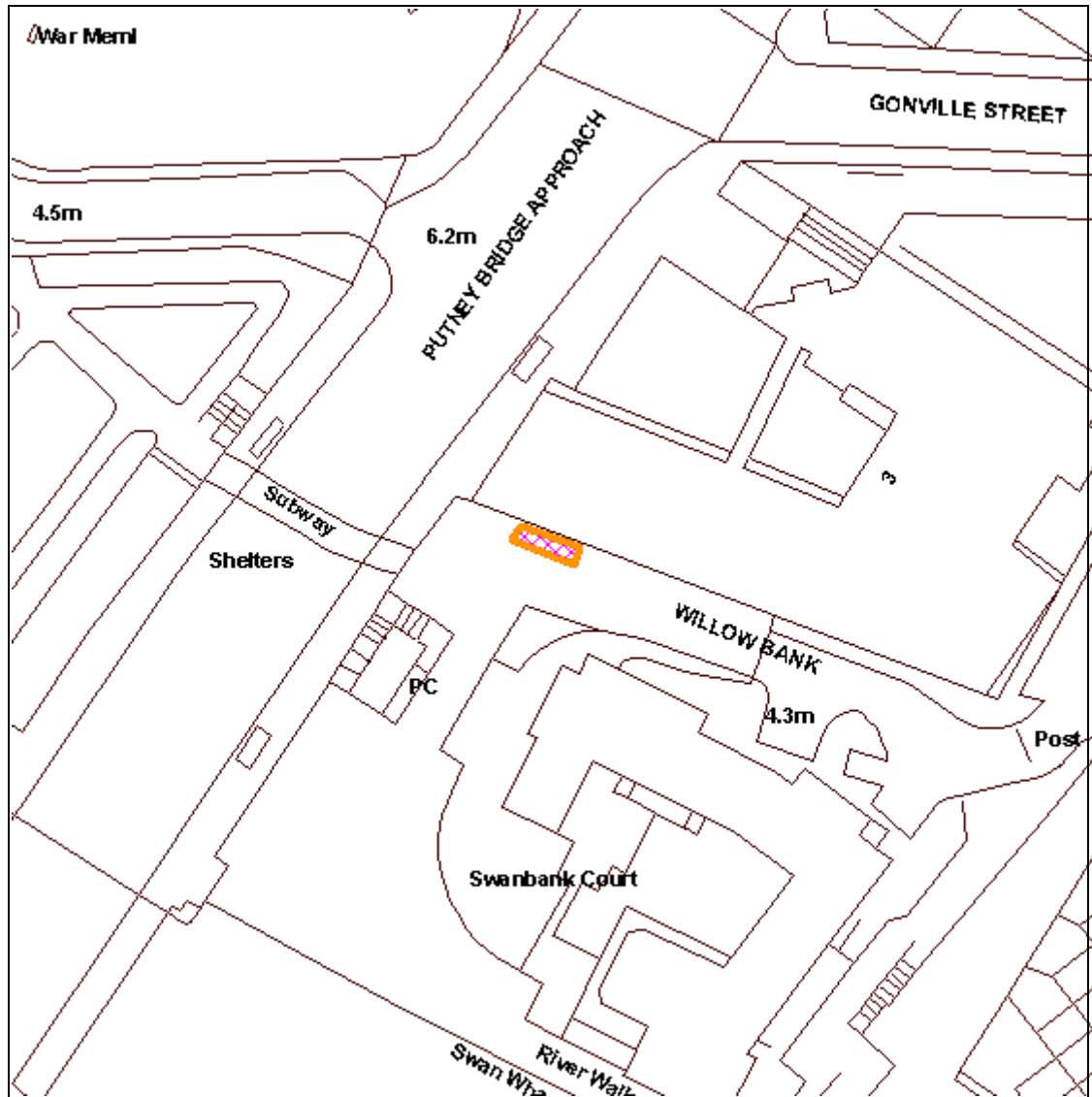


**Ward:** Palace Riverside

**Site Address:**

Willow Bank Junction With Putney Bridge Approach London



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

**Reg. No:**  
2019/00439/FR3

**Case Officer:**  
Grace Purnell

**Date Valid:**  
14.02.2019

**Conservation Area:**  
Putney Bridge Conservation Area - Number 40

**Committee Date:**  
22.07.2019

**Applicant:**

Lynda Dunn  
25 Bagleys Lane Fulham SW6 2QA

**Description:**

Use of part of the public highway for the placing of 1 market stall maximum size 2.5 x 3 x 1.5m from Monday to Sunday from 8am to 8pm.  
Drg Nos: 65010/6/1; 65010/6/2

**Application Type:**

Full Regulation 3 - LBHF is Developer

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, The Economy, 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, The Economy, 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. 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:**

NAG 08.07.19

**1.0 BACKGROUND**

1.1 The application site comprises an area of public footway and cycle path, located adjacent to Putney Bridge. The footway forms an underpass, connecting Bishop's Park to Ranelagh Gardens which lies west of Putney Bridge Station (District Line).

1.2 The application site lies within the Putney Bridge Conservation Area and is adjacent to the Grade II listed Putney Bridge.

1.3 The application seeks permission for the use of part of the public highway for the placing of one market stall (selling flowers/coffee), 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.

- Unit would set a precedent that would change the environment for local residents and increase the already problematic anti-social behaviour in the area.

## 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 The location of the proposed market stall is on a no vehicle access pedestrian and cycle footpath. This means that the trader would be required to load and unload their equipment away from the proposed location of the stall. The Street Markets Team are in discussions with Highway Officers in relation to a Servicing Management Plan, which will detail all the information regarding where and how the stalls would be set up without

illegally parking along Ranelagh Gardens and Fulham High Street. A condition has been attached to ensure this plan is submitted for approval.

5.4 The location of the market stall is on a part of footway with a high level of footfall, especially at peak times with commuters moving between Putney Bridge Station (District Line), Putney Bridge Approach (A219) and Bishop's Park. This means that more than the minimum width of 3.5m clear and unobstructed footway will need to be provided as per Key Principles TR25 and TR29 of the Planning Guidance SPD (2018). The submitted site layout plan indicates that the market stall would be located to the side of the pedestrian footway, leaving a distance, excluding the cycle lane, of 4m. Therefore, officers are satisfied there would still be enough space remaining to ensure the free 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 are residential units at Swanbank Court, located south of the application site. Measurements demonstrate that there would be an approximate distance of 11m between the proposed market stall's location and these residential units. To the north of the site also lies a Premier Inn Hotel.

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 what has been established by the existing activities in the area and the considerable pedestrian and heavy vehicular traffic on Putney Bridge Approach and pedestrian movement on Willow Bank at that time. For these reasons, it is considered that no objections would be raised to the 8am start time proposed.

6.4 The application form submitted specifies that the market stall would sell coffee or flowers. Resultantly, hot food odours would not 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 stall is considered to be modest in terms of its 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 Conservation Area would be preserved. The proposal is therefore considered to accord with Local Plan policies DC1, DC4 and DC8

## 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 Putney Bridge conservation area.

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