of Lighting Professionals in the 'Guidance Notes for the Reduction of Light Pollution 2011'; and
- Measures to minimise the use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires.

The approved details shall be implemented prior to the development first being used and permanently retained thereafter. No external artificial lighting shall be installed unless it is in accordance with the details which have previously been approved in writing by the local planning authority.

To ensure a satisfactory external appearance, particularly at night, and to ensure that the amenities of neighbouring properties are not adversely affected through light pollution, in accordance with Policies DC1, DC4 and CC13 of the Local Plan (2018).

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

- 1) 1. Land Use: Considering the current supply of office space in Hammersmith as a whole, it is considered that the loss of the existing building for office use would only have a very limited impact on the supply of office space in the borough.

Regard has also been had to the condition of the existing building, the costs and constraints to its refurbishment or redevelopment, and the benefits of the proposed hotel for helping to enliven and regenerate this part of the town centre. It is judged that no objections should be raised in terms of Policies E1 and E2 of the Local Plan (2018).

2. Design: The development is considered to comply with Local Plan (2018) Policies DC1, DC2, DC4 and DC8 which require a high standard of design in all extensions and alterations to existing buildings, compatible with the scale and character of existing development and its setting, and London Plan policies 7.1, 7.4, 7.6 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development. The character and appearance of the adjacent conservation area would be preserved. Furthermore, it is considered that the additional scale and mass of the building would not cause harm to the surrounding heritage assets, in particular the Grade II Listed Sacred Heart High School.

3. Accessibility and Safety: The development would provide a safe and secure environment for all users, and would provide ease of access for all people, including disabled people, in accordance with in accordance with Policies DC1, DC2, HO6 and HO11 of the Local Plan (2018) and Policies 3.8 and 7.2.

4. Highways matters: It is considered that the scheme would not have a significant impact on the highway network or local parking conditions, and is thus considered to be acceptable. Satisfactory provision would be made for cycle parking and car parking for blue badge holders. There are available public transport and other services nearby and adequate arrangements for deliveries and servicing would be provided. The development thereby accords with Local Plan (2018) Policies T1, T3, T4, T5 and T7 as well as CC7 and London Plan (2016) Policies 6.1, 6.3, 6.10, 6.11 and 6.13.

5. Environment: The impact of the development with regards to land contamination, flood risk, tree protection and air quality are considered to be acceptable subject to the recommended conditions, in accordance with Local Plan (2018) Policies CC9, CC10, CC3, CC4 and OS5.

6. The proposed development can meet the "very good" BREEAM rating, demonstrating compliance with Local Plan Policy CC2. Energy efficiency measures and renewable energy generation, in the form of Air Source Pumps, will reduce CO2 emissions by 41.2% compared to the Building Regulations 2013 requirements, which exceeds the minimum 35% reduction target set in the London Plan, in compliance with Local Plan Policy CC1.

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

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

Application form received: 17th August 2018  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2019  
The London Plan 2016  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

**Comments from:**  
Thames Water - Development Control

**Dated:**  
05.09.18

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
Wagamama, 244 Shepherd's Bush Road London W6 7NN	18.09.18
238 Shepherds Bush Road London W6 7NL	18.09.18
Plaza Pizza, Brook House London w6 7al	20.09.18
238 Brook House London w6 7an	20.09.18
3rd Floor 227 Shepherds Bush Road Hammersmith W6 7AU	19.09.18
Third Floor 227 Shepherd's Bush Road London W6 7AU	29.10.18
12 c-d Brook House London w6 7al	26.09.18
Brook House 3rd Floor 229-243 Shepherds Bush Road W6 7AN	09.11.18
12B Brook House London W6 7AL	26.09.18

OFFICER'S REPORT

1.0 SITE DESCRIPTION AND HISTORY

1.1 The application relates to an office building with a basement car park, with commercial units on the ground floor (A1, A2, A3 and Sui Generis uses) and four floors of office accommodation above (B1a), known as Brook House. It is on the eastern side of Shepherd's Bush Road, just to the north of Hammersmith Broadway.

1.2 The site is not within a conservation area but is adjacent to the Hammersmith Broadway Conservation Area, the boundary of which runs along the opposite side of Shepherd's Bush Road, and the Brook Green Conservation Area, the boundary of which runs along the eastern and southern boundaries of the site.

1.3 Brook House is also close to a number of listed buildings. Sacred Heart High School, which is Grade-II\*, adjoins the site to the rear. The Grade-II listed old Hammersmith Fire Station is directly opposite the site on the western side of Shepherd's Bush Road.

1.4 The site is situated within the Hammersmith Town Centre boundary and benefits from a Public Transport Accessibility Level of 6b (according to Transport for London's methodology) which is the highest level.

## 1.5 Relevant planning history for the site includes:

2014/03718/PD56 - Prior approval granted for Change of use of first, second, third, and fourth floor levels from offices (Class B1) into 30 self-contained flats (Class C3).

2017/00707/PD56 - Prior approval refused for Change of use of the first, second, third and fourth floor levels from offices (Class B1) into 30 (10 x 1 bed and 20 x two bed) self-contained flats (Class C3).

2018/00294/PD56 - Prior approval granted for Change of use of the first, second, third and fourth floor levels from offices (Class B1) into 30 (10 x 1 bed and 20 x two bed) self-contained flats (Class C3). Approved on 28.03.2018 and is therefore still extant.

## 2.0 APPLICATION

### 2.1 The current application seeks permission for the following:

- Rear extensions at third and fourth floor level;
- Erection of two additional floors (plus plant enclosure and lift overrun) at roof level;
- Infilling of the existing covered parade at street level to create additional floorspace at ground floor level; including the creation of new shopfronts along the whole elevation;
- Replacement of the front and rear façades;
- Change of use of the whole building from offices (Class B1a) into a hotel (Class C1) comprising 189 bedrooms with a restaurant (Class C3) and retail unit (Class A1) on the ground floor;
- Reconfiguration of the existing basement car park.

2.2 The prospective hotel operator is "Premier Inn" and the prospective restaurant owner is "Bar + Block" who would provide 150 covers. The prospective operator of the retail unit is "Costa Coffee".

### 2.3 The respective floorspace of each use would be as follows:

Hotel: 5523sq.m.

Restaurant: 569sq.m.

Retail unit: 61sq.m.

## 3.0 PUBLICITY AND CONSULTATION RESPONSES

3.1 The application was publicised by means of individual letters of notification (119) as well as a site notice and press advert. As a result of the notifications 9 responses were received (238 Brook House, 238 Shepherd's Bush Road, Wagamama restaurant 244 Shepherd's Bush Road, Plaza Pizza, Brook House, Third Floor 277 Shepherd's Bush Road, 12 C-D Brook House, 12B Brook House, and the Sacred Heart High School).

3.2 A business within 227 Shepherd's Bush Road notes that there is an access road between their premises and Brook House, which serves as an access to their car park and is also an emergency escape route.

[Officer Comment: Any rights of access over the shared driveway would need to be discussed with the owners and future operators of Brook House. Officers note that no

part of the proposals would preclude access to the rear of the buildings for the users of 227 Shepherd's Bush Road once the development was complete].

3.3 The Sacred Heart High School wrote to confirm that they do not have any objections to the proposals.

3.4 The Hammersmith Society responded and made the following comments:

- The proposed section of green wall is a meagre contribution to the public realm and does little to relieve the inhospitable pedestrian environment; more green wall sections, or recessing the windows to accommodate high quality planters along the street frontage, could address this;
- There is no lighting strategy submitted; request a condition that the typical "Premier Inn" purple lighting should not appear on the exterior of the building.

3.5 The remainder of the representations were in support of the proposals on the basis that: the existing building is unattractive and this will be a big improvement; a hotel would bring tourists into the town centre and be good for local businesses; and that this is an exciting opportunity for Hammersmith.

3.6 Thames Water responded to say that they have identified an inability of the existing water network infrastructure to accommodate the needs of the development, and that the proposed development is located within 15m of a strategic water main, and request a piling method statement to be submitted prior to commencement.

[Officer Comment: The applicants have confirmed that no piling is proposed as part of the construction. Informatives have been included with regards to the other matters].

3.7 An earlier iteration of the proposal was presented to the councils Design Review Panel in January 2018, prior to the application being submitted. The Panel acknowledged the constraints imposed by the plan to retain the concrete structure. The Panel had concerns with regard to both the front and rear elevations, and the proposed additional massing of the two additional floors and cantilevered floors and their impacts on the surrounding townscape and in particular the neighbouring listed school. The Panel considered that that the proposed design had no clear and convincing approach and justification, and that a reduced palette of materials and a calmer, more coherent approach the façade would be beneficial. The Panel asked the applicants to investigate alternative designs and compositions for the front elevation and to gather further information on the likely impacts of the increased massing.

3.8 These concerns have been addressed in negotiation with officers. The current proposal is a significantly "calmer and more coherent" façade treatment, with the palette of materials reduced and finer detailing added to both the window modules and the ground floor elevation. The impacts of the additional massing on the listed school has been assessed through View Studies submitted by the applicants and have found to be acceptable.

3.9 Some amendments have been made to the design since the application was first submitted, following further negotiations with Officers. The scheme has not been fundamentally altered, however the changes secured relate to the detailed design, particularly of the shopfronts, front bay window modules, the materials used for the rear elevation, and the massing and position of the lift overrun.



## 4.0 PLANNING CONSIDERATIONS

4.1 The relevant planning considerations in this case, to be assessed against the policies in the National Planning Policy Framework (NPPF, 2018), The London Plan (as amended March 2016) and the Hammersmith and Fulham Local Plan (2018) and Planning Guidance Supplementary Planning Document (SPD, 2018) are:

- The loss of existing B1a office accommodation
- Loss of existing commercial units/ businesses at ground floor level
- The principle of creating a new hotel in this location
- Accessibility of new hotel
- Access, servicing, and delivery arrangements
- Sustainability and energy
- Flood risk and sustainable drainage
- Design of the proposed extensions and façade refurbishment, and impact on visual amenity and the setting of adjacent conservation areas and nearby Listed Buildings and locally listed Buildings of Merit.

### + LAND USE

4.2 Local Plan (2018) Policy E3 states that permission will be granted for new visitor accommodation facilities or the extension of existing facilities within the three town centres, subject to the following:

- The development being well-located in relation to public transport;
- The development and any associated uses not having a detrimental impact on the local area;
- No loss of priority uses such as permanent housing;
- Provision of adequate off-street servicing and pick up points for the type of facility proposed;
- At least 10% of hotel bedrooms designed as wheelchair accessible;
- The facility being of a high standard of design; and
- The scheme adding to the variety and quality of visitor accommodation available locally.

4.3 Assessed against these criteria, the site is extremely well-located in terms of public transport, with a PTAL rating of 6b. Considering its busy town centre location, it is considered that a new hotel would not have a detrimental impact on the local area in terms of noise or disturbance to any nearby residential properties (the nearest being the iQ student accommodation opposite). The proposed operator, "Premier Inn" is an established brand of good-quality, budget-friendly hotels popular with tourists and business travellers, and would therefore be well suited to add to the variety and quality of visitor accommodation available in the town centre. Transport, servicing, access, and design are also found to be acceptable and will be assessed in the relevant sections below. Therefore, subject to consideration of the loss of employment use, the principle of hotel use on this site is considered to be acceptable in accordance with Policy E3.

4.4 The loss of the existing employment (office) floorspace is considered against Local Plan (2018) Policies E1 and E2.

4.5 Policy E1 states that the council will support the retention, enhancement and intensification of existing employment uses. According to Policy E2, permission for loss of employment floorspace will only be granted where:

1. Continued use would adversely impact on residential areas;
2. An alternative use would give a demonstrably greater benefit that could not be provided on another site; or
3. It can be evidenced that the property is no longer required for employment purposes.

4.6 In this instance, criteria (1) and (2) are not applicable to the current application. The site is within Hammersmith Town Centre and continued office use would not adversely impact on any residential area. Furthermore, it is not argued that a hotel use could not be provided on another site. Therefore, the applicants have sought to demonstrate that the property is no longer required for employment purposes, in accordance with criterion (3) of Policy E2.

4.7 Where the loss of employment use is proposed in line with (3), Policy E2 states that the council will have regard to:

- The suitability of the site or premises for continued employment use with or without adaptation;
- Evidence of unsuccessful marketing over a period of at least 12 months;
- The need to avoid adverse impact on established clusters of employment use; and
- The need to ensure sufficient stock of premises and sites to meet local need for a range of types of employment uses, including small and medium sized enterprises, in appropriate locations.

4.8 The building has been becoming vacant over several years as leases have been expired (only one business, TAP Portugal, remains), and no marketing has been undertaken for continued office use. Therefore, the key issue to be determined in this case is the suitability of the building for continued employment use, with or without adaptation. The applicant states that marketing and re-letting could not be undertaken without significant investment to upgrade the existing floorspace, and to this end they have submitted a condition survey and viability report to demonstrate that continued office use is not commercially viable. The council also received a letter from CRF Health, who were the largest tenant for a number of years, occupying four of the building's 8 suites. They advised that the "dated building is no longer fit for our purpose or our growth needs" and they have moved to new premises on Hammersmith Embankment.

4.9 The applicant's viability report considers three options for continued office use: (i) Upgrading the existing building; (ii) Upgrading existing building + creation of additional floorspace (the same amount as proposed under the current hotel scheme) and (iii) demolition and redevelopment as new-build offices. The report concludes that none of these options would be commercially viable. It is stated that whilst the refurbished (and extended) office space would be marketed as Grade A, it would not be expected to achieve viable rents due to the constraints of the original building design, including its low floor-to-ceiling heights, lack of light, and competition from better office schemes elsewhere. The report also concludes that whilst a complete redevelopment would provide better quality space; due to the limited and inefficient rectilinear floorplate (with higher build costs) it would not deliver the quantum of space required to make a redevelopment viable.

4.10 The applicant's viability report has been reviewed by an independent surveyor appointed by the council who was instructed to report on its methodology and conclusions, and to give an independent view on the viability of continued office use. In their view, office use could only viably be continued through option (iii), total redevelopment for office use, albeit it is recognised that any proposal for new offices on the site carries a significant degree of uncertainty on the process, level of investment required and potential for final occupancy. Either of the other two options would result in space that was not able to compete on a like-for-like basis with other new or refurbished office developments in Hammersmith (such as 245 Hammersmith Road, 1 Lyric Square, Kings House and Shortlands, for example) and would be unlikely to attract the quality of tenant required.

4.11 The independent review acknowledges that the current proposal would have other material benefits to help mitigate the loss of employment floorspace. The benefits of having additional hotel accommodation in the town centre must also be considered. "Premier Inn" is a budget hotel chain popular with both tourists and business travellers and is therefore likely to be busy all year round, bringing people into Hammersmith who will then be able to visit local shops and restaurants, particularly in the evenings, thus contributing to the local day and night-time economy. In terms of visual amenity, the existing building's dated façade makes a negative contribution to the streetscene, and would be substantially improved as a result of the proposed refurbishment of the building, this is another material planning benefit to the scheme.

4.12 In their Social Value Statement, the applicant also sets out a number of commitments for the build programme, including 20% local labour, work placements for local college students, and a 20% local spend during procurement. In addition, it states that Premier Inn are committed to delivering their own Social Value Action Plan (under their "Force for Good" programme) including jobs and apprenticeships for local people, links with schools for annual work experience placements, opportunities for disabled people and Community Impact Days. Local Plan Policy E4 requires the provision of appropriate employment and training initiatives for local people of all abilities in the construction of major developments and larger-employment generating developments, including visitor accommodation facilities when these are completed. Accordingly there will be a requirement in the Section 106 agreement for a Jobs, Employment, Business and Training Strategy to be agreed with the Council prior to commencement, together with a contribution (£72,875) towards supporting paid apprenticeships and work placements.

4.13 Therefore, on balance, considering both the condition of the existing building, the costs and constraints to its refurbishment or redevelopment, and the benefits of the proposed hotel for helping to enliven and regenerate this part of the town centre, it is judged that no objections be raised in terms of Policies E1 and E2 of the Local Plan (2018). Considering the current supply of office space in Hammersmith as a whole, it is considered that the loss of Brook House for office use would only have a very limited impact on the supply of office space in the borough.

4.14 There are currently 6 small commercial units on the ground floor of Brook House. The units are a mix of A1, A2, A3 and Sui Generis uses:

- Summit recruitment (A2) (Vacant)
- Tanning Shop (Sui Generis) (Currently occupied, soon moving to 85 King Street)
- La Piazza restaurant (A3) (Currently occupied)

- Alexander Barbers (A1) (Vacant)
- Royale pharmacy (A1) (Currently occupied)
- Street Eats (A3) (Vacant)

4.15 The site falls within Hammersmith Town Centre, and therefore Local Plan Policy TLC2 applies. The parade is outside of the Prime Retail Frontage, and therefore only Criteria (3) - (6) of this policy apply. The proposed ground floor frontage would be dominated by a new restaurant (A3), ancillary to the hotel but also open to the public, with a smaller retail unit (A1 likely to be a "Costa Coffee" shop, also open to the public). The entrance to the hotel, which forms only a small proportion of the frontage, would be located at the southern end of the building. These ground floor uses are considered to be appropriate to the town centre and would contribute to the vitality of this side of the street, which is currently further disadvantaged by the uninviting space created by the covered parade and the high vacancy rate of the existing units. For these reasons, no objections would be raised in terms of Local Plan (2018) Policy TLC2.

#### + DISABLED ACCESS

4.16 Local Plan (2018) Policy E3 requires at least 10% of new hotel bedrooms to be designed as wheelchair accessible. This reflects London Plan (2016) Policy 4.5. In the application of this policy there is the opportunity to apportion the requirement between different models of provision. Within the proposed development, 18 of the bedrooms would be wheelchair accessible (8 would be fully accessible and 10 would be easily adaptable, wheelchair accessible rooms with fixings for adaptation). The upper floors would be accessed via two lifts, with level access from the main entrance to the lifts, and the building is designed in accordance with Part M of the Building Regulations. Disabled parking bays for Blue Badge holders are to be provided in the basement car park, with one of the two lifts extending down to the level of the basement car park. These measures will ensure the building is accessible and inclusive to all who may visit or use it, in accordance with Key Principle DA1 of the Planning Guidance SPD.

#### + DESIGN AND VISUAL AMENITY

4.17 The successful integration of the site with its surroundings is key to any development on this site. The design of the elevations and the relationships between the proposed design and the adjoining and surrounding frontages are of great importance to securing an enhancement of the street scene.

4.18 The National Planning Policy Framework (NPPF, 2019) seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also requires that proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The NPPF also states that good design is a key aspect of sustainable development, and should contribute positively to making places better for people. Part 12 of the NPPF outlines the requirement for good design and Paragraph 127 sets out that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.19 Chapter 7 of the London Plan (2016) sets out the Mayor's policies on a range of issues regarding places and space, setting out fundamental principles for design. Policy 7.1 (Lifetime Neighbourhoods) states that the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood. Policy 7.2 (An Inclusive Environment) requires all new development in London to achieve the highest standards of accessible and inclusive design. Policy 7.3 (Designing out crime) seeks to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security, without being overbearing or intimidating.

4.20 Policies 7.4 (Local character), 7.5 (Public realm) and 7.6 (Architecture) of the London Plan are all relevant and promote the high-quality design of buildings and streets. Policy 7.4 states that development should have regard to the form and function, and structure of an area, place or street and the scale, mass, and orientation of surrounding buildings whilst Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings. Policy 7.8 (Heritage assets and archaeology) states that development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials, and architectural detail.

4.21 The Council's Local Plan (2018) Policies DC1, DC2 and DC8 are particularly relevant to the assessment of design. DC1 (Built Environment) states that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. Policy DC2 (Design of New Build) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. Policy DC8 (Heritage and Conservation) aims to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.

4.22 The proposed design has been assessed against the relevant National guidance and regional and local policies. In order to meet these policies, the proposed design must be of an appropriate scale and height such that it does not have a detrimental impact on key views and heritage assets or their settings. It needs to be of an appropriate form and high-quality design to develop a sense of place.

## Existing building:

4.23 Brook House is located at the Southern end of Shepherds Bush Road, in close proximity of Hammersmith Broadway at the heart of the town centre. The site is linear and narrow running north to south fronting onto Shepherds Bush Road which serves as a primary link from Hammersmith Broadway and the A4 to the south and Shepherds Bush to the north. The site benefits from the town centre location with its leisure and commerce offer and vitality. In the immediate surroundings, there is a mix of restaurants & bars, theatres, retail, and offices. The site lies adjacent to two conservation areas, and close to some of the key Listed Buildings and Buildings of Merit in the town centre. Brook House, whilst benefitting from this proximity, currently offers little back to the townscape having a poor relationship to it. Neither does it provide a sympathetic setting for heritage assets around the site (described below). An opportunity exists through redevelopment to provide enhanced quality elevations which would provide a positive contribution both to the street scene and setting of heritage assets.

4.24 The existing building consists of basement, ground and 4 upper floors. The massing follows the shape of the site presenting a long linear façade to Shepherds Bush Road and has reduced massing to the rear. It is of limited architectural merit. There are three cores to the building with the prominent central core defining the two halves of the building to the north and south. The Shepherds Bush Road facade is typical of the 1960s with a repeating pattern of brown metal clad facade and simple fenestration. The long repeating façade has no depth to the facade and modelling to give it some relief. The existing cladding to Shepherds Bush Road is reaching the end of its serviceable life, and now appears dated.

4.25 In their submission, the applicants have highlighted further shortcomings of the existing building in design terms. These include:-

1. The recessed ground level is uninviting and does not offer the visibility which appeals to modern retailers and restaurants
2. The existing office entrance is dated and uninviting. It suffers from poor street presence and disabled access to the reception area is limited to using a platform lift
3. The premises are not suitable for continued office use because existing mechanical and electrical services are not of a standard which modern office tenants expect and require
4. The office space suffers from low ceiling heights, in particular beneath the fan cool units located along the central circulation spine which is as low as 2160mm
5. The office space feels dark and has little ventilation
6. The existing cores are inadequate in terms of modern office standards
7. The existing toilet facilities are of a poor standard and there is only one accessible toilet in the entire building.
8. The single glazing to the core areas dates from the 1960s, leaking heat and energy.

## Proposed Design:

4.26 The scheme proposes to retain the existing concrete structural frame but in order to accommodate the new hotel use and associated facilities, the proposals include extensions to the building's envelope. In particular: an increase in height by two floors; a build out on the rear elevation; and an infill at ground floor to bring the building line forward, removing the existing colonnade. The primary reason for the additions to upper floors is to accommodate the required number of bedrooms. The size of the extensions

is determined to a large extent by standard room sizes, to make the scheme viable. Ultimately, these additions increase the scale and massing of the building, however officers are generally comfortable that the increased height is appropriate for its Town Centre location, and would not disrupt the contextual height datum established for this part of Shepherds Bush Road which sits at between 4 and 6 stories. The additional two floors will be located within a new mansard roof which is similar to the pitch and profile of its neighbour to the south No. 10 Hammersmith Broadway. Dormer windows have been added to the lower front roof slope, which are set behind the parapet, such that the parapet, which would be at a similar height to the existing, remains the main determinant of the buildings scale in the street scene. Officers consider that the proposed roof form would be suitably subservient, and not appear overly dominant in views.

4.27 On the ground floor, the decision to remove the colonnade and bring the frontage forward to the street edge is considered to be a positive design move, which by giving greater definition to the street, will improve the buildings relationship with the public realm and provide a more active frontage that clearly expresses base of the building, and its entrances. The ground floor is broken into a series of repeating glazed shopfront bays detailed with projecting aluminium frames and recessed channels to the pilasters to provide depth and visual interest.

4.28 With the constraints of retaining the buildings frame, the requirements of the hotel, and the length of the frontage, the design of the middle portion of the building, both its front and back, has been progressed through a series of meetings where officers have negotiated improvements to the design. On the front façade, the body of the elevation will be brick, and articulated by a repeating window bay module which gives a horizontal expression to the building, and conceals the retained structural grid behind. The window bay maximises the depth of the façade and uses a large splayed inset panel reveal to the glazing. The window is defined by a projecting double profiled frame and shadow gap. Officers are satisfied that the window module offers enough visual interest for its application across the whole façade. The façade is broken into two "halves" by a slim vertical bay over the entrance to the restaurant. The panel is slightly recessed and uses a change in brick colour and detailing to help break down the length of the long façade.

4.29 Due to issues of overlooking (see below), the middle of the rear façade takes an entirely different expression to the front and is articulated by slim projecting vertical bay boxes which direct views from the hotel rooms away from the school site. These boxes are splayed and fan out symmetrically from the centre of the facade. The rear façade is 'book-ended' by brick to match the front and unite the facades of the building. In order to accommodate additional rooms, the rear of the building had been extended so that above the ground floor the rear façade is cantilevered off the existing face and infills the set-back terrace spaces which currently exist. This, in addition to the two floor roof extension, results in a notable increase to the massing of the rear and an increase in the proximity to the Listed Building behind. Officers consider that while these changes do impact the setting of the Listed Building, they do not cause harm to its significance. The proposals are not considered to harm the special historic interest of the building since they would not impact on any of its significant features or rooms.

#### + IMPACT ON HERITAGE ASSETS

4.30 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any

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

4.31 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the above Act states in relation to Conservation Areas that: In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

4.32 Paragraph 193 of the National Planning Policy Framework states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 196 of the National Planning Policy Framework states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

4.33 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. Officers agreed areas for assessment with the applicants. Heritage assets were identified within a study area surrounding the site. In the first instance, the assessment to be made is whether the development within the setting of a heritage asset will cause harm to that asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 195 and 196 of the NPPF as appropriate.

4.34 The site is adjacent to two conservation areas and close to a number of both listed buildings and locally listed Buildings of Merit (BoM). These include;

Conservation Areas:

- Hammersmith Broadway
- Brook Green

Listed Buildings:

- School of the Sacred Heart 208 - 212 Hammersmith Road - Grade II\* - the buildings date from 1875 and designed by JF Bentley in a free Tudor style. Most of the buildings on the campus are red brick with stone dressings of three storeys. The chapel in the south-east corner of the site has four pairs of traceried windows with buttresses



between, and a large south window of the same style. The other buildings all have ranges of tall chimney stacks and are linked by a single storey cloister.

- Fire Station 244 Shepherds Bush Road - Grade II - built in 1913 and designed by W E Riley. It remains the dominant building in this part of the street. It is notable for its tall double-height arched openings to the base together with the cobbled run to the front which was designed for the fire engines the base has two flanking "Lutyens-inspired" pavilions.

- Hammersmith Library- Grade II - built in 1905 to the designs of Henry T Hare. It is a symmetrical composition of two storeys in red brick with Portland stone detailing and a slate roof with central cupola. The central range of red brick has an arched stone doorway with an open pediment and rusticated Tuscan columns and is flanked by two small windows with stone pediments and surrounds.

- Police Station 226 Shepherds Bush Road - Grade II - built in 1939 to design of Donald McMorran. It has a sturdy granite base surmounted by light brick facade in a stripped classical style.

- George PH - Grade II - built in 1911 and continues the use of an old coaching inn on this site which has been established here for 400 years. It has a Portland stone façade in Jacobean style with giant order pilasters capped by balustrade and central pediment.

#### Buildings of Merit:

- The Laurie Arms 238 Shepherds Bush Road - the façade dates back to the 1880s although the pub existed on the site from an earlier date. It is a small two storey building with exuberant detailing.

- 8 Hammersmith Broadway - built in 1887 is a small but quite grandiose commercial building of red brick on a high rusticated stone base. The entrance bay breaks forward and is the focus of a symmetrical composition.

- Broadway Chambers, Hammersmith Broadway - built in 1925 continued the scale of its neighbour [the fire station]. It is a restrained classical six storey commercial building with a steep pantilled roof and pedimented dormer windows.

4.35 Of the heritage assets identified, the main impacts of the proposed development will be experienced as part of the street frontage of the southern end of Shepherds Bush Road as part of the Hammersmith Broad way conservation area and the degree to which the new proposal takes its place in the run of fine individual buildings (identified above) such that their setting is either preserved or enhanced. Similarly, the impact of the additional massing and bulk at the rear on the setting of the listed Sacred Heart School is a primary consideration.

#### Townscape assessment:

4.36 The photomontage studies submitted by the applicant are from publicly accessible viewpoints around the site where the new development would be seen in its townscape context. Eight view point locations were agreed with the Council. The views tested are either from, or views to conservation areas and include studies which enable an assessment to be made of the impact of the proposed development on the setting of the conservation areas and also listed buildings and non-designated heritage assets. Setting is a much-debated issue. It should be noted that setting is not a heritage asset but can contribute to the significance of heritage assets. The protection of the setting of

heritage assets need not prevent change. What is important is the recognition of, and the response to setting of heritage assets. It is recognised that where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, consideration needs to be given to whether additional change will further detract from or can enhance the significance of the asset.

Views commentary:

4.37 Viewpoint 1, looking south down Shepherds Bush Road from outside the Grade II listed Police Station, shows Brook House in its street context at the south end of Shepherds Bush Road and also in the context of buildings within Hammersmith Broadway. The study shows that the scale and height, while taller than the existing, is commensurate with its neighbours. Importantly, the view shows a consistent parapet height datum which is similar its neighbour to the north.

4.38 Viewpoints 2-6 to the south west, situate the proposals in short to mid-range views looking north east across the junctions of Hammersmith Broadway. These views also demonstrate the consistency of the parapet line which align well with No.10 Hammersmith Broadway. The additional height and mass of the two roof stories is clearly apparent in these studies, especially in the longer-range views where the additional bulk of the new roof in proportion to the body of the existing building, as well as the projecting lift overrun, is visible. However, the proposed mansard profile helps to reduce its visual prominence and create a more subservient top to the building. These views also highlight the improved ground floor frontage and reinstated edge to the street.

4.39 Viewpoint 7 from Bute Gardens looks to the south west across the rear of Sacred Heart School towards the rear of the site. In this view the additional height of the roof stories is apparent however, it is not considered that the roofscape looks incongruous across this context, and would not impact the setting of the school.

4.40 Viewpoint 8 from the corner of Hammersmith Broadway and Hammersmith Road looks to the North West across Sacred Heart School on to the southern elevation of Brook House. Though only a small portion of Brook House would be visible in this view, the view reveals the protruding bulk of the lift overrun and its appearance as an incongruous object in the skyline. Officers have worked with the applicant to reduce the scale of the lift overrun and detail it appropriately to reduce its visual prominence. While still visible, the chamfered edges help to reduce its bulk and prominence in this view.

4.41 Overall, the views studies demonstrate that Brook House would fit comfortably within its street frontage and make a positive contribution to the Hammersmith Broadway Conservation Area opposite by virtue of its improved ground floor and the materiality of the façade. Further, it is not considered that the additional scale and mass of the building would cause harm to surrounding heritage assets, in particular the Grade II listed Sacred Heart School.

Conclusion on design and heritage matters:

4.42 The proposed scheme represents an opportunity to regenerate this part of the town centre. In this respect it meets the aims of Local Plan Policies DC1, DC4 and DC8. Currently, this site presents a poor aspect in the local built environment. Development of this site provides an opportunity for significant enhancement of the area. The scheme

accords with urban design and conservation policies of the council. It would enhance the quality of the townscape in this part of Shepherds Bush Road. Officers have assessed the impact of the proposal on the surrounding heritage assets and concluded that the proposal would not harm their setting. The proposal is compliant with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design.

#### + IMPACT ON NEIGHBOURING BUILDINGS

4.43 Separately to the impact on the listed building, concerns were raised by the Sacred Heart School's management about the potential for overlooking from the new hotel rooms into the school's internal and external areas where pupils are present. Whilst it is acknowledged that there is an existing window-to-window relationship between the office building and the school, however the proposed hotel use is considered to be more sensitive in this regard, due to the privacy of the rooms. This matter has been addressed by way of angled "fins" on the rear elevation of the building, which ensures that views from the bedroom windows are directed away from the school at an oblique angle. This is considered to be an acceptable solution that will overcome the issue and the School has confirmed that they do not have any objections.

#### + HIGHWAYS MATTERS

4.44 The applicant has provided a Delivery and Servicing Plan (DSP) which sets out the requirements for the proposed development. It is proposed that the development will result in an overall reduction in delivery and servicing trips, attracting 14 servicing trips per week (2 per day). Delivery and servicing would take place to the south of the existing bus stop on Shepherd's Bush Road, as per the existing situation. The proposed development will also be largely operated by one company (Premier Inn) and this will improve the co-ordination and consolidation of delivery and servicing activities on the site. Officers are satisfied that the contents of the submitted DSP will ensure that the delivery and servicing activities of the proposed development can be accommodated without disrupting the local highway network. A condition is recommended to secure compliance with the submitted DSP.

4.45 An outline Travel Plan has been submitted in accordance with Local Plan (2018) Policy T2. A clause within the Section 106 agreement is recommended requiring a fully detailed Travel Plan to be submitted prior to occupation, with a requirement for it to be submitted for monitoring for years 1, 3 and 5.

4.46 22 long-stay cycle parking spaces are to be provided on site in the form of an enclosed vertical cycle store in accordance with London Plan (2016) Policy 6.9 and Policy T3 and Appendix 8 of the Local Plan (2018) which requires 1 long-stay parking space per 20 bedrooms. 1 short-stay cycle parking space is required per 50 bedrooms. In this case, however there are a large number of short-stay cycle hoops directly outside the site on Shepherd's Bush Road which could be used by visitors for short stay use. On this basis, it is considered that cycle parking provision for the new hotel is adequate and no objections are recommended to be raised in terms of Policy T3.

4.47 There is also proposed provision of 6 car parking spaces within the basement car park, of which 4 would be for blue badge holders which is in accordance with the London Plan and LBHF's Local Plan (2018). There are already car parking spaces in

the existing basement space, and the current proposal would represent an overall reduction of car parking on the site.

4.48 With regards to demolition and construction logistics, the proposed development will require delivery of materials and is also located on a busy and sensitive stretch of the public highway. Therefore, consideration must be given to the number/frequency of deliveries, types of construction materials, loading and unloading areas and other aspects of construction which may disrupt the free flow of traffic on the public highway. A condition is attached requiring a detailed Demolition and Construction Logistics Plan to be submitted prior to commencement of the development, in accordance with Local Plan Policy T7.

4.49 The area underneath the arcade on Shepherd's Bush Road is not recorded as highway maintained at the expense of the public, however the highway has been used by the public for a long time. It is expected that the developer will apply for a stopping-up order to remove any existing highways rights prior to carrying out the development.

#### + NOISE AND NUISANCE

4.50 Policy CC11 of the Local Plan states that noise-generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants/ users of existing or proposed noise sensitive uses in the vicinity. In this case, the nearest noise-sensitive premises is the iQ student accommodation on the western side of Shepherd's Bush Road, opposite the site. Given the site's busy town centre location, on an arterial road, no concerns are raised about increased comings and goings to the new hotel. The Council's Public Protection and Safety Team raised no objections to the proposed development subject to conditions; external noise from machinery, anti-vibration mounts, extraction and odour control which are recommended to be attached, in accordance with Local Plan (2018) Policies CC11 and CC13.

#### + ENVIRONMENTAL CONSIDERATIONS

##### + Flood risk

4.51 The site is within the Environment Agency's Flood Zone 3 which triggers the requirement for a Flood Risk Assessment (FRA). The site is well-protected from flood risk from the Thames. If the flood defences were breached or over-topped, Environment Agency modelling shows that the site is outside the area that would be expected to be impacted by flood water. In terms of surface water flood risks, the site is not in a surface water flooding hotspot and during an extreme rainfall event, surface water would be expected to flow past the site rather than impact on it. The building has an existing basement which will be retained, with some minor alterations for car parking and a plant room. Groundwater and sewer flood risks are low. The proposed ground floor use for restaurant and retail use are less vulnerable to the potential impacts of flooding and the upper floors would not be affected. Given the low risks of flooding on the site, the submitted FRA is considered to be acceptable in terms of showing compliance with Local Plan Policy CC3.

##### + Surface water drainage

4.52 A surface water drainage strategy has been outlined in the FRA. This states that no above-ground or prioritised SuDS measures such as infiltration and permeable

paving are possible, but that attenuation storage in conjunction with a controlled discharge of surface water into the combined sewer system will be incorporated. It is accepted that on a site such as this, there are limits to what is possible in terms of SuDS. An acceptable justification has been provided as to why it will not be possible to provide below-ground attenuation or permeable surfaces within the very limited external areas. However, a section of green wall is to be provided and a condition is also recommended requiring details of a green roof on the flat roof of the main building. Officers are satisfied that opportunities for SuDS have been maximised on the site, and no objections are recommended to be raised in terms of Local Plan (2018) Policies CC3 and CC4.

#### + Sustainability

4.53 As required, a Sustainability Statement has been provided in the form of a BREEAM pre-assessment report for the entire building. This shows that the proposed development can meet the "very good" BREEAM rating, demonstrating compliance with Local Plan Policy CC2. To demonstrate compliance with Local Plan Policy CC1 on reducing carbon emissions, an Energy Statement has also been provided. This shows that energy efficiency measures and renewable energy generation, in the form of Air Source Pumps will reduce CO<sub>2</sub> emissions by 41.2% compared to the Building Regulations 2013 requirements, which exceeds the minimum 35% reduction target set in the London Plan, in compliance with Local Plan Policy CC1.

#### + Air quality

4.54 With regards to air quality, both the construction phase and the operational phase must be considered. The demolition and construction works have the potential to create dust and air quality issues, and therefore appropriate air quality mitigation measures must be implemented for nearby residential receptors. A condition is recommended requiring an Air Quality Dust Management Plan (AQDMP) to be submitted prior to commencement of the development. The AQDMP must comply with the Mayor's Supplementary Planning Guidance on "The Control of Dust and Emissions during Construction and Demolition".

4.55 The applicant has submitted an Air Quality Assessment with the application, dated July 2018 by Air Quality Consultants. Given the site is located within the borough-wide Air Quality Management Area, and is in an area of very poor air quality, Officers did not agree with the conclusion that that no further mitigation is required with regards to ventilation/ exposure. Accordingly, due to the emissions from transportation sources, mitigation will be required in the form of additional ventilation in order to ensure compliance with Local Plan Policy CC10. A condition requiring this has been attached. The proposed green wall on the front elevation would provide some mitigation from vehicle traffic emissions, and a condition is recommended requiring further details to be submitted prior to commencement. Planters or greenery on the main Shepherd's Bush Road frontage itself have been discounted, due to concerns about the practicality of maintenance and obstruction of the public footway.

4.56 With regards to operational building emissions, the proposed energy plant will result in a deterioration in air quality, and further mitigation will be required to make the development acceptable in accordance with Policy CC10. A condition is recommended requiring a report with details of the Ultra-Low NO<sub>x</sub> gas-fired boilers and Emergency Diesel Generator units to be submitted prior to occupation of the development.

4.57 There will also be an operational impact from vehicle emissions from the vehicle movements associated with the site, including servicing and delivery vehicle movements. As a result, further mitigation of these elements will be required to make the development acceptable in accordance with Policy CC10. Therefore a condition is recommended requiring a Low Emissions Strategy to be submitted prior to occupation of the development.

#### + Land Contamination

4.58 Potentially contaminative land uses are understood to have occurred at, or near to, this site. Therefore, the council's land contamination officers recommend that the standard suite of conditions is attached 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).

### 5.0 HEADS OF TERMS S106/278

5.1 The proposed Heads of Terms within the Section 106 legal agreement may be summarised as follows:

(1) Development to be coach-free, for example no guests or visitors to be dropped off/picked up by coaches stopping outside the site;

(2) A Jobs, Employment and Business Strategy (JEBS) to be produced and agreed with the Council prior to the commencement of the development, and a financial contribution of £72,875 towards supporting paid work experience and paid apprenticeships during the construction of the development.

(3) Submission of a Travel Plan and requirement for the Travel plan to be submitted for monitoring by the council at the end of Years 1, 3 and 5 with a fee of £3,000 per review.

### 6.0 CONCLUSIONS AND RECOMMENDATION

6.1 The proposal is considered to be acceptable in land use terms, in its design and appearance, in its limited impact on traffic generation and parking, having a satisfactory relationship to surrounding buildings and residential properties that would contribute to the range and quality of visitor accommodation on offer in Hammersmith Town Centre whilst preserving the setting of the adjacent conservation area and nearby Listed Buildings and Buildings of Merit.

6.2 As such it is recommended that planning permission for the proposed development be granted, subject to conditions and a legal agreement.