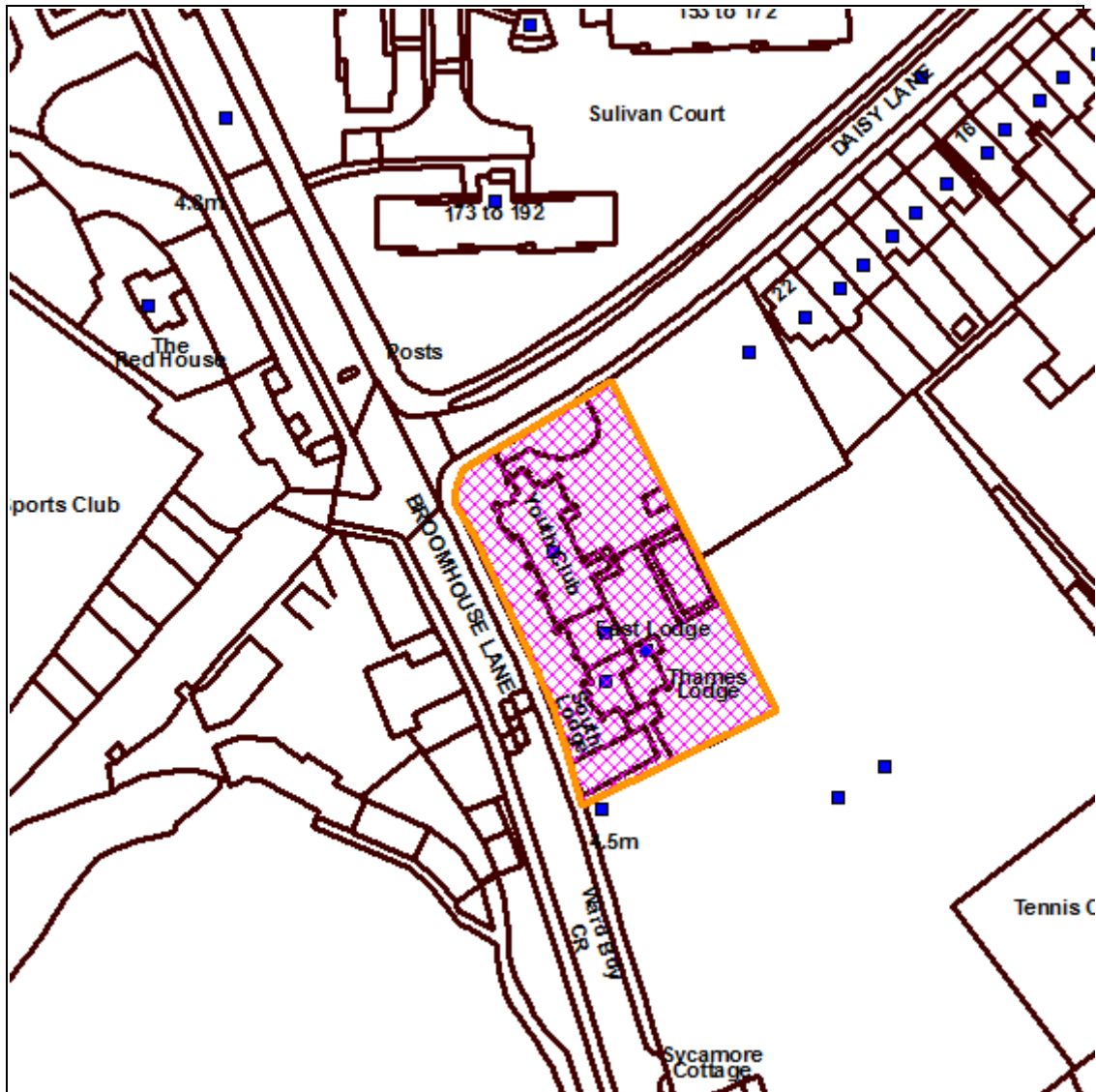


**Ward:** Sands End

**Site Address:**

The Castle Centre Broomhouse Lane London SW6 3DP



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

**Reg. No:**

2019/00732/FUL

**Case Officer:**

Graham Simpson

**Date Valid:**

28.03.2019

**Conservation Area:**

Constraint Name: Hurlingham Conservation Area -  
Number 4

**Committee Date:**

15.10.2019

**Applicant:**

Ten Wandsworth  
C/O Town Planning Bureau The Barn 43 Oakdene Road Redhill  
RH1 6BT

**Description:**

Alterations and extensions to the Grade II listed building including the demolition of the summer house, erection of a part-one, part-two and part-three storey extension and excavation of a partial basement beneath the extension, in connection with the use of the site as a 33-bedroom nursing home (Use Class C2) together with the demolition and replacement of front and side boundary walls, and re-instatement of a means of access to the highway on Daisy Lane.

Drg Nos: Flood Risk Assessment dated March 2019;(03)-P-0B0 Rev PO;(03)-P-0G0 Rev P9;(03)-P-0L1 Rev P3;(03)-P-001 Rev PL;(03)-P-002 Rev PO;(03)-P-003 Rev PO;(03)-E-001 Rev PL;(03)-E-002 Rev PO;(03)-E-003 Rev PO;(03)-E-004 Rev PO;(03)-E-005 Rev PL;(03)-E-006 Rev PL;(03)-X-001 Rev PO;(03)-X-002 Rev PO;(03)-X-003 Rev PO;(03)-X-004 Rev PO;(90)-E-OG0\_R PL;(90)-E-001 PL;(90)-E-002 PL;(90)-E-OG0 PL;(90)-X-001 PL;(90)-X-002 PL;(03)-D-OG0 P4;(03)-D-OG1 P4;(03)-D-OG2 P2;(03)-P-0L2 Rev P5;(03)-P-004 Rev P2;(03)-X-005 Rev P3;(03)-X-007 Rev P2;

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, The Economy 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, 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 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 not be erected otherwise than in accordance with the following approved drawings: (03)-P-0B0 Rev PO;(03)-P-0G0 Rev P9;(03)-P-0L1 Rev P3;(03)-P-001 Rev PL;(03)-P-002 Rev PO;(03)-P-003 Rev PO;(03)-E-001 Rev PL;(03)-E-002 Rev PO;(03)-E-003 Rev PO;(03)-E-004 Rev PO;(03)-E-005 Rev PL;(03)-E-006 Rev PL;(03)-X-001 Rev PO;(03)-X-002 Rev PO;(03)-X-003 Rev PO;(03)-X-004 Rev PO;(90)-E-001 PL;(90)-E-002 PL;(90)-E-OG0 PL;(90)-E-OG0\_R PL;(90)-X-001 PL;(90)-X-002 PL;(03)-D-OG0 P4;(03)-D-OG1 P4;(03)-D-OG2 P2;(03)-P-0L2 Rev P5;(03)-P-004 Rev P2;(03)-X-005 Rev P3;(03)-X-007 Rev P2.

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, DC4, and DC8 of the Local Plan 2018.

- 3) The development hereby permitted shall not commence (including demolition and site clearance works) until a Demolition Method Statement and Construction Management Plan have been submitted to and approved in writing by the Local Planning Authority. These shall include details of the proposed control measures and monitoring for noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of construction vehicles, any vehicle holding areas and access arrangements, delivery locations on the site, use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Demolition Method Statement and Construction Management Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

- 4) The development hereby permitted shall not commence until a detailed Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with Transport for London Guidance on Construction Logistics Plans and shall include the demolition phase of the development. Each CLP shall include the following minimum information:
- site logistics and operations;
  - construction vehicle routing;
  - Details of the estimated number, size and routes of construction vehicles per day/week
  - details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI;
  - details of the access and egress arrangements
  - delivery locations on the site;
  - details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
  - Efficiency and sustainability measures to be undertaken for the works
  - Membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the relevant approved CLP with the Local Planning Authority. Approved details shall be fully implemented and retained and maintained throughout the construction phase of the development.

To minimise the impacts of construction-related vehicle movements and facilitate sustainable construction travel to the site in accordance with policies T1 and T6 of the Local Plan 2018.

- 5) The relevant parts of the development hereby permitted shall not commence until:
- a.) detailed drawings in plan, section and elevation at a scale of no less than 1:20 of typical bays, to include cladding details, soffits, balustrades, entrances, plant enclosures and external light fittings;
  - b.) detailed drawings in plan, section and elevation at a scale of no less than 1:20 of the junctions between the extension and the listed building;
  - c.) detailed drawings in plan, section and elevation at a scale of no less than 1:20 and material samples (including a sample panel showing pointing style, mortar mix, mortar colour and brick bond, to be viewed onsite) of the proposed boundary treatment;
  - d.) landscape plans and sections, planting schedules/tree specifications and hard landscaping material samples
- are submitted to and approved in writing by the Council. The relevant parts of development shall be carried out in accordance with such details as have been approved and thereafter permanently retained in this form, unless otherwise agreed in writing with the local planning authority.

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 Conservation Area; and the setting and special architectural and historic interest of the listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC4, and DC8 of the Local Plan 2018.

- 6) Prior to installation of the relevant parts of the development hereby permitted, details including samples of all external materials including cladding mock-up panel(s) showing all main cladding material and junctions between them, to be viewed on site, shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details; and 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 Conservation Area; and the setting and special architectural and historic interest of the listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC4, and DC8 of the Local Plan 2018.

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

To ensure a satisfactory external appearance, preserve the setting of the listed building and character and appearance of the Conservation Area and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC4, and DC8 of the Local Plan 2018.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved building, without planning permission first being obtained.

To ensure that the Council can fully consider the effect of telecommunications equipment on the setting of the listed building and the character and appearance of the Conservation Area in accordance with Policies DC1, DC4, and DC8 of the Local Plan 2018.

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

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

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

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

- 11) Prior to commencement of the development, 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 Appendix 4G of the LBHF Planning Guidance Supplementary Planning Document 2018. 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.

- 12) With the exception of the roof terraces at first floor level hereby approved, no part of the flat roof areas provided by the development hereby approved shall be used

as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure other than those shown on the approved drawings shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development due to overlooking, loss of privacy and noise and disturbance, in accordance with Policies DC1, DC4 and HO11 of the Local Plan 2018.

- 13) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the development hereby approved, as indicated on the approved drawing no. (03)-P-OG0 Rev P2 and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

To promote alternative, sustainable forms of transport, in accordance with Policy 6.9 and Table 6.3 of the London Plan (2016), and Policy T3 of the Local Plan 2018.

- 14) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing (03)-P-OG0 Rev P2. The refuse storage enclosures shall be permanently retained thereafter in accordance with the approved details.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the character and appearance of the Conservation Area arising from the appearance of accumulated rubbish, in accordance with Policies DC8, CC6 and CC7 of the Local Plan 2018.

- 15) The development shall be implemented in accordance with the recommended flood mitigation measures in the Flood Risk Assessment dated March 2019 as hereby approved by the local planning authority. A non-return valve or other suitable device (which may need to be a pumped device) shall be installed to avoid the risk of the sewerage network surcharging wastewater to basement/ground level during storm conditions. The recommended mitigation measures shall be permanently retained thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan (2016), and Policy CC3 of the Local Plan 2018

- 16) The development hereby permitted shall not commence until a revised Sustainable Drainage Strategy, which details how surface water will be managed on-site in-line with the proposals outlined in the 'Drainage Strategy' report, has been submitted to, and approved in writing by, the Council. Information shall include details on the design, location and infiltration capabilities of the new soakaway and any other sustainable drainage measures such as permeable surfaces, including green roofs, along with confirmation of the levels of attenuation achieved. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided. If use of the proposed soakaway is not possible for any reason then a revised SuDS Strategy

should be provided to show how surface water will be managed in line with the requirements of the London Plan Drainage Hierarchy. The Strategy shall be submitted to and approved in writing by the Council and implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan (2016), Policy CC2 of the Core Strategy (2011) and Policy CC3 of the emerging Local Plan 2017.

- 17) The development hereby permitted shall not be occupied before implementation of the sustainable design and construction measures, energy efficiency, low carbon and renewable energy measures detailed in the submitted Energy Strategy and Sustainability Assessment. All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), and Policies DC1, DC4, DC8, CC1 and CC2 of the Local Plan 2018.

- 18) Prior to the commencement of the demolition phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during demolition; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the NRMM register <https://nrmm.london/user-nrmm/register> prior to commencement of demolition works and thereafter retained and maintained until occupation of the development; use of on-road Ultra Low Emission Zone (ULEZ) compliant 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); Details of MCERTS compliant monitoring of Particulates (PM<sub>10</sub>) used to prevent levels exceeding predetermined PM<sub>10</sub> threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) and NO<sub>x</sub> emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), and Policy CC10 of the Local Plan 2018.

- 19) Prior to the commencement of the construction phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of construction shall be registered on the NRMM register <https://nrmm.london/user-nrmm/register> prior to commencement of construction works and thereafter retained and maintained until occupation of the development; use of on-road Ultra Low Emission Zone (ULEZ) compliant 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); Details of MCERTS compliant monitoring of Particulates (PM10) used to prevent levels exceeding predetermined PM10 threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), and Policy CC10 of the Local Plan 2018.

- 20) Prior to occupation of the development hereby permitted a Ultra Low Emission Strategy (ULES) 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 ULES must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to help mitigate the development's air pollution impacts, in particular non-combustion energy generation sources the emissions of NOx and particulates from on-road vehicle transport by the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG, (6) Diesel (Euro 6 & Euro VI). A monitoring report of the implementation of the ULES shall be submitted on annual basis to the LPA. Approved details shall be fully implemented prior to the occupation of the development and thereafter permanently retained and maintained.



To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), and Policy CC10 of the Local Plan 2018.

- 21) Prior to commencement of above ground works in the development a Ventilation Strategy Report to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:

- a) Details and locations of the air ventilation intake locations on rear elevations
- b) Details of non-openable windows for habitable rooms (bedrooms, living rooms) with front elevations on Broomhouse Lane
- c) Details and locations of ventilation extracts, chimney/boiler flues, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, balconies, roof gardens, terraces
- d) Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM<sub>2.5</sub>, 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. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications, and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Policy CC10 of the Local Plan 2018.

- 22) Prior to occupation of the development, details of a post installation report of the approved ventilation strategy to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Policy CC10 of the Local Plan 2018.

- 23) 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 the combustion Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area of the buildings
- 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 NOx 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 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 NOx 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.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Policy CC10 of the Local Plan 2018.

- 24) No development shall commence until a preliminary risk assessment report, in connection with land contamination, 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; and a statement of whether a site investigation is necessary to address these potentially unacceptable risks. All works must be carried out in compliance with the approved details 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. The 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, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013) and Policy CC9 of the emerging Local Plan 2017.

- 25) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, 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. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 26) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment 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 approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details 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. The 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, and in accordance with policy 5.21 of the London Plan 2016, and Policy CC9 of the Local Plan 2018.

- 27) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, 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. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details 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. The 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, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 28) 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 if required by the approved quantitative risk assessment, 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 appropriate waste Duty of Care documentation 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 method statement to be submitted and approved by the Council and verification of these works included in the verification report. All works must be carried out in compliance with the approved details 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. The 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, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 29) 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 setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, 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 the approved details 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. The 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, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 30) Prior to occupation of the Development hereby permitted, a Delivery and Servicing Management Plan (DSMP), shall be submitted to and approved in writing by the Local Planning Authority. The DSMP shall include, freight consolidation facilities, vehicle tracking, detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, silent reversing methods, Use of Ultra Low Emission Zone (ULEZ) compliant vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG, (6) Diesel (Euro 6 & Euro VI), location of loading bays with active electric vehicle charging points, quiet loading/unloading measures and vehicle movements. The approved measures shall be implemented and thereafter retained for the lifetime of the commercial uses of the site

To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policies T1 and T6 of the Local Plan 2018.

- 31) Prior to the occupation of the development hereby approved details of the proposed measures to ensure that the development achieves "secured by design" status shall be submitted to and approved in writing by the Council. No part of the development thereby affected shall be occupied prior to the implementation of the approved details and will thereafter be permanently retained.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2011) and policies DC1 and DC4 of the Local Plan 2018.

- 32) The green infrastructure (including planting and landscaping) hereby approved shall be constructed and planted in full accordance with the approved details 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 order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with policy OS5 of the Local Plan 2018.

- 33) Prior to commencement of the development hereby approved, a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority to ensure all works near the Sycamore tree fronting Broomhouse Road, which is to be retained, shall be carried out in accordance with BS5837:2012, and that the tree to be retained is not accidentally damaged. The approved details shall be implemented for the duration of demolition and construction works.

To preserve the health and well-being of the tree to be retained on the site in accordance with Policy OS5 of the Local Plan 2018.

- 34) Prior to use of the terrace fronting Broomhouse Lane hereby approved, a sample of the obscure glazed screening to be used for the proposed roof terrace shall be submitted to, and approved in writing by, the Council. The terrace shall not be used until the screening has been installed in accordance with the approved details, and shall be permanently retained in this form thereafter.

In order to ensure no overlooking or loss of privacy in accordance with Policies DC1, HO11 and DC4 of the Local Plan (2018).

- 35) The premises shall be used for purposes specified within the permission (nursing home); and for no other purpose (including any other purpose in Use Classes C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the special circumstances of the case. Certain other uses within the same use class may be unacceptable due to effect on residential amenity or traffic generation, in accordance with Policies CC11, and T1 of the Local Plan (2018).

- 36) Prior to first occupation of the development hereby permitted, details of the installation including location and type of the electric vehicle charging point within the car parking area must be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging point shall be installed and retained in working order for the lifetime of the development.

To encourage sustainable travel in accordance with policies 5.8, 6.13 and 7.2 of the London Plan (2016), Policies T1, T2 and T4 of the Local Plan (2018).

- 37) All the roof terraces within the building shall only be used between 0800hrs and 2100hrs Monday to Sunday, and shall not be used at any other time. No music (either acoustic or amplified) shall be played at any time on any of the terraces.

To ensure that the amenities of the occupiers of surrounding residential properties are not unduly affected as a result of noise and disturbance, in accordance with Policies DC1, HO11 and CC11 of the Local Plan (2018).

- 38) The development shall not be occupied until details of external lighting, including security lights, have been submitted to and approved in writing by the local planning authority. The details shall include the number, location, height, design and appearance of lights, together with data concerning levels of illumination and light spillage. The lighting details shall be implemented as approved in accordance with a programme agreed by the local planning authority and shall be permanently retained thereafter.

To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by lighting, in accordance with policies HO11 and CC12 of the Local Plan (018).

- 39) No part of the development hereby approved shall be occupied prior to the provision of the two disabled parking spaces, as indicated on the approved drawing (03)-P-OG0 Rev P2. The parking spaces shall be installed as approved and retained for the lifetime of the development.

To ensure the satisfactory provision and retention of disabled car parking facilities, in accordance with Policy 7.2 of the London Plan and Policy E3, T1 and T5 of the Local Plan 2018.

- 40) The visitor parking spaces as indicated on the approved drawing (03)-P-OG0 Rev P2 shall be retained for visitors only, and shall as no time be used by staff.

To encourage sustainable travel in accordance with policies 5.8, 6.13 and 7.2 of the London Plan (2016), Policies T1, T2 and T4 of the Local Plan (2018).

- 41) Prior to first occupation of the care home, details of fire rated lifts shall be submitted and approved in writing by the Local Planning Authority. All the lifts shall have enhanced lift repair services, running 365 days/24-hour cover, to ensure no wheelchair occupiers are trapped if a lift breaks down. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the development.

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

- 42) The development hereby permitted shall not be occupied before details of the walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Council. The boundary treatment shall be carried out in accordance with the approved details, before the occupation or use of any part of the development hereby permitted.

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 area; and the setting and special architectural and historic interest of the listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC4, and DC8 of the Local Plan 2018.

- 43) Prior to installation of the relevant parts of the development hereby permitted, details of new and replacement fenestration including opening style shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details; and 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 Conservation Area; and the setting and special architectural and historic interest of the listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC4, and DC8 of the Local Plan 2018.

- 44) Details of a local history plaque including the proposed size, shape, material, colour, lettering style and size, text and location for public display on the street elevation of the listed building shall be submitted to the Local Authority and approved in writing prior to occupation of the development. The local history plaque shall be installed in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

In order to ensure that the historic identity of the listed building is commemorated as a point of reference for the future, in accordance with policy DC8 of the Local Plan 2018.

- 45) Details of the height, location and paint colour of a temporary timber site hoarding to be erected around the site shall be submitted to and approved in writing by the Council prior to the commencement of demolition works. The hoarding shall be installed in accordance with the approved details prior to the commencement of demolition works and shall be retained for the duration of the demolition and construction works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.

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 Conservation Area; and the setting and special architectural and historic interest of the listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC4, and DC8 of the Local Plan 2018.

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

- 1) 1. Land Use: It is considered that the proposed land use is acceptable. The nursing home (Use Class C2) use is acceptable and in accordance with the NPPF (2018), Policies 3.16 and 3.17 of the London Plan (2016), and Local Plan Policy HO7.
2. Heritage, design and conservation: It is considered that the extensions and alterations to the listed building and boundary wall would be appropriate in scale, height, mass, proposed materials and design. The demolition of the listed summer house would cause harm to the significance of the listed building as would the impact of the extension on the setting of the main listed building. The harm to the listed building as a whole is considered to be less than substantial and it is considered that the public benefits would outweigh that harm. The building would be designed to meet local social needs, whilst also presenting a suitable response to the context of the surrounding development. The proposal would preserve and enhance the character and appearance of Hurlingham Conservation Area. The development would therefore be acceptable in accordance with the NPPF (2018), 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan (2016) and Local Plan 2018 Policies OS1, OS2, OS5, DC1, DC4 and DC8.
3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no undue worsening of noise, overlooking, loss of sunlight or daylight or outlook to neighbouring occupiers. Further, conditions would be attached to ensure that the roof terraces are within acceptable limits. In this regard, the development would respect the principles of good neighbourliness. The development would therefore



be acceptable in accordance with Policies HO11 and DC4 of the Local Plan 2018, and Key Principles HS6, HS7 and HS8 of the Planning Guidance Supplementary Planning Document (2018).

4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan (2016) Policy 7.3 and Policy DC1 Local Plan 2013 (2018). The proposal would provide ease of access for all people, including disabled people, in accordance with Policy 3.8 of the London Plan (2016), and Policies DC1, DC4, HO6 of the Local Plan 2018.

5. Transport: There would be no significant impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will secure provision of cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2018), Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2016), and Local Plan 2018 policies T2, T3, T4, T5 and T7.

6. Flood Risk: A Flood Risk Assessment dated March 2019 (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Implementation of the submitted details will be secured by condition. Details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2018), Policies 5.11, 5.12, 5.13, 5.14 and 5.15 of the London Plan (2016), and policies CC3 and CC4 in the Local Plan 2018.

7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan (2016), and policy CC9 in the Local Plan 2018.

8. Air Quality: Subject to additional air quality, mechanical ventilation and fresh air intake details, the proposal will ensure neutral air quality outcomes in accordance with Policies 3.2, 5.3 and 7.14 of the London Plan (2016) and Policy CC10 of the Local Plan 2018.

9. Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant agrees to the addition of the conditions.

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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 March 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:**

<b>Comments from:</b>	<b>Dated:</b>
London Borough Of Ealing	06.06.19
Fulham Society	24.05.19
Environment Agency - Planning Liaison	08.04.19
Historic England London Region	08.04.19
Thames Water - Development Control	22.04.19
Peterborough Road And Area Residents' Association	01.05.19

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
Flat 237 Sullivan Court Broomhouse Lane London SW6 3DW	29.04.19
68A Rosebury Road Fulham SW6	30.04.19
252 Sullivan Court London SW6 3DW	29.04.19
44 Sullivan court Fulham SW6 3by	30.04.19
10 Daisy Lane London SW6 3DD	29.04.19
40 Bowerdean Street London SW6 3TW	24.04.19
336 Sulivan ct London SW6 3bz	03.05.19
Flat 404 Sulivan Court London SW6 3DL	30.04.19
17 Daisy Lane London SW6 3DD	30.04.19
401 Sulivan court Peterborough rd London SW6 3dl	30.04.19
46 Peterborough Road London SW6 3EB	29.04.19
335 Sulivan court Peterborough road London Sw63bz	03.05.19
40 Bowerdean Street London SW6 3TW	24.04.19
50 Sulivan court Peterborough road London SW6 3 by	30.04.19
435 Sulivan Court Broomhouse Lane London SW6 3DL	13.05.19
NAG	27.04.19
19 daisy lane London SW6 3DD	17.05.19
22, Daisy Lane London SW63DD	27.04.19
312 Sulivan ct London SW6 3da	03.05.19
13 clancarty road London SW6 3ah	30.04.19
NAG	26.04.19
408 Sullivan court Broomhouse Lane Fulham SW6 3dl	30.04.19
289 Sulivan court Broomhouse lane London SW6 3dw	03.05.19
297 Sulivan court London Sw63dw	03.05.19
46 Sullivan court London SW6 3by	30.04.19
Flat 239 Sullivan Court Broomhouse lane London SW6 3DW	29.04.19
19 daisy lane London SW6 3DD	17.05.19
39 Sulivan court London Sw63by	30.04.19
268 Sulivan ct London SW6 3dw	03.05.19
47sulivan court Fulham Sw63by	30.04.19
41 Sulivan ct Fulham London SW6 3by	30.04.19

229 Sullivan Court London SW6 3dw	29.04.19
181 Rivermead Court Ranelagh Gardens SW6 3SG	13.04.19
Fulham Society 1 Rosaville Road London SW6 7BN	02.05.19
41 Broomhouse Lane London SW6 3DP	13.04.19
265 Sulivan Ct Fulham SW6 3dw	03.05.19
NAG	01.05.19
21 linver road London SW6 3ra	01.05.19
405 Sulivan Court London SW6 3DB	02.05.19
213 Sullivan Court Broomhouse Lane London SW6 3DN	29.04.19
397 Sulivan Court London SW6 3DB	02.05.19
256 Sulivan Court London SW6 3DB	02.05.19
243 Sulivan Court London SW6 3DB	02.05.19
219 Sulivan Court London SW6 3DB	02.05.19
200 Sulivan Court London SW6 3DB	02.05.19
85 Sulivan Court London SW6 3DB	02.05.19
62 Sulivan Court London SW6 3DB	02.05.19
58 Sulivan Court London SW6 3DB	02.05.19
52 Sulivan Court London SW6 3DB	02.05.19
48 Sulivan Court London SW6 3DB	02.05.19
43 Sulivan Court London SW6 3DB	02.05.19
37 Sulivan Court London SW6 3DB	02.05.19
35 Sulivan Court London SW6 3DB	02.05.19
30 Sulivan Court London SW6 3DB	02.05.19
346 Sullivan Court	14.05.19
14 Linver Road London SW6 3RB	14.05.19
278 Sulivan Court Broomhouse Lane	14.05.19
30 Linver Road London SW6 3RB	14.05.19
12 Broomhouse Road London SW6 3QX	14.05.19
139 Carnwath Road London SW6 3EJ	14.05.19
50 Linver Road London SW6 3RB	14.05.19
443 Sulivan Court London SW6 3DL	14.05.19
344 Sullivan Court	14.05.19
424 Sulivan Court London SW6 3DL	14.05.19
265 Sulivan Court London SW6 3DW	14.05.19
16 Broomhouse Road London SW6 3QX	14.05.19
19 Broomhouse Road London SW6 3QU	14.05.19
333 Sulivan Court London SW6 3BZ	14.05.19
362 Sulivan Court London SW6 3BZ	14.05.19
9 Linver Road London SW6 3RA	14.05.19
48 Linver Road London SW6 3RB	14.05.19
355 Sulivan Court London SW6 3BZ	14.05.19
275 Sulivan Court London SW6 3DW	14.05.19
434 Sulivan Court London SW6 3DL	14.05.19
42 Linver Road London SW6 3RB	14.05.19
NAG	20.05.19
371sullivan court Peterborough road Fulham Sw63bz	03.05.19
16 Daisy Lane London, UK London, UK SW6 3DD	08.04.19
34 Sulivan Court London SW6 3BY	30.04.19
57 Sulivan Road London SW6 3DT	02.05.19
8 Daisy Lane London SW6 3DD	03.06.19
20 Daisy Lane London SW6 3DD	29.04.19
13 Daisy Lane London SW6 3DD	30.04.19

173 Sullivan Court London SW6 3DN	25.04.19
33 Sullivan Court London SW6 3BY	02.05.19
36 Sullivan Court London SW6 3BY	02.05.19
222 Sullivan Court SW6 3DW	02.05.19
33 Chiddingstone Street London SW63TQ	26.04.19
22, Daisy Lane London SW63DD	24.05.19
22, Daisy Lane London SW63DD	27.04.19
197 Sullivan curt Broomhouse lane Fulham SW6 3DW	29.04.19
18 Daisy Lane London SW6 3DD	23.04.19
262 Sullivan court Broomhouse Lane Fulham SW6 3DW	29.04.19
54 Sullivan Peterborough road London SW6 3by	30.04.19
13 Clancarty road London SW6 3ah	30.04.19
6 Hurlingham Road London SW6 3QY	13.05.19

## 1.0 SITE DESCRIPTION AND RELEVANT HISTORY

### Site and Surrounding Area

1.1 The rectangular shaped application site (0.2ha) consists of the two storey Castle Centre with its main frontage on Broomhouse Lane to the west, and side frontage facing Daisy Lane. The building and its curtilage structures are listed at Grade II. The site lies within the Hurlingham Conservation Area.

1.2 The site includes the main building (Castle Club) plus two adjoining residential lodges and an ancillary glazed single storey summerhouse. The Castle Club is a highly ornate Gothic Revival building built in red brick with Bath stone dressings and slated roofs. Originally built as a free school (or ragged school) for the education of local children, called the Elizabethan School, it was acquired by the LCC in 1904 and became a school for tubercular children in 1921. In 1931 the building was classed as an "open air" school. The ownership of the building passed from the LCC to the GLC and then to the London Borough of Hammersmith and Fulham. The main building was occupied until October 2007 by Children's Services as a youth club and after school service, after which it was used as a single family dwelling. The site is currently vacant.

1.3 The main access is from Daisy Lane to the north of the site, and another secondary pedestrian entrance off of Broomhouse Lane to the west.

1.4 The townscape around the application site is varied in character. Immediately north of the site is Sullivan Court Estate, a post-war housing estate of 5 storey brick apartment blocks set back significantly from the footway within generous grounds of lawn gardens. To the west, and opposite the main entrance to the listed Castle Club building, the site faces the eastern entrance and boundary of the Hurlingham Club which is characterised by a tall brick perimeter wall with mature trees behind that largely conceal the Club buildings. The site directly adjoins the Parsons Green Sports and Social club on its southern and eastern boundary.

1.5 The site has public transport accessibility level (PTAL) of partly 1b and partly 2 on a scale of 1- 6b with 6b having the highest PTAL. The site is located within Flood Zone 2 and 3.

## 1.6 Relevant Planning History

In February 2008 planning permission was granted (Ref. 2007/03853/FR3) for the use of the whole property as a single dwellinghouse (Class C3).

In November 2008 planning permission was granted (Ref. 2008/02572/FUL) for the excavation of front and rear lightwells, in connection with the creation of a new basement; erection of a single storey glazed extension to the rear of the premises; relocation of summer house; alterations to outbuilding to create a new garage, together with new vehicular access onto Daisy Lane; and related alterations, in connection with the use of the premises as a single dwelling house.

In August 2017 planning permission was granted (Ref. 2017/02287/FUL) for the complete renewal of the existing damp proofing course to the ground floor slab around the entire perimeter of the building; complete lifting and relaying of floorboards adjacent to walls where dry rot is present in the ground floor North Eastern and South Eastern rooms to facilitate rot treatment; localised removal and repair to floor joists where extent of decay has made them structurally unsound; complete removal of timber wainscot style panelling in the main hall where wet rot is present; complete removal of existing internal plaster which has blown from the backing where damp and dry rot is present; complete removal and replacement of existing failed roof, including all battens, insulation and Welsh slates; replacement of all new lead ashings where appropriate; minor repairs to the external brick and diaper patterned brick facade including localised stone repair where structurally unsound and pointing repair; replacement pointing with a lime mortar with black aggregate to match to suit adjacent area; where existing cementitious pale coloured mortar is retained, to be soot washed to blend with the new works; full overhaul and redecoration of all metal framed windows, including the complete replacement of all glazing 1m from floor level to toughened glass; chimneys and roof castellation to be reviewed and investigated for structural integrity; replacement of doors with new hardwood timber close boarded doors.

In December 2017 planning permission (Ref. 2017/03172/FUL) and listed building consent (Ref. 2017/03173/LBC ) was granted for the demolition of the summer house and external metal stair on the rear elevation; internal repairs and reconfiguration of the building including removal of internal walls at ground and first floors of south wing; erection of new internal stair in south wing; insertion of new internal doors; replacement of ceiling; and associated restoration and alterations.

### Current proposal

1.7 The application is for alterations and extensions to the Grade II listed building including the demolition of the summer house, erection of a part-one, part-two and part-three storey extension and excavation of a partial basement to the rear in connection with the use of the building as a 33-bedroom nursing home (Use Class C2) together with the demolition and replacement of front and side boundary wall, and re-instatement of a new means of access to the highway from Daisy Lane.

## 2.0 PUBLICITY AND CONSULTATION:

2.1 The application has been advertised by means of a site notice and a press advert. Individual notification letters were sent to the occupiers of 469 neighbouring properties.

Seventy-four letters of support have been received, supporting the use of the Listed Building as the nursing home, the creation of employment opportunities, and that the proposal would not have significant impacts on highways matters. Twenty objections have been received in relation to the original submissions including letters from the Fulham Society, the Victorian Society and Peterborough Road Residents Association. The grounds of objection can be summarised as follows:

- Proposed scale and massing of the extension building would be overdevelopment and have an adverse impact on the character of the conservation area and surroundings, and the setting of the Listed Building
- Design of the extension building out of keeping with the character and appearance of the Listed Building, in particular the east elevation
- The business model will not be sustainable economically
- Lack of need for a nursing home
- Nursing home would alter the character of the area, and should be a school instead
- Increase in traffic and parking stress
- Inappropriate use for the Listed Building, as it would limit its public use. A school would be a better use of the building.
- Lack of outdoor space for residents

2.2 Following the submission of amendments, the Victorian Society and Fulham Society have withdrawn their objections following amendments.

2.3 Historic England: Objected to the removal of internal stairs, which has since been omitted from the proposal.

2.4 Environment Agency: No objection.

2.5 Thames Water: No objection subject to conditions.

### 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 (hereafter referred to as LP 2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include: the principle of the development in land use terms; quantum and intensity of development; heritage, design and appearance; existing residential amenities of neighbouring properties; environmental matters; and traffic impact on the highway network.

3.2 The new draft London Plan was published on 29 November 2017. The Plan's consultation ended on 2 March 2018. An Examination in Public (EiP) commenced in January 2019, and publication of the new Plan is expected in the autumn of 2019. It is therefore considered that the new draft London Plan should be given limited weight at this stage in determining this application. In the interim, consideration shall be given to the London Plan (Consolidated with Further Alterations 2016).

## LAND USE

### Care home use

3.3 The application is for the use of the site as a 33 bedroom residential care home(C2) with specialist assisted living care for people with dementia.

3.4 Local Plan Policy HO7 states that the council will encourage and support applications for new special needs and supported housing, including specialist housing for older people, subject to the following criteria:

- a. Established local need;
- b. Standard of the facilities;
- c. Good level of accessibility to public transport and other facilities; and
- d. No detrimental impact to the amenity of the local area or to local services.

3.5 Hammersmith and Fulham's Joint Strategic Needs Assessment (2013-2014) states that the number of people with dementia in the borough is expected to rise by 24% in the next decade due to the ageing of the baby boom population, improved life expectancy and survival from other chronic disease. JSNA Dementia Full Report (2015) notes that LBHF has the sixth lowest provision of care homes in the country. The proposed 33 assisted living units (Use Class C2) would result in a material public benefit that would result in the provision of additional specialist care accommodation for which there is a known need. The proposal is acceptable in principle, and would accord with Policy HO7 of the Local Plan, subject to the standard of the facilities being satisfactory. The potential impact on the surroundings in terms of amenities and highways matters is considered further in the body of this report below.

### Loss of residential use

3.6 Policy HO1 of the LP 2018 (Housing supply) seeks the retention of existing residential accommodation. The proposal would result in the loss of one residential unit. The potential benefits of the scheme include securing a viable future use for the listed building and its long term conservation; restoration of historic architectural features and the provision of new specialist care accommodation. These potential public benefits are considered to outweigh the loss of the single residential unit. In this case the loss of the residential unit is therefore considered acceptable.

### Loss of open space:

3.7 Under the terms of LP Policy OS2 'Access to Parks and Open Space' the loss of public or private open space will not be permitted where such land either individually or cumulatively has local importance for its open character or as a sport, leisure or recreational facility or for its contribution to local biodiversity or visual amenity, unless it realises a qualitative gain for the local community and provides for the relocation of the open space.

3.8 The existing Castle Centre is located on a confined site and the existing external areas available are limited. The proposal would lead to the loss of a predominantly green and landscaped area, including trees, along the east and south boundaries of the site, which will be taken up by the link and new building. It is considered that the location of the proposed buildings have been carefully considered to maintain the

maximum amount of external open space and in terms of limiting the harm to the setting of the listed building. Although there would be a loss of open space, it is considered that the balance between sufficient outdoor space, and the provision of an acceptable standard of facilities with adequate internal rooms standards would be met.

3.9 The remaining open space is considered sufficient to meet the needs of the care home. In view of the above the proposed development is judged to be acceptable in terms of LP Policy OS2.

## Trees

3.10 London Plan Policy 7.19 'Biodiversity and Access to Nature' and Policy 7.21 'Trees and Woodland' are concerned with protecting biodiversity and trees. The policies require that if a tree is to be removed, it should be replaced following the principle of 'right tree, right place'.

3.11 LP Policy DM OS5 'Greening the Borough' seeks to protect existing trees and maximise planting.

3.12 The site has a total of 3 trees, including a Sycamore to the front on the Broomhouse Lane side, with an Ash and a Mulberry tree near the rear corner. None of the trees are subject to a Tree Preservation Order. The Ash and Mulberry are in a poor condition with very limited safe useful life expectancy and are to be removed on arboricultural safety grounds. It is therefore proposed to retain only the Sycamore to the front which is in a reasonable condition and provides the most public visual amenity value. The Council's tree officer has considered the proposals and concludes that the loss of the two trees is acceptable subject to conditions ensuring the retention of the most prominent Sycamore tree.

3.13 A Tree Protection Plan has been submitted, detailing measures to ensure the protection of the Sycamore tree during construction. The implementation of these measures is to be secured by Condition 34 and subject to this, the proposal is considered to be acceptable with regards to LP Policy OS5.

## HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

### Background

3.14 The proposals are for the redevelopment of the site and restoration and refurbishment of the existing Grade II listed Castle Club building, to create a nursing home. The application seeks to demolish the existing summerhouse within the grounds and replace it with a modern part one, part-two-storey plus basement building, which forms a single storey link with the existing listed building. The proposal also includes the demolition and replacement of the existing boundary walls to a design based upon the original wall built in 1855. The proposed redevelopment intends to restore the refurbish the existing listed building as a landmark within the local area and provide quality accommodation for its use as a nursing home.

Site location, surrounding townscape, and heritage context



3.15 The site lies to the south of Fulham Town Centre and Parsons Green. The site is set between large open spaces, with the Hurlingham Park and Club Grounds to the west and South Park to the east.

3.16 The site is located on the corner of Broomhouse Lane and Daisy Lane. The townscape around the application site is varied in character. Immediately north of the site is Sullivan Court Estate, a post-war housing estate of 5 storey brick apartment blocks set back significantly from the footway within generous grounds of lawn gardens. To the west, and opposite the main entrance to the listed Castle Club building, the site faces the eastern entrance and boundary of the Hurlingham Club which is characterised by a tall brick perimeter wall with mature trees behind that largely conceal the Club buildings. The site directly adjoins the open sports pitches of the Parsons Green Sports and Social club on its southern and eastern boundary. Further to the east is the Hurlingham Academy, a modern school design set around two internal courtyards behind the two storey residential terraces that line the eastern end of Daisy lane. Further to the south also fronting Broomhouse Lane are two locally listed buildings of merit - Sycamore and Ivy Cottages which are of a domestic residential scale. Broomhouse Lane is one of the main north south routes from the river towards Parsons Green and is therefore well-used. The western edge of the road is highly inactive served only by the Hurlingham Clubs boundary wall. In this context, the prominent Castle Club building commands the corner site and holds the townscape together.

3.17 The site lies within the Hurlingham Conservation Area and the Castle Club buildings are Grade II Listed. There are no other statutory listed buildings within the immediate surroundings, with the exception of the two located listed buildings of Merit, located just to the south of the site (Sycamore Cottage and Ivy Cottage).

## History

3.18 The history of the local area and its characteristic open townscape is largely due to the development of Hurlingham House (1760) and the grounds of The Hurlingham Club (1869) which was founded and remains as a private sports club. Like much of Fulham until the 18th century the area was largely rural, with a number of large riverside mansions developed as retreats for the upper echelons of society. The wider area began to develop more densely in the early 1900s with the advance of local industry and its associated increase in population size which spurred the development of residential neighbourhoods to the north of the site, in Walham and Parsons Green.

## Existing Buildings

3.19 The site is currently occupied by the Grade II Listed Castle Club building and an ancillary glazed single storey summerhouse.

3.20 Formerly known as the 'Elizabethan School' the Castle Club was commissioned by the Sullivan Family and built as a 'ragged School' by Architects Frederick and Horace Francis in 1854. It has remained as a school and youth club for most its life. The main building is of gothic revival style, built of red brick with black diaper and stone dressings. It is symmetrical in form, bookended by richly decorated projecting wings on its north and south elevations, with a dominant central tower embellished by an ornate oriel window at first floor level over the principle entrance and crenelated stone parapet. Original external decorative details included quoined buttresses, elaborate tracery and surrounds to mullioned-and-transomed windows, grouped chimneys, and a delicate

stone parapet to the central tower with quatrefoil motifs and crocketed finials with weathervanes. Given the level of detailing, location, and scale of the building, it makes a strongly positive contribution to the streetscape and conservation area. However, the building is currently vacant and in a neglected condition, suffering from decay caused by water ingress and wet and dry rot.

3.21 The pavilion summerhouse building, located to the rear of the school, is a more modern addition to the site having been granted planning permission in 1935 to provide an open air learning space for children with tuberculosis. The building sits on a concrete base with solid walls to half height and multi-pane glazing above. The hipped roof profile incorporated a ridge vent, rooflights with internally exposed timber rafters. It is a rare surviving example of an LCC open air interwar school building, albeit on a modest scale.

3.22 The site is currently bound by a relatively high modern brick wall built in the 1960's which replaced the original boundary wall. The earlier wall was constructed in red brick with stone piers and copings topped with decorative cast iron railings. Sitting in the south west corner of the site is an ornate red brick bench with stone detailing which presents a unique and unusual feature within the grounds.

#### Listed building application history

3.23 A series of applications have been approved for works to the listed building to facilitate its repair and re-use. Applications have included repair and restoration works to the external elevation (windows, doors, masonry, roof covering) and internal alterations including moderate alterations to ceiling heights and the circulation and layout of the building.

#### Application Refs:

- Approvals - 2017/01893/LBC and 2017/02287/FUL: A complete renewal of the existing damp proofing course to the ground floor slab around the entire perimeter of the building; complete lifting and relaying of floorboards adjacent to walls where dry rot is present in the ground floor North Eastern and South Eastern rooms to facilitate rot treatment; localised removal and repair to floor joists where extent of decay has made them structurally unsound; complete removal of timber wainscot style panelling in the main hall where wet rot is present; complete removal of existing internal plaster which has blown from the backing where damp and dry rot is present; complete removal and replacement of existing failed roof, including all battens, insulation and Welsh slates; replacement of all new lead flashings where appropriate; minor repairs to the external brick and diaper patterned brick facade including localised stone repair where structurally unsound and pointing repair; replacement pointing with a lime mortar with black aggregate to match to suit adjacent area; where existing cementitious pale coloured mortar is retained, to be soot washed to blend with the new works; full overhaul and redecoration of all metal framed windows, including the complete replacement of all glazing 1m from floor level to toughened glass; chimneys and roof castellations to be reviewed and investigated for structural integrity; replacement of doors with new hardwood timber close boarded doors.

3.24 The successful refurbishment of the Listed building and integration of the new nursing home building within its grounds is key to the development. The design of the new Castle Club building would need to be of high quality and respectful of its heritage

setting and corner location with the Hurlingham Conservation Area. The proposal is described in further detail below.

## Policy Framework

3.25 The NPPF states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation - but extends this to recognise a role for change and increased densities. The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF state that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment.

3.26 The NPPF 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.27 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.

3.28 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 16, Section 66 and Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the requirements set out in the NPPF

3.29 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.

3.30 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. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('Listed Buildings Act') states in relation to listed buildings that : 'In considering whether to grant listed building consent for any works, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest which it possesses.

3.31 Paragraph 193 of the NPPF 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.

3.32 Paragraph 195 of the NPPF states that: Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

3.33 Paragraph 196 of the NPPF 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.

3.34 Paragraph 197 of the National Planning Policy Framework states that: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

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

3.35 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 195 and 196, it is important to recognise that the statutory

provisions require the decision maker to give great weight to the desirability of preserving the heritage asset and/or its setting.

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

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

3.38 London Plan Policy 7.4 requires developments to provide high quality design responses to existing spaces, to create a positive relationship with street level activity and to allow 'existing buildings and structures that make a positive contribution to the character of a place to influence the future character of an area'. London Plan Policy 7.5 requires public realm to be comprehensive at a human scale through appropriate treatment such as gateways, focal points, landmarks and landscape treatment. Proposals should be informed by the heritage of an area, reinforcing the connection between public spaces and (inter alia) local features that may be of heritage significance. Proposals should further consider integration with high quality public art. Policy 7.6 sets high architectural standards for all buildings and structures, and requires these to enhance, activate and define the public realm. It allows for materials that complement but do not necessarily replicate the local architectural character. 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.

3.39 Local Plan Policy DC1 states that all development within the borough 'should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places'.

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

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

3.41 Policy DC8 (Heritage and Conservation) aims to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.

### Design Evolution

3.42 The design sets out to achieve several objectives within the above policy constraints. The proposals seek to restore and repair the fabric of the Grade II listed building and provide nursing home facility of the highest architectural quality which does not compete with the integrity of the Listed building in terms of its form and massing, but which has a positive identity of its own.

3.43 The key aims for the site were identified and agreed with the applicants at the outset. Most importantly, the existing 19th century Castle Club building needed to be repaired sensitively with minimal interventions to the internal layout. The massing and plan form of the new building, which replaces the Summer House, needed to respond to, and integrate with the setting of the site and connect with the existing building in an unobtrusive way. Views from the street to the listed buildings need also not be disrupted, and the facades be confident and clearly legible as a separate modern building, with a civic quality which acknowledges the institutional nature of its use as well as its position fronting Broomhouse Lane.

3.44 During the development of the proposed design, in addition to officer negotiations, comments were received both from the public consultation exercises carried out and an earlier iteration of the scheme as a school site was reviewed at the Design Review Panel in April 2017. Comments of relevance to the current proposals are outlined below and have been adopted where possible.

### Design Review Panel- Key issues

3.45 The Panel raised comments on the following topics and encouraged the design team to ensure that they are carefully considered so that the design fulfils its potential:

- To pursue the revised entrance sequence
- To pursue a robust and coherent landscape strategy. This strategy should include an arboriculture report and consider planting on the street frontage on Daisy lane to improve the local townscape.
- To advance the internal space planning of the building and the explore the need for setbacks which break the strong vertical rhythm of the building.
- To pursue alternative boundary design options.
- To develop greater articulation of the elevations addressing the Sports Grounds.
- To consider a reduced palette of materials.

3.46 The panel welcomed the scheme to restore the listed building. The applicants have addressed the points raised by the Design Review Panel in their development of the design.

### Nursing home extension

3.47 Various options were explored for the massing of the extension along the eastern boundary of the site. The proposed massing is based on an L shaped plan form which pushes the bulk of the new extension into the far south-east corner of the site allowing

the Listed Building to retain its prominence in the street scene on both Broomhouse Lane and Daisy Lane. The height of the extension takes its datum from the top of the first floor wings of the existing school, and does not rise higher than this at any point. The mass also responds to the existing school though incorporating a set-back on the northern elevation, so that views to the north lodge wing remain clear, and a break at first floor level which introduces a hierarchy at first floor level that echoes the form of the existing building. The basement excavation would be below a small part of the main part of the extension building to house plant. The basement level would therefore not be visible, and would be set away from the Listed Building.

3.48 The elevations adopt a vertical articulation and rhythm which is well proportioned and expressed through the use of a repeating slim bay framed with reconstituted Bath stone surrounds and a deep reveal. Each bay is headed by a simple anodised aluminium panel in a colour to compliment the Bath stone. On the eastern elevation the rhythm of the bays changes to try and give relief to the longest elevation. Four two storey height bays with patterned brick slip panels and stone frames are equally divided by a slimmer bay which uses panels of green wall at lower level with wrap around glazing above.

3.49 On the elevations facing Broomhouse and Daisy Lane, bays are set around rusticated reconstituted Bath stone clad piers. The set back on the north elevation and its terrace is bound by a frameless glass balustrade which creates a clean horizontal break between ground floor and first levels. Drawn in from its perimeter, the new building will be topped by a brown roof and a suite of PV panels.

3.50 The ground floor link element between the main listed building and the extension takes a clearly modern and visually light weight form with large glazed bays framed with reconstituted stone. The link, achieved by a simple glazed connection with minimal intervention into the listed fabric ensures a legible distinction between the Listed fabric and the new addition.

3.51 The design of the extension provides a high-quality response to the listed building. The use of stone creates a calm and neutral backdrop which does not compete with the more intricate detail of the Listed building. Overall, materials and forms will be clean, simple, and sympathetic to the surroundings, allowing the existing building to remain the primary focus of the site.

#### Public realm and Landscaping:

3.52 The proposed boundary treatment is for a short brick wall topped with stone piers and decorative cast iron railings which replicates the original boundary wall built in 1855. The boundary would match the original building and ensure it would have greater presence in the street, by virtue of its scale and use of visually permeable railings, which would enable greater views of the school from the street.

3.53 The western area of the site will be softly landscaped with a lawn and planting of, giving it a verdant character, whereas areas to the rear that will be more heavily used will be surfaced with hard permeable landscaping (Permeable paving tiles and resin bound gravel). Ornamental planting is used at the base of both buildings to create a buffer and compliment the formality of their bases.

3.54 Access to the site will be gained through a new entrance gate on its north edge along Daisy Lane which will provide level access. Car and cycle parking spaces have been included within the central hard landscaped area. A ramp running alongside the western elevation of the new building has been provided to enable access to the glazed reception area. Access to the listed building will still be primarily from the north wing via several steps.

## HERITAGE ASSETS

### Overview

3.55 The proposal includes the demolition of the summer house to make way for a new two storey nursing home building which connects to the rear of the listed building via a single storey link element.

### Policy Framework

#### Impact on Heritage Assets

3.56 This is a substantial piece of development which due to its nature has significant implications for the listed Castle Centre building and its setting, as well as to the conservation area and the surrounding townscape. Officers assessment of the proposal first turns to proposals for internal changes to the listed building together with the acceptability of the demolition of the summer house and the erection of new extensions to evaluate the impact that they would cause to the significance of the heritage assets. Secondly, officers have assessed the visual impact of the scheme on the setting of the listed building and the character and appearance of the Hurlingham Conservation Area.

#### First assessment: Impact on Heritage assets

#### Repairs and Internal alterations:

3.57 Works to the listed building include the complete refurbishment and restoration of doors, joinery, windows, and replacement of missing skirting, in addition to the restoration of stone floors and re-instatement of the missing chimney pieces. Externally, the proposals include the re-instatement of the missing boundary wall and cast iron railings and the replacement of the existing modern gates on Broomhouse Lane with a historic design.

3.58 Within the building, the eastern room of the northern wing will see the highest level of alteration with the proposed installation of a kitchen. However, drawings supplied at this stage demonstrate that the new units will respect the existing windows and cills, and that the ventilation to the cooker will have a negatable impact on the external facade, being located discreetly behind a flush ventilation grill.

3.59 Officers consider that the proposed repair and restoration work would not harm the significance of the listed building and will provide heritage benefits.

#### Demolition of the summer house:

3.60 The list description plan identifies the summer house as an element within the setting of the main school building. The significance of the Summer House therefore lies



in its relationship to the historic school in terms of its use and design, having been built to enable and improve the educational function of the Listed building as a school for children with tuberculosis. It is therefore of historical significance. However, it is less significant to the setting or Conservation Area, to which it makes a minimal contribution by virtue of its discreet location to the rear of the main building, which prevents views to the building from the surrounding townscape.

3.61 Officers consider that the demolition of the summer house would lead to less than substantial harm to the listed building overall. Its demolition is considered essential to creating sufficient space on the site for the development of high quality nursing home facility centred around the restored listed building, with the potential to deliver public benefits and to secure the reuse and long term future conservation of the main listed building on the site.

New buildings link:

3.62 A connection between the living accommodation for the nursing home and existing Listed building is gained via a single storey link element. The connection of the link element to the existing building require minimal intervention to the existing fabric. The glazed element will be locally, and cleanly chased into the brickwork, with the rear elevation of the building being fully retained and visually expressed through the glazed link. This element is not considered to cause harm to the significance of the listed building.

Second Assessment: Visual Impact

3.63 Officers have assessed the key views analysis to form a judgement of the impact of the new building on the setting of the Listed building and local Conservation Area. Local views were tested from viewpoints to the south along Broomhouse Lane and the north and east along Daisy Lane.

Broomhouse Lane views:

3.64 View 1: View from the south, looking north along Broomhouse Lane, shows that the adjoining approved scheme at Parsons Green Sports Club will fully obscure views to the new building, leaving the Castle Club to appear as an independent element on the street edge. This mid distant view indicates the importance and success of the set-back building line in the south-western area of the site.

3.65 View 2: Close range view looking east from Broomhouse Lane towards the southern end of the site, shows the extension sitting alongside the existing Castle Club. While highly visible, the extension is lower in height, set back, and of a contrasting materiality which ensures it is read as a subservient addition to the Listed Building. Its modern design and quality is considered to add positively to the townscape. These views demonstrate that the impact of the extension on the setting of the listed building has been minimised.

Daisy Lane Views:

3.66 View 3 and 4: Views looking south west demonstrate that while the extension would be highly visible, views to the north wing and its entrance would not be impaired. Views close to the site reveal the importance of the first floor set back within its minimal

terrace balustrade and the depth and layering to the vertical bays. View point 4 looking south from the corner of Sullivan Court towards the site demonstrates that only the front of north elevation would be seen. Importantly, the prominence of the Castle Club building would be retained with the extension sitting subserviently in the background. Further, the views demonstrate the benefit of a smaller and visually permeable boundary which enables greater views of the school.

Internal site views:

3.67 View 5: Taken from inside the grounds looking south to the entrance lobby, this view indicates the importance of a large central bay to mark the entrance to the nursing home and the lightweight fixing of the link element to the listed building. The large glazed bays allow for the brick of the listed building to be read behind.

Townscape Assessment Summary

3.68 The view studies have enabled officers to assess the impact of the proposed development and conclude that the development would result in some harm to the setting of the Castle Club. However, the proposal would also bring some enhancement to the character and appearance of the Hurlingham Conservation Area and improvement to the surrounding townscape.

## DESIGN AND HERITAGE CONCLUSION

3.69 Officers consider the Proposals to have been carefully designed, responding to the significance of the listed building and its setting, so that when the two elements are viewed together they are seen as complimentary with the prominence of the listed building remaining unchallenged. The proposal is therefore in accordance with both national guidance in the National Planning Policy Framework and strategic and local policies on design of new buildings in a heritage context.

3.70 The proposed built form of the new nursing home building is broadly sympathetic to the adjoining form of the Castle Club building. In addition, the detail of its elevations, which have a contemporary architectural language and materiality, respectfully contrast with the Castle Club to ensure its prominence is not diminished. Furthermore, the proposed repairs and internal alterations to the listed building and boundary walls, and the formation of the new linking structure between the new and existing buildings are considered acceptable in terms of their impacts on the affected heritage assets. Overall, the scheme presents an opportunity to secure the long term conservation of the main Castle Club building, bringing it and its grounds back into use. The character and appearance of the Conservation Area and the surrounding townscape would be enhanced.

3.71 Officers have assessed the overall impact of the proposal on heritage assets and mindful of the statutory duties and NPPF guidance have given great weight to the conservation of heritage assets. Officers consider it would the proposal would cause less than substantial harm to the significance of the listed building as a whole, as a result of the demolition of the summer house and some harm to the setting of the main listed building on the site arising from its juxtaposition with the extension. However Officers acknowledge the public benefits of the proposals, including heritage benefits and consider that on balance it is compliant with Sections, 16, 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in

accordance with national guidance in the NPPF, London Plan policies and Local Plan policies on the historic environment and urban design.

## ACCESSIBILITY

3.72 London Plan Policy 7.2 'An Inclusive Environment' and LP Policies DC1 and DC2 all relate to access to buildings, requiring that buildings should be accessible and inclusive both internally and externally. For residents, visitors and staff, the main approach to the site is through the new Daisy Lane entrance. Currently several steps lead up to all the existing entrances to the building and there are presently no provisions for level access. To provide appropriate access arrangements for users of the site, level access measures are proposed through ramped landscaping up to the new reception area. Level access lifts are proposed within the new and existing building to enable disabled access. The proposal's access arrangements form an essential part of this proposal and are considered acceptable and in accordance with London Plan Policy 7.2 'An Inclusive Environment' and LP Policies DC1 and DC2.

## RESIDENTIAL AMENITY

3.73 Policies DC1, DC4, CC11, CC13 and HO11 of the LP 2018 require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles 6, 7 and 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.74 There are residential properties on two sides of the proposed extension building. To the north east is the end of the row of two storey terraced houses on the south side of Daisy Lane (No.s 5-22 Daisy Lane). To the south, the application site adjoins the clubhouse of the Parsons Green Sports Club, which is currently under construction includes residential floorspace on the upper floors.

### Outlook:

3.75 SPD Housing Key Principle Policy HS6 acknowledges that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

### Daisy Lane

3.76 To the north east No. 22 Daisy Lane is 30m away from the application site, and as such would not be affected by the proposed building.

## Parsons Green Club

3.77 To the south of the application site is the four storey Parsons Green Club clubhouse which has residential accommodation on the upper three floors. The flank elevation of the proposed three storey extension would face that neighbouring building.

3.78 The nearest opposing habitable windows (serve bedrooms) to the proposed extension building would be at least 9.5m away, which are in the side elevation at first and second floor level of the clubhouse building. It is acknowledged that the proposal would infringe upon a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level taken from the shared boundary. Key Principle SH6 makes clear that on-site judgement is the determining factor in these situations.

3.79 While the proposed extension would increase the height of development on the southern boundary shared with the Club, the main living area windows face to the east and the most affected windows are above ground floor level and at least 9.5m away. Officers consider that the proposed development would retain a satisfactory sense of openness to the nearest flats within the clubhouse by reason of the proposed distance of separation. The siting and massing of the proposed building would not have an overbearing effect, to a degree that would warrant the refusal of planning permission.

3.80 Officers conclude that the development would not give rise to unacceptable levels of loss of outlook and sense of enclosure and would therefore be acceptable in terms of SPD Housing Key Principle Policy HS6.

### Privacy:

3.81 SPD Housing Key Principle HS7 states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window, or be designed to prevent overlooking. In addition, it states that a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.

3.82 While there are no opposing windows in the south elevation of the proposed extension building within the application site, there is a proposed roof terrace which faces four habitable room windows at first and second floor level in the north elevation of the Parsons Green Club which is nearing completion. The proposals therefore include a 1.7m high obscure glass screen on the side elevation facing the Parsons Green Club which would prevent opportunities for overlooking or loss of privacy (Condition 35). In this form the proposal is considered to comply with Policies HO11 and DC1 and DC4 of the LP 2018, and SPD Housing Key Principle HS7.

### Noise and disturbance:

3.83 Policies CC11 and CC13 of the LP 2018 relate to environmental nuisance and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. SPD Key Principle HS8 adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.

3.84 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed terrace areas at second floor level. While it is considered that due to the prospective users of the spaces unlikely that having regard to the size of the proposed terraces. Although the terraces are relatively large at 50sqm and 39sqm respectively, given the nature of the proposed users of the site, it is not considered that the terraces would have any significant potential to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance. However, a condition is to be attached to any permission controlling the hours of use, and to prevent any music being played to ensure the amenities of the occupiers of surrounding residential properties are not unduly affected as a result of noise and disturbance (Condition 37). It is considered that the proposed development would accord with Policies HO11, CC11 and CC13 of the LP 2018 and SPD Key Principle HS8 regarding noise.

#### Daylight and Sunlight:

3.85 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', set out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly. In this case the only potentially affected building is the Parsons Green Club clubhouse. However, this building is orientated to the south of the application site, and as such would not be impacted in any significant way in terms of loss of daylight/sunlight.

#### Overshadowing:

3.86 The nearest residential amenity space is the rear garden of 22 Daisy Lane over 30m away. The proposal would therefore not have any impact on any neighbouring properties in terms of overshadowing.

3.87 Officers consider that the habitable rooms, and neighbouring gardens would on the whole have sufficient access to daylight and sunlight after the development has been constructed complying with Policies HO11, DC1 and DC4 of the LP 2018.

#### Light pollution

3.88 Policy CC12 of the LP 2018 seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination. Subject to a condition requiring the submission of further details (Condition 38), officers consider the level of illumination from the development would not be harmful or out of character with the location or result in any significant harm to neighbouring properties. As such officers consider that the proposal accords with the requirements of Policy CC12 of the LP 2018.

#### TRAFFIC AND HIGHWAYS

3.89 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.90 Policies 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13 of The London Plan set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards and cycle standards.

3.91 LP Policy T1 'Transport' supports The London Plan and seeks to improve transportation within the borough, by working with strategic partners and relating the size of development proposals to public transport accessibility and highway capacity. LP Policy T2 'Transport Assessment and Travel Plans' states that all development proposals will be assessed for their contribution to traffic generation, and LP Policy T4 of the sets out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. LP Policy T3 'Increasing the Opportunities for Cycling and Walking' seek to ensure that satisfactory cycle space is provided for all developments.

#### Trip generation

3.92 The development proposals comprise the refurbishment and extension of the main Castle Centre building to enable a care home for people with dementia. The applicant provided a visitor log for the comparable nursing home in Chelsea for which they are the operator. This has been used to forecast visitor numbers and benchmark servicing assumptions. Residents are not expected to travel from the site, and if so, would be on a very infrequent basis. Staff are expected, based on the comparison site in Chelsea, to use public transport, cycling or arrive by foot. There would be no on-site parking for staff. Applying the trip rates observed at the comparable nursing home to the proposal, the 33 bedrooms will result in a total daily demand of 9 visitors, 31 staff trips and up to 7 delivery and servicing trips. This equates to a total of 47 trips per day (across all modes). The analysis demonstrates that the forecast traffic generation will have a negligible impact on the highway and public transport networks.

#### Access

##### Vehicular access:

3.93 The historic vehicular access along Daisy Lane would be reinstated. The site at present has a gated access which was used as a vehicular access. However, LBHF have reinstated the footway and kerbing in this location and a crossover is no longer present. The vehicle crossover will involve the removal of two car parking spaces from this section of Daisy Lane. The overnight parking occupancy figures show that of the 32 bays along the south side of Daisy Lane, 22 were occupied with a resulting parking occupancy of 59%. Reinstatement of the vehicular access does not raise concerns.

3.94 The vehicular access location on to Daisy Lane is more than 10 metres from the junction on Broomhouse Lane and is therefore considered acceptable. All work on the public highway would have to be carried out by the Council's highway contractors and would be secured by a s278 agreement to fund the works.

## Service access

3.95 Refuse collection will occur on-street from Broomhouse Lane, where there is sufficient space along the carriageway to allow for on-street refuse collection. It is envisaged that loading and unloading will be carried out within the demise of the development. The proposals include a loading bay within the car parking area, providing a loading bay for a vehicle up to a 7.5T box van. Sufficient space will be provided to allow for vehicles to enter and exit the development in a forward gear. This is considered acceptable, and could be secured through condition.

## Car parking

3.96 The Site will provide a total of four on-site parking spaces, two of which will be disabled parking spaces. One of the car parking spaces would be fitted with an electric vehicle charging point, in accordance with London Plan and Local Plan policies. One loading bay is also proposed on site.

3.97 The development is located in PTAL area 2 meaning it has poor access to public transport. Considering the usage of the development, 4 parking spaces (including 2 disabled) is considered acceptable.

## Cycle parking

3.98 London Plan Policy 6.9 on Cycling, includes minimum standards. According to the London Plan, the minimum cycle parking provision would be 5 long stay spaces based on 25 staff at any one time. There is also a requirement of 1 short stay space per 20 bedrooms. A total of 8 spaces are proposed, which is considered acceptable. The provision of the cycle storage is to be secured by condition (Condition 13).

## Refuse/recycling

3.99 London Plan Policy 5.16 outlines the Mayors approach to waste management. Policy CC6 and CC7 of the LP 2018 requires development to incorporate suitable facilities for the storage and collection of segregated waste. The plans indicate bin storage within the curtilage of the site, accessed from Broomhouse Road (Condition 14). The submission of details of a Service and Delivery Management Plan will be secured by Condition 28.

3.100 It is considered that the development would not adversely impact on the local highway network. In the respect the development would be acceptable with regards to Policies 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13 of The London Plan and Local Plan (2018) Policies T1 and T2.

## ENVIRONMENTAL CONSIDERATIONS

### Flood Risk:

3.101 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

3.102 London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.103 LP Policies CC3 and CC4 DM H3 which relate to Flood Risk and Sustainable Urban Drainage requires development proposals to reduce the use of water and minimise existing and future flood risk and the adverse effects of flooding on people by implementing a range of measures such as Sustainable Drainage Systems (SUDS) (where feasible) and also the use of water efficient appliances.

3.104 The proposals include redevelopment of the site including addition of new buildings and future use as a nursing home. As required, a Flood Risk Assessment (FRA) has been provided with the application. This site is in the Environment Agency's Flood Zone 3 and is well protected by flood defences such as the Thames Barrier and local river walls. However, if these failed or were breached, parts of the site could be impacted by flood water according to Environment Agency modelling. In the Environment Agency's 2100 breach scenario there is a risk of flood water impacting on part of the site, but the FRA notes that finished floor levels (FFLs) for the ground floor of the building are above the levels that would be expected to be impacted by flooding from a breach event. The potential impacts of groundwater, surface water and sewer flooding have also been assessed and mitigated. The FRA identifies a series of mitigation measures to reduce flood risks. These include structural water-proofing measures, protection of the sunken garden through use of watertight parapet wall and flood gate; preparation of a flood response plan; subscription to the Environment Agency's free Flood warning Service; provision of safe refuge at higher floors in case of flood event which prevents evacuation; finished floor levels to be set at a level that protects from flood water entry; inclusion of structural water-proofing measures for the new basement and pumped non-return valves to help protect from sewer surcharge flooding. A range of additional flood resilient design measures are also planned which would help the building recover in the event of a flood.

3.105 In terms of the flood protection measures proposed, these are considered acceptable and they can be conditioned. The submission provides details of the structural flood proofing measures, which are considered acceptable and would be secured through condition (Condition 15).

## SUDS

3.106 SUDS are proposed in the form of a brown roof on the new building; permeable paving around the north and west of the new building and an underground attenuation tank. In broad terms, the proposals are broadly acceptable, however as indicated in the FRA, there may be scope to include measures such as rainwater harvesting and ground level soft landscaping measures to be maximised. It is therefore considered necessary to attach a condition securing the submission of a revised Surface Water Strategy that considers the feasibility of integrating SuDS measures in addition to those outlined in the submitted FRA in line with the Drainage Hierarchy requirements with the aim of maximising attenuation and reducing surface water run-off to the sewer. It is therefore proposed to secure final details, and the implementation of the SuDS strategy through condition (Condition 16).



## Contaminated land

3.107 Policy 5.21 of the London Plan and Policy CC9 of the LP 2018 states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.108 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. To ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions would be attached covering the assessment and remediation of contaminated land if the application were to be approved (Conditions 22-27).

## Sustainable Design and Construction:

3.109 As required, a Sustainability Statement has been submitted, as has a BREEAM Assessment. The BREEAM assessment shows that the sustainable design and construction measures planned for the new building will achieve the "Excellent" BREEAM rating. This is adequate to meet the requirements of Local Plan policy DM H2 and London Plan policy 5.3 on sustainable design and construction. Measures planned for the site include measures to reduce energy use and CO2 emissions, reduce use of other resources such as water, make use of building materials with low environmental impacts, minimise waste and promote recycling. Condition 17 is attached to secure the implementation of the sustainability measures as outlined in the Sustainability Statement and BREEAM assessment and require submission of a post construction BREEAM assessment to confirm that the measures have been implemented as required.

## Carbon Reduction

3.110 In terms of the submitted Energy Strategy, the London Plan Energy Hierarchy has been used to guide the approach to integrating energy efficiency and low/zero carbon measures. The new development will include the integration of energy efficiency measures, improved air permeability measures to reduce heat loss and also energy efficient lighting. Renewable energy generation is planned in the form of solar PV panels. The energy assessment shows an improvement of just over 40% in terms of CO2 emissions reductions compared to the minimum requirements of the Building Regulations 2013. The proposed sustainable energy measures reduce CO2 emissions and meet the London Plan target of a 35% reduction in CO2 emissions. The Energy Strategy is therefore satisfactory, and its implementation can be conditioned (Condition 17).

## Air Quality

3.111 London Plan Policy 7.14 and Policy CC12 of the LP 2018 seek to reduce the potential adverse air quality impacts of new major developments by requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and requiring mitigation measures to be implemented to reduce emissions where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives.

3.112 The Council's Environmental Quality team have considered the proposal and have recommended conditions relating to air quality, namely in relation to Air Quality Dust Management Plan, Low Emissions Strategy, a Ventilation Strategy, and Combustion Plant Emissions (Conditions 18, 19, 20 and 21).

## COMMUNITY INFRASTRUCTURE LEVY

### Mayoral CIL

3.113 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at [www.london.gov.uk](http://www.london.gov.uk). The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3. An estimate of £113,360 plus indexation, based on the additional floorspace has been calculated.

### Local CIL:

3.114 The Council's Community Infrastructure Levy (CIL) is a charge normally levied on the net increase in floorspace arising from development to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. Residential care homes (Class C2) developments are exempt from the Council's CIL.

### Planning obligations

3.115 In dealing with planning proposals, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, using planning conditions or, where this is not possible, through planning obligations. London Plan policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance on the priorities for obligations in the context of overall scheme viability.

3.116 Site-specific contributions would be included in the S106 agreement and would include the following: The heads of terms of the proposed Legal Agreement are summarised below:

- Development to be car permit free, to exclude the occupiers of the care home units from obtaining residents' parking permits to park on-street in the controlled parking zone.
- A S278 agreement for funding towards footway works along the frontage of the Development, including the provision for cross-over works including ancillary issues such as amendment to the parking bays.
- Travel Plan review and monitoring fees (£3000 per review for Year 1, Year 3 and Year 5 submissions)
- A Jobs, Employment and Business Strategy to be produced and agreed with the Council prior to the commencement of the development, a Local Procurement

contribution of £3,400 and a financial contribution of £10,500 (employment & skills contribution) towards paid work experience, paid apprenticeships and a separate contribution towards our local supply chain initiative during the construction of the development, including:

- 1 apprentice,
- 1 paid work placement,
- 1 unpaid work placement,
- 10% local labour, and
- a contribution for the supply chain initiative.

#### 4.0 CONCLUSION

4.1 The design, height and massing of the development would be compatible with the surrounding development. The proposed development creates a well-designed scheme that would help to secure the long term conservation of the main listed building on the site and enhance the character and appearance of the Conservation Area. The development has an acceptable impact on neighbouring living conditions. The impact of the development subject to conditions would not have a significant impact on the highway, parking, flooding or the environment.

4.2 The less than substantial harm to the significance of the listed building overall caused by the demolition of the summer house and the juxtaposition of the extension building with the main listed building on the site would be outweighed by the public benefits arising from the provision of a specialist care facility in the Borough and heritage benefits

4.3 The proposal is considered to be in accordance with the NPPF, Planning Practice Guide, London Plan policies, the Local Plan, and Planning Guidance Supplementary Planning Document Key Principles.

#### 5.0 RECOMMENDATION:

5.1 That the Committee resolve that the Strategic Director of the Economy Department be authorised to determine the application and grant permission upon the completion of a satisfactory s106 legal agreement securing the heads of terms contained within this report and subject to conditions.

5.2 To authorise that the Strategic Director of The Economy Department in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of the detailed negotiations with the applicant which may necessitate the modification, variation, addition or deletion of the conditions as drafted to ensure consistency between the two sets of provisions.