

London Borough Of Hammersmith & Fulham

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**Planning Applications Committee**

**Agenda for 2nd July 2019**

**Index of Applications, Enforcement Actions, Advertisements etc.**

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**WARD:**

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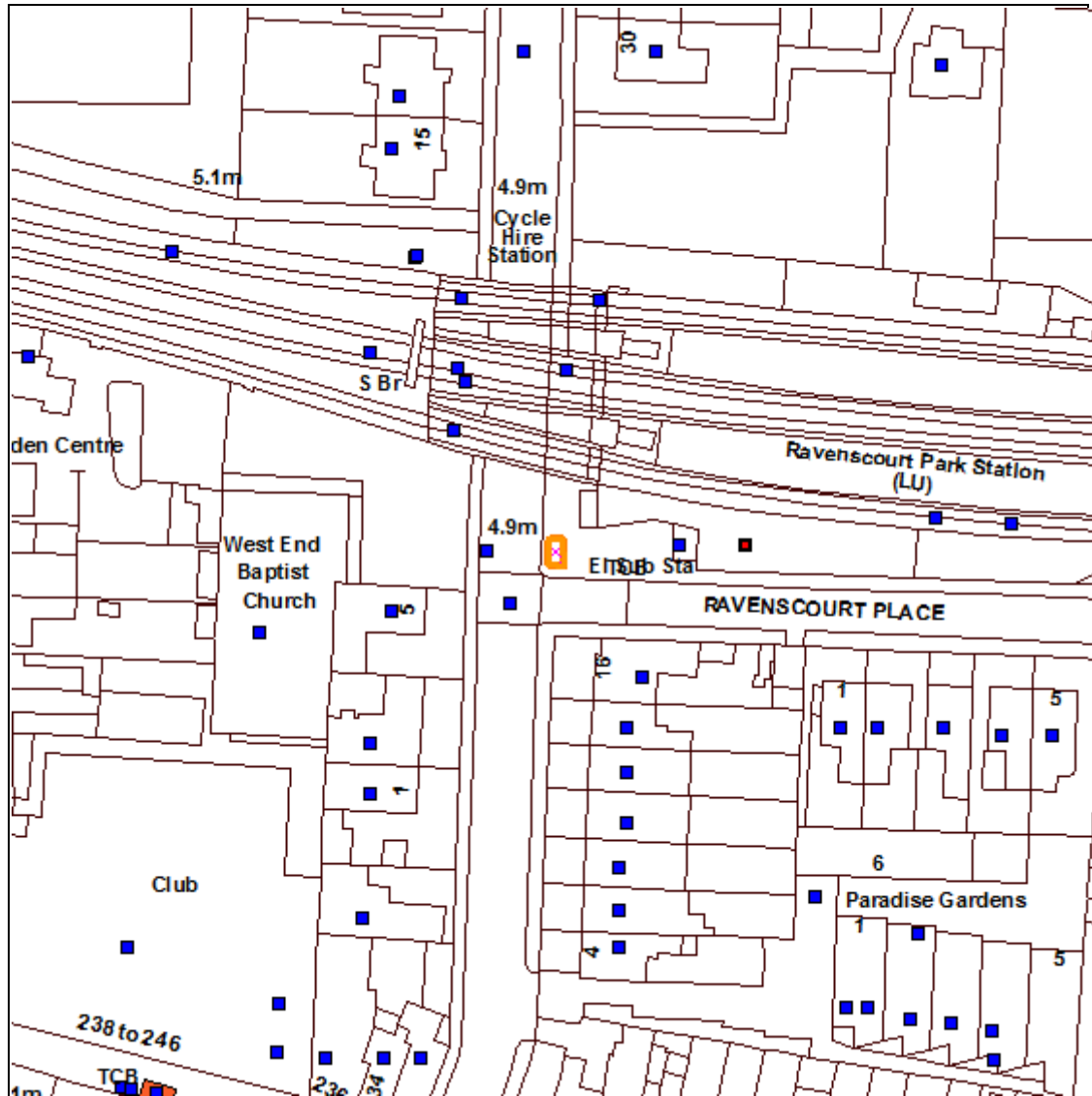
Ravenscourt Park  
2019/00435/FR3

Outside Ravenscourt Park Underground Station  
Ravenscourt Road London W6 0UG

**Ward:** Ravenscourt Park

**Site Address:**

Outside Ravenscourt Park Underground Station Ravenscourt Road London W6 0UG



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

**Reg. No:**  
2019/00435/FR3

**Case Officer:**  
Elliot Brown

**Date Valid:**  
14.02.2019

**Conservation Area:**  
Constraint Name: Ravenscourt And Starch Green  
Conservation Area - Number 8

**Committee Date:**  
02.07.2019

**Applicant:**

Lynda Dunn  
25 Bagley Lane Fulham SW6 2QA

**Description:**

Use of part of the public highway for the placing of 1 market stall.  
Drg Nos: 65010/12/2

**Application Type:**

Full Regulation 3 - LBHF is Developer

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, Growth and Place, be authorised to determine the application and grant permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 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 which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.

- 1) The placement of any stall on the application site, or the carrying on of any trading on any part of the application site, shall not continue beyond 24 months from the date of this decision notice.

So that the operation of the market stall, most particularly with regards to Highways impacts and noise and disturbance to neighbouring properties, may be monitored by the Council over the course of the permission to ensure that no adverse impacts are occurring, in accordance with Policies T1, T6, CC11 and CC13 of the Local Plan (2018).

- 2) The use of the premises shall not be permitted outside the hours of 08:00-20:00, Monday to Sunday.

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

- 3) Prior to commencement of the development, a Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall include times and frequency of loading and unloading, vehicle movements, and quiet loading/unloading measures. The details within the agreed Servicing Management Plan shall be implemented prior to the stalls being used and thereafter be permanently retained.

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

- 4) No servicing of the stall/s shall occur from the public footway adjacent to, or part of the site.

To avoid vehicles using the public footway for servicing and causing an obstruction on the footway, in accordance with Policies T1 and T6 of the Local Plan (2018) and Key Principle TR25 of the Planning Guidance Supplementary Planning Document (2018).

- 5) A maximum of one stall at any one time shall be erected only in the location shown on approved drawing no. 65010/12/2 and no stall shall be erected in any other area at any time. The market stall shall be dismantled and removed when not trading.

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, T1 and T6 of the Local Plan (2018), and Key Principles TR22 and TR29 of the Planning Guidance Supplementary Planning Document (SPD) (2018).

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

- 1) 1. Land use: The proposal would achieve a sustainable development by contributing to the vibrancy of the surrounding locality, and would not conflict in any way with the Council's aims for this area. Resultantly, the proposal would be considered consistent with Policy DC1 of the Local Plan (2018).  
  
2. Highways matters: It is considered that the scheme would not have a significant further impact on the highway network or local parking conditions and is thus considered to be acceptable. Satisfactory provision would be made for the loading/unloading and deliveries and an acceptable width of footway would remain unobstructed for pedestrians. The development thereby accords with Local Plan (2018) Policies T1 and T6 of the Local Plan (2018) as well as London Plan (2016) Policies 6.1, 6.3, 6.10, 6.11 and 6.13.  
  
3. Residential Amenity: The impact of the proposed development upon neighbouring residential occupiers is considered acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of noise disturbance or other nuisance, such as hot food smells. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies CC11 and CC13 of the Local Plan (2018).  
  
4. Appearance: The development is considered to comply with Local Plan (2018) Policies DC1 and DC8 which require a high standard of design in all new build developments and extensions and alterations to existing buildings, compatible with the scale and character of existing development and its setting. The stalls are not a permanent fixture, of a neat and tidy appearance and do not feature any large, obtrusive or garish signage or advertisement. The character and appearance of the conservation area would be preserved.

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

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

Application form received: 11th February 2019  
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:**

**Dated:**

**Neighbour Comments:**

**Letters from:**

**Dated:**

273 King street London W6 9QF

25.02.19

**1.0 BACKGROUND**

1.1 The application site comprises an area of public footway outside of the Ravenscourt Park London Underground Station; on the junction of Ravenscourt Road and Ravenscourt Place.

1.2 The application site lies within the Ravenscourt and Starch Green Conservation Area.

1.3 The application seeks permission for the use of part of the public highway for the placing of one market stall, operating from Monday to Sunday (8am - 8pm).

**2.0 PUBLICITY AND CONSULTATION RESPONSES**

Neighbouring responses

2.1 The application was advertised by way of site and press notices. Individual letters were also sent to neighbouring properties.

2.2 One letter of objection has been received, which raises the following concerns:

-The proposal would not be in keeping with the character and appearance of the surrounding area.

-This is a heavily used section of pavement with limited space for market stalls.

2.3 Officer response: The material issues raised are addressed in the report below.

### 3.0 PLANNING CONSIDERATIONS

3.1 The relevant 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 the Planning Guidance Supplementary Planning Document [SPD] (2018) are:

- The principle of the development.
- Highways matters, most particularly servicing and deliveries.
- Noise and disturbance to neighbouring residential properties.
- Visual amenity and street clutter.

### 4.0 PRINCIPLE

4.1 The application site lies outside of a Town Centre, Local Centre, Neighbourhood Parade or a Satellite Parade. As such, there are no policies within the Local Plan (2018) that specifically mention new proposals for street food or market stalls, and accordingly, Officers recommend that no objections be raised to the principle of the development. The key issues to be assessed are the highways impact of the scheme, noise and disturbance for neighbours, and the impact of the scheme on visual amenity and the character and appearance of the conservation area.

### 5.0 HIGHWAYS

5.1 The main Highways issues in respect of the development are (a) ensuring satisfactory arrangements for safe and convenient loading/unloading and deliveries for the market stalls and (b) ensuring that there is still space on the pavement for the safe and convenient passage of pedestrians, including those with mobility impairments.

5.2 Policy T1 of the Local Plan (2018) states that the Council will seek to ensure that traffic generated by new development is minimised so that it does not add to parking pressures on local streets.

5.3 Ravenscourt Road and Ravenscourt Place are both Local Distributor Roads, and Policy T6 of the Local Plan (2018) states that development will not be permitted if it would prejudice the effectiveness of these roads to provide safe and convenient access to individual properties, or result in their use by through-traffic.

5.4 The Council's Highways team have specified that although the surrounding roads are not strategic roads, and that servicing/loading/unloading could be permitted on a single or double yellow line, it is considered given the proximity of the underground station it would be appropriate to provide a Servicing Management Plan, which will detail all the information regarding where and how the stall would be set up without illegally parking along the carriageway. A condition has been attached to ensure this plan is submitted for approval. Subject to a satisfactory plan, it is considered that the stall trader would be able to operate without impacting negatively upon the use of these roads.

5.5 Key Principles TR25 and TR29 of the Planning Guidance SPD (2018) provide guidance on the minimum width of clear and unobstructed footway required when street

furniture is proposed on a public footway. The location of the proposed stall is on a part of footway with a high level of footfall, especially at peak times with commuters utilising the Ravenscourt Park London Underground Station. Officer's therefore recommend that a minimum width of 3.5m clear and unobstructed footway would be necessary between the proposal and Ravenscourt Park London Underground Station, which is met. As such, the proposal would not be considered detrimental to the flow of pedestrians.

## 6.0 NOISE AND NUISANCE

6.1 Policy CC11 of the Local Plan (2018) states that noise-generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants of existing noise-sensitive uses in the vicinity. Policy CC13 (Control of Potentially Polluting Uses) states that the Council will, where appropriate, require mitigation measures if a nuisance (such as smoke, smell, or noise) would be likely to occur. With specific reference to outdoor uses, Key Principle NN5 states that outdoor uses need to be assessed with regard to frequency and times of use, and the noise level likely to be emitted from activities.

6.2 The nearest property to the west and south of the application site would be No.5 Ravenscourt Road and No.16 Ravenscourt Road, respectively. Measurements demonstrate that there would be an approximate distance of 15m and 10m between the proposal and these properties, respectively.

6.3 Officer's acknowledge that noise from the development could be generated from vehicles arriving, setting up, and voices etc. The application proposes a start time of 8am for trading, with set up commencing prior to that time. Whilst the start time could be early, it is not considered that the proposed market stall would generate additional noise beyond that which has been established by London Underground tubes travelling past Ravenscourt Park Station or the pedestrian footfall outside this station at that time. For these reasons, it is considered that no objections would be raised to the 8am start time for the stalls.

6.4 The indications are that the proposed market stall would sell either flowers or coffee. It is not indicated that hot food would be served, and as such hot food odours are unlikely to be associated with the proposal.

6.5 It is recommended that the proposal is granted a temporary permission for 24 months, to allow both Highways and Noise and Nuisance Officers to monitor the impact of the developments and record any complaints received during that time. If the stalls were found to be operating without any detrimental issues, the applicant could then re-apply for a longer-term permission.

## 7.0 APPEARANCE/VISUAL CLUTTER

7.1 The proposed market stalls are considered to be modest in terms of their footprint, bulk and mass. In order for the market stall to comply with street trading licencing regulations it would be designed to integrate with the surrounding urban environment without detracting from its character and appearance, and, given it is not a permanent feature, no objections are raised on the grounds of visual amenity. It is considered that the character and appearance of the Ravenscourt and Starch Green Conservation Area would be preserved.

## 8.0 CONCLUSIONS AND RECOMMENDATIONS

8.1 Officers consider that the proposed development would be acceptable in terms of its highways implications and noise and disturbance for neighbours, as well as appearance and the impact on the character and appearance of the conservation area.

8.2 It is recommended that planning permission be granted, subject to conditions