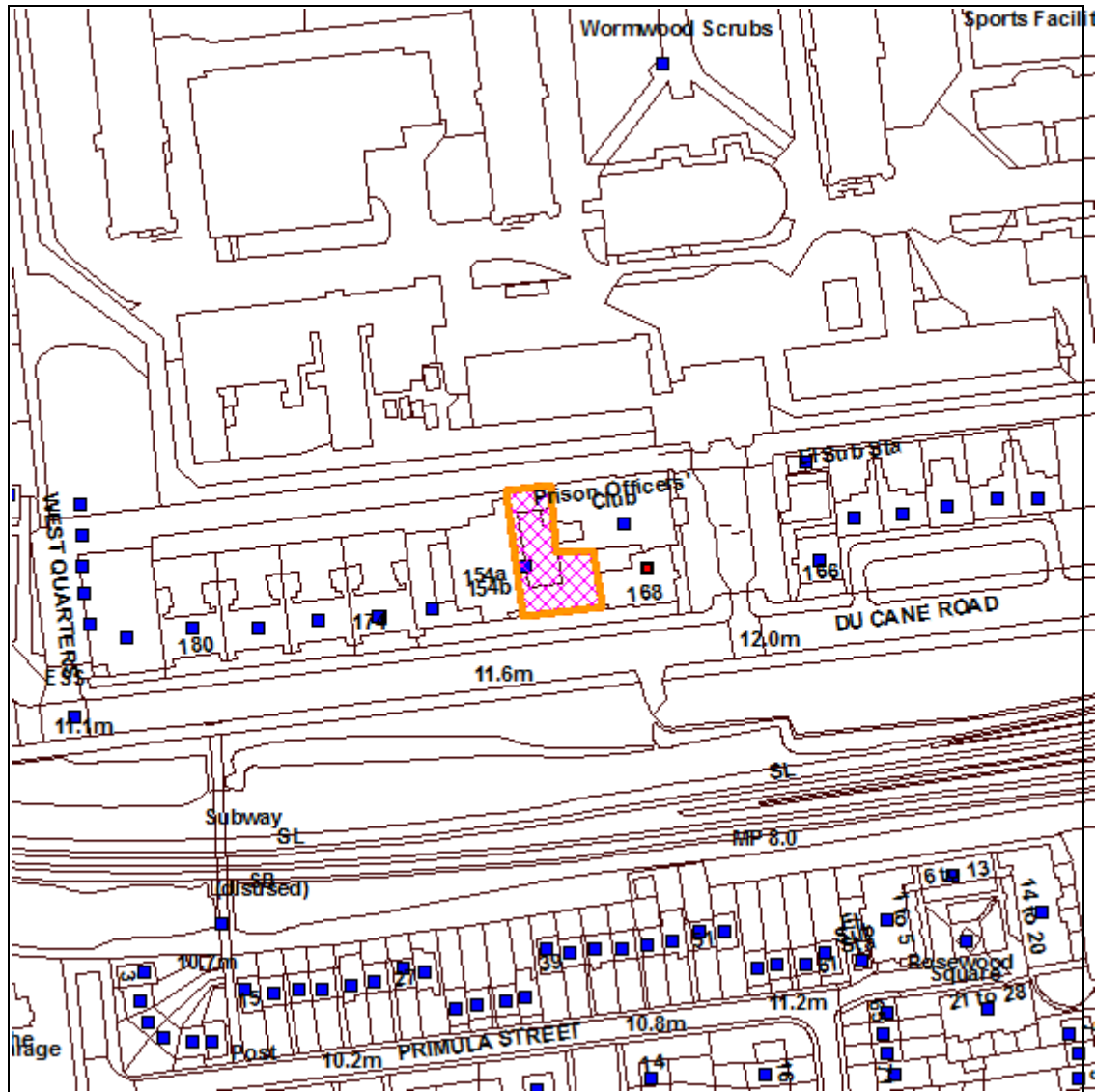


**Ward:** College Park And Old Oak

**Site Address:**

168A Du Cane Road London W12 0TX



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).

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

**Reg. No:**  
2019/02035/FUL

**Case Officer:**  
Elliot Brown

**Date Valid:**  
05.07.2019

**Conservation Area:**

**Committee Date:**  
03.12.2019

**Applicant:**

Mr Henry Fraser  
Urban Space Management Trinity Buoy Wharf 64 Orchard Place London  
E14 0JW

**Description:**

Erection of a 2 storey temporary building for use as Arts and Criminal Justice hub comprising of art gallery and offices (for a period of 10 years).  
Drg Nos: USM KTP 004 REV B; USM KTP 015 REV A; USM KTP 021 REV A; USM KTP 022 REV A; USM KTP 023. Daylight and Sunlight Assessment (27.06.2019); Energy and Sustainability Statement (28.06.2019).

**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 subject to the condition(s) listed below:

To authorise the Strategic Director, The Economy, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.

- 1) The two-storey building and associated facilities hereby permitted shall be used for a limited period of 10 years from the date of the decision, after which the temporary two-storey building and associated facilities shall be removed from the site and the site shall be restored to its former condition.

In granting this permission, the Council is not prepared to approve this type of development other than for a limited period, in view of its nature, design and appearance and having regard to the amenities of neighbouring properties, in accordance with Policies DC1, DC2, DC8 and HO11 of the Local Plan (2018).

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

USM KTP 004 REV B; USM KTP 015 REV A; USM KTP 021 REV A; USM KTP 022 REV A; USM KTP 023.

In order to ensure a satisfactory external appearance and to ensure that there is no harm to the residential amenities of neighbouring properties, in accordance with Policies DC1, DC2, DC8 and HO11 of the Local Plan (2018).

- 3) Notwithstanding the drawings hereby approved, detailed plan, section and elevation drawings (at a scale of 1:20) and material samples of all external hard surfacing, paving, ramp and railings shall be submitted to, and approved in writing by, the Council prior to commencement of works.

In order to ensure a satisfactory external appearance, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 4) The development hereby permitted shall not commence until a Construction Logistics Plan have been submitted to and approved in writing by the Council. The details shall include control measures for delivery locations, numbers, size and routing of construction vehicles and other matters relating to traffic management to be agreed. All works shall be carried out in accordance with the approved plan.

To ensure no unacceptable adverse effect on the amenities of surrounding occupiers and highways, in accordance with policy T7 of the Local Plan (2018).

- 5) The premises shall be used for office space and an art gallery and for no other purpose (including any other purposes within Class D2 of the Schedule to the Town and Country Planning (Use Class) Order 1987, or 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 would be unacceptable due to effect on residential amenity and traffic generation, in accordance with Policies CC11, HO11 and T1 of the Local Plan (2018).

- 6) Notwithstanding the drawings hereby approved, detailed plan, section and elevation drawings (at a scale of 1:20) of a typical bay (including details of panelling, entrances, canopies and brise soleil) shall be submitted to, and approved in writing by, the Council prior to commencement of works.

In order to ensure a satisfactory external appearance, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 7) Notwithstanding the drawings hereby approved, details (including samples) of all external materials to be used in the development (including panelling, glazing, framing, canopies and brise soleil, external access ramp and roofing material) shall be submitted to, and approved in writing by, the Council prior to commencement of works.

In order to ensure a satisfactory external appearance, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 8) No advertisements shall be displayed on either the external faces of the development and/or inside any windows, without full details of the advertisements having first been submitted to and agreed in writing by the Council.

To ensure a satisfactory external appearance and to prevent harm to the street scene and to preserve the character and appearance of the conservation area in accordance with Policies DC1, DC2, DC8 and DC9 of the Local Plan (2018).

- 9) Prior to the occupation of the temporary building hereby approved, further details of the materials and design of the refuse and recycling storage enclosure shall be submitted to, and approved in writing by, the Council. The development shall only be carried out with the details approved.

In order to ensure a satisfactory appearance in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 10) Prior to the commencement of the landscaping works, full details of the soft landscaping scheme for the site including detailed drawings in plan section and elevation shall be submitted to and approved in writing by the local planning Authority. The soft landscape details shall include the following details:
  - o A planting schedule and details of all species to be planted on site
  - o Details of the height and maturity of all new trees and shrubs
  - o Details of any plant containers or raised shrub beds

In order to ensure a satisfactory external appearance and enhance the provision of green infrastructure within the borough, in accordance with Policies DC1, DC2, DC8 and OS5 of the Local Plan (2018).

- 11) Notwithstanding the drawings hereby approved, detailed drawings of the proposed solar PV to the roof of the temporary building (at a scale of 1:20) shall be submitted to, and approved in writing by, the Council prior to its installation.

In order to ensure a satisfactory external appearance, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 12) The temporary building hereby permitted shall not be used or occupied until a Service and Delivery Management Plan has been submitted to, and approved in writing by, the Council. The plan shall specify the number of weekly deliveries and size of vehicles to be used, as well as the times for deliveries. The development shall only be used in accordance with the details approved in the Service Management Plan.

To ensure satisfactory provision for servicing and to prevent noise and disturbance to neighbouring residents, in accordance with policies CC11 and CC13 of the Local Plan (2018).

- 13) 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 Council. The report shall include the following information:
  - a) Details and locations of the air ventilation intake locations at rear roof level
  - b) Details of non-openable windows on front elevations with Du Cane Road
  - c) Details and locations of ventilation extracts, chimney/gas boiler flues, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, 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 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 prevent future users of the building being exposed to potential adverse air quality impacts, in accordance with Policy CC10 of the Local Plan (2018).

- 14) 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 prevent future users of the building being exposed to potential adverse air quality impacts, in accordance with Policy CC10 of the Local Plan (2018).

- 15) The access ramp hereby approved to the southern elevation of the temporary building shall not exceed a gradient of 1:20 and shall be installed prior to occupation of the building. The southern elevation entrance door shall not be less than 800mm wide.

In order to ensure adequate access for people with disabilities or mobility difficulties, in accordance with Key Principles DA6 and DA7 of the Planning Guidance Supplementary Planning Document (2018).

- 16) The disabled toilets within the ground and first-floor shall have an internal floor area of 2200mm x 2000mm, and the entrance door shall not be less than 800mm wide.

In order to ensure adequate access for people with disabilities or mobility difficulties, in accordance with Key Principles DA6 and DA7 of the Planning Guidance Supplementary Planning Document (2018).

- 17) The internal lift serving ground and first-floor shall have an internal floor area of 2200mm x 1900mm, and the entrance door shall not be less than 800mm wide.

In order to ensure adequate access for people with disabilities or mobility difficulties, in accordance with Key Principles DA6 and DA7 of the Planning Guidance Supplementary Planning Document (2018).

- 18) The off-street disabled/blue badge parking space hereby approved shall be 2.4m in width and 4.8m in length, with a zone 1.2m wide provided around the designated space.

In order to provide sufficient disabled/blue badge parking provision, in accordance with Key Principle TR6 of the Planning Guidance Supplementary Planning Document (2018).

- 19) Prior to occupation of the development hereby permitted an 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 Local Planning Authority. The Ultra Low Emission Strategy 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 reduce the exposure of poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NOx and particulates from on-road vehicle transport by the use of Ultra Low Emission 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. 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/use of the development and thereafter permanently retained and maintained.

To prevent future users of the building being exposed to potential adverse air quality impacts, in accordance with Policy CC10 of the Local Plan (2018).

- 20) Prior to occupation of the development, details of the installation of the Air Source Heat Pump and Electric Boilers to be provided for space heating and hot water 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 prevent future users of the building being exposed to potential adverse air quality impacts, in accordance with Policy CC10 of the Local Plan (2018).

- 21) The development hereby permitted shall not commence until the submission of a final Sustainable Drainage System (SuDS), including a maintenance programme for all sustainable drainage systems (including timeframes for the planned maintenance measures and confirmation of the maintenance provider), that provides comprehensive details of the sustainable drainage measures, including green and brown roofs, rainwater harvesting and permeable paving to be implemented on site including details of their attenuation capabilities, have been submitted to, and approved in writing by, the Council. The SuDS scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter be permanently retained and maintained in line with the agreed plan.

To ensure that surface water run-off is managed in a sustainable manner, in accordance with policy 5.13 of The London Plan (2016) and Policy CC4 of the Local Plan (2018).

- 22) The proposed bicycle storage hereby approved shall be installed in accordance with approved drawing USM KTP 004 REV B prior to the occupation of the temporary building hereby permitted and shall thereafter be retained for the duration of the building's lifetime.

In order to encourage and support the increased use of bicycles facilities, in accordance with Policy T3 of the Local Plan (2018).

- 23) Prior to the commencement of demolition works:
- i) Details, including a method statement, for the temporary alterations proposed to the brick boundary wall and front boundary railings and details of the remedial works required to the retained elements of the brick boundary wall and front boundary railings shall be submitted to and approved in writing by the Council.
  - ii) Details, including a method statement, for the salvage and secure storage of the removed sections of brick boundary wall and front boundary railings shall be submitted to and approved in writing by the Council.

The development shall be implemented in accordance with the approved details and the salvaged items shall thereafter be permanently retained in accordance with the approved details.

- 24) Prior to the reinstatement of the brick boundary wall and railings, details including a method statement and detailed drawings at a scale of 1:20 in plan, section and elevation for the reinstatement of the brick boundary wall and front boundary railings to match the existing, including brick bond, pointing style and mortar colour, shall be submitted to the Council. A brick sample panel shall be constructed onsite for the inspection of the Council's Conservation Officer and the Council's written approval.

Within three months of the cessation of the temporary use hereby permitted the brick boundary wall and front boundary railing shall be reinstated in accordance with the approved brick sample panel and such details as have been approved.

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

- 1) 1) Land use: The proposed usage of the temporary building (as office space and the display/storage of art) would remain unaltered from the existing usage at No.168 Du Cane Road. As such, the usage of the temporary building would be considered compatible with that of the surrounding area.
- 2) Visual amenity: The proposal would be of a scale, massing and design which would ensure a satisfactory visual appearance, and would preserve the setting of the surrounding designated heritage assets. In this respect, the proposal would be consistent with Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act, the National Planning Policy Framework (2019), Policies DC1, DC2 and DC8 of the Local Plan (2018) and Key Principles AH1, AH2 and BM2 of the Planning Guidance Supplementary Planning Document (2018).
- 3) Surrounding amenity: The proposal would not cause any detrimental harm to the amenities of any neighbouring properties in terms of loss of light, outlook, privacy or noise and disturbance, and therefore the proposal complies with Policies CC11, CC13, D2 and HO11 of the Local Plan (2018).
- 4) Inclusive design: The proposal would incorporate inclusive design features to ensure ease of access to the building from the southern elevation entrance and the provision of facilities within the building (disabled W/Cs and lifts).
- 5) Highways: It is considered that the development would have an acceptable impact upon the highway, in accordance with Policy T1 of the Local Plan 2018).

6) Flood Risk: It is considered that the development would have an acceptable impact upon the application site's flood risk, in accordance with Policy CC3 of the Local Plan (2018).

7) Sustainability: It is considered that the development utilising a prefabricated structure would achieve sustainable design objectives in accordance with NPPF (2018) chapter 14 'Meeting the challenge of climate change...', policies CC2, DC1 and DC2 of the Local Plan (2018) and policy 5.3 of the London Plan (2016).

---

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

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

Application form received: 4th July 2019  
Drawing Nos: see above

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

### **Consultation Comments:**

**Comments from:**

**Dated:**

### **Neighbour Comments:**

**Letters from:**

**Dated:**

## 1.0 BACKGROUND

1.1 The application site specifically relates to a plot of land between Nos.154 and 168 Du Cane Road (Former Warders Home). No.168 is currently occupied by the Koestler Trust, a prison arts charity. This is a three-storey property and is designated as a Building of Merit, sited within the site boundary of Wormwood Scrubs Prison. Its location to the south of the prison wall results in the building fronting Du Cane Road (behind a tall boundary wall).The plot of land originally formed part of the garden space to the Former Warder's Home.

1.2 The Central Line underground railway line is located to the south of the site, and forms a strong barrier between the application site and the Old Oak and Wormholt Conservation Area to the south of the site. This railway embankment is a designated nature conservation area.

1.3 The application site does not lie within a Conservation Area, however, it is noted that there are a number of heritage assets in close proximity including:



- HMP Wormwood Scrubs Gatehouse (Grade II\* listed) - 30m away.
- HMP Wormwood Scrubs Chapel and its setting (Grade II\* listed) - 60m away (inside prison walls).
- HMP Wormwood Scrubs Cell Blocks and their setting (Grade II listed) - 70m away within prison walls)
- The Former Warder's Homes (Nos.156-164, 166, 168 and 174-180 Du Cane Road), which are designated as Buildings of Merit.
- The Old Oak and Wormholt Conservation Area is located to the south and west of the application site. (some 70-110m away)

1.4 The application site lies within the Environment Agency's Flood Risk Zone 1.

## RELEVANT PLANNING HISTORY

1.5 There is no relevant planning history relating to the current application site.

1.6 The current planning application seeks permission for the erection of a two-storey temporary building (580sqm) on a plot of land between Nos.154 (Visitors Centre) and 168 Du Cane Road, for use as an Arts and Criminal Justice hub comprising of an art gallery and office space for use by Koestler Trust.

1.7 The ground-floor would consist of art gallery space to store and display artwork, whilst the first-floor would consist of office space.

1.8 The applicants have stated that they are a prison arts charity. They encourage people in the criminal justice system to change their lives by participating in the arts. They share their artworks with the public, so people can witness this diverse range of voices, stories and talent. They have also confirmed that their main funder (Arts Council England) require a 10 year commitment as a condition of the grant. This is common amongst other charitable funders.

1.9 The charity aims to:

- o Help offenders, secure patients and detainees lead more positive lives by motivating them to participate and achieve in the arts.
- o Increase public awareness and understanding of arts by people in the criminal justice system.
- o We inspire participation in the arts in the criminal justice system through Awards and Feedback, Mentoring, Sales, Exhibitions and Events. We increase public awareness of the potential of people in the criminal justice system through Exhibitions and Events, Publications and contributing to research.
- o Our small team is based just outside HM Prison Wormwood Scrubs in west London.
- o We work across the UK's criminal justice and secure systems. Including custodial settings (prisons, young offenders institutions, medium and high secure hospitals, secure children's homes and immigration centres), and people in the community (on probation, engaged with youth offending teams, and on community sentences).
- o The current accommodation is in poor condition and is not suitable for the works undertaken. Furthermore, uncertainty regarding Wormwood Scrubs prison in the future means that spending funds to renovate and alter the current premises is not considered feasible, whereas the current proposal would create a demountable building that can be easily dismantled and relocated to a new site in the future.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was publicised by means of a site notice and a press advertisement, together with letters of notification to neighbouring properties.

2.2 No representations have been received.

### External consultee responses

2.3 H&F Disability Forum - No objection, subject to all inclusive access features specified in the design and access statement being evident on the submitted drawings. Accessible W/Cs and lifts should be compliant with the relevant regulations.

## 3.0 RELEVANT PLANNING POLICIES

3.1 The development will be assessed in accordance with the policies and standards contained within the National Planning Policy Framework (NPPF, 2019); the London Plan (2016); and the council's Local Plan (2018) and Planning Guidance Supplementary Planning Document (2018). Of these, the following policies are particularly relevant:

### London Plan (2016, as amended)

- Policy 7.2 - An Inclusive Environment
- Policy 7.4 - Local Character
- Policy 7.8 - Heritage Assets and Archaeology

### H&F Local Plan (2018)

CC2 - Ensuring Sustainable Design and Construction

CC3 - Minimising Flood Risk and Reducing Water Use

CC11 - Noise

DC1 - Built Environment

DC2 - Design of New Build

DC8 - Heritage and Conservation

HO11 - Detailed Residential Standards

T1 - Transport

T3 - Increasing and Promoting Opportunities for Cycling and Walking

T4 - Vehicle Parking Standards

T5 - Parking for Blue Badge Holders

## H&F Planning Guidance Supplementary Planning Document (2018) Key Principles:

AH1 - Information requirements for applications for consent affecting heritage assets

AH2 - Protection of heritage assets.

BM2 - Proposals affecting Buildings of Merit

DA1 - Inclusive Design

DA6 - Entry into a Building

DA7 - Access to Facilities Inside a Building

FR1 - Submission of a Flood Risk Assessment

### 4.0 PLANNING CONSIDERATIONS

4.1 The main planning considerations in this case are:

- The compatibility of the proposed land use with the surrounding area
- The proposal's design and impact upon the character and appearance of the surrounding area (including designated heritage assets)
- The proposal's impact upon the amenity of occupants and users of the surrounding buildings
- Accessible/inclusive design
- The proposal's impact upon highways and parking
- The proposal's impact upon flood risk

+Land Use

4.2 The use of the proposed temporary building (as office space and the display/storage of art) would be the same as the use at No.168 Du Cane Road. As such, the proposal is not introducing a new use to the area and accordingly is considered compatible with the surrounding area.

+Design and impact upon character and appearance of surrounding area

4.3 Paragraph 124 of the National Planning Policy Framework [NPPF] (2019) specifies that the creation of high-quality buildings is fundamental to what the planning and development process should achieve.

4.4 In accordance with this principle, Policies DC1 and DC2 of the Local Plan (2018) specify that new development should be of a high standard of design to create a high-quality urban environment that respects and enhances the scale and character of

existing development and its setting. Specifically, this will be tested by taking into account the following:

- The historical context and townscape of the site, and its sense of place
- The scale, mass, form and grain of surrounding development and connections to it
- The relationship of the proposed development to the existing townscape
- The local design context
- Good neighbourliness and the principles of residential amenity
- The local landscape context
- Sustainability objectives
- The principles of accessible design
- Principles of secured by design

4.5 When considering any planning application that affects a designated heritage asset (including a Conservation Area, Listed Building and locally listed Building of Merit), Paragraph 192 of the NPPF (2019) specifies that great weight should be given to the asset's conservation; irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

4.6 In accordance with this principle, Policy 7.8 of the London Plan (2016, as amended) and DC8 of the Local Plan (2018) specify that development affecting heritage assets and their settings should only be permitted if the significance of the heritage asset is conserved. Particular consideration will be given to the scale, height, materials and architectural detail of any proposed development.

4.7 The Chapel (Grade II\* listed), the Gatehouse (Grade II\* listed) and the prison cell blocks (Grade II listed) are considered to be of architectural and historic significance/importance, and therefore it is essential that the proposal preserves the character and appearance of these heritage assets. The submitted drawings and site photography highlight that the application site would be situated to the south of the Wormwood Scrub prison wall, whilst the Prison Officers Club building and No.168 Du Cane Road would screen the proposal site from the Gatehouse. Accordingly, Officers consider that the screening of the proposed temporary buildings provided by the existing prison wall and surrounding buildings would contribute towards the preservation of these heritage assets.

4.8 The proposal site occupies a gap within the Du Cane Road frontage of the Wormwood Scrubs estate, and is resultantly aligned with The Former Warder's Homes (Nos.156-164, 166, 168 and 174-180 Du Cane Road), which are locally listed Buildings of Merit; predominantly three-stories in height. Their age, character, materials, scale and detailing ensure a high-quality and consistent frontage to Du Cane Road, and would form the immediate context of the proposed building. The Du Cane Road frontage is also given definition by the existing brick wall and railings which have traditionally marked the perimeter of the estate and boundary of the public realm.

4.9 Despite the predominant three storey height on the Du Cane Road frontage, and the historic break in the frontage between the Warders houses, the open space between No.s 174 and 168 has recently been developed to provide a visitor centre for the prison (No.154). The Visitors centre is a tall single storey pavilion building which sits immediately behind the existing brick wall, and rises above it so that it is clearly visible from the street. Unlike the Visitors centre, the proposal will assume a more prominent position in the street scene, as the removal of the boundary wall will enable the full front

elevation to be expressed. Despite the proposal being taller than the Visitors centre, Officers consider that it will maintain some degree of subservience to the main building of No.168 and remains broadly consistent in scale with its out rigger which is clearly visible from the street. Therefore, Officers consider that the two storey temporary building would have an acceptable impact of the character and appearance of the locality.

4.10 The north elevation of the proposed building would be screened from the street by No.168 Du Cane Road and the Prison Officers Club building. The side (east and west) elevations would not be particularly visible from the street due to their proximity to the side elevations of the adjoining properties (Nos.154 and 168 Du Cane Road). The existing southern boundary brick wall would be removed as part of the proposal, and accordingly, with regard to the design of the proposed temporary building, it is the south facing elevation that is particularly important, given that the ground and first-floor of this elevation would be readily visible from the street. Whilst acknowledged that the loss of the existing southern boundary brick wall would temporarily alter the traditional estate boundary, Officers consider that the proposals visually open and interactive ground-floor, made up of clear glazed bays which will display the trusts artwork, would offer a more active and engaging frontage to Du Cane Road. This would be considered to result in improvements to pedestrian streetscene and the public realm. Furthermore, Officers recommend a condition be attached requiring the salvage and storage of the existing brickwork, so that this can be re-implemented once the temporary use ceases; mitigating against any detrimental long-term harm.

4.11 Paragraph 6.03 of the submitted design and access statement highlights that the proposed temporary building would be constructed out of re-used corrugated Corten steel shipping containers, which would be finished in 'silver marine' paint. Meanwhile, annotations on the proposed elevation drawing (USM KTP 015 REV A) depict that the frames of the clear-glazing to the southern elevation would be aluminium, with a powder coated dark grey finish. To control and maximise the design quality of the proposal and its contribution to its setting, Officers recommend that conditions for further details of window bays, brise soleil, landscape and signage strategies are attached to any planning consent.

4.12 Officers recognise that the proposed materials and finishes would result in a more modern appearance in relation to those buildings within the existing townscape, nevertheless, by reason of its temporary life-span, this would not be considered to result in detrimental long-term harm to the character and appearance of the application site or the surrounding area (including designated heritage assets). Furthermore, Officers recommend that a condition be attached requiring the submission of details of the proposed refuse enclosure prior to their on-site installation.

4.13 For the reasons outlined above, it is considered that the proposal would preserve the character and appearance of the designated heritage assets within the surrounding area, and would therefore comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, Section 12 and 15 of the NPPF (2019), Policies 7.4 and 7.8 of the London Plan (2016, as amended), Policies DC1, DC2 and DC8 of the Local Plan (2018) and Key Principles BM2, CAG2 and CAG3 of the Planning Guidance SPD (2018).

+Impact upon neighbouring amenity

4.14 Policies DC2 and HO11 of the Local Plan (2018) both reference the impact of new development on the existing amenities of neighbouring properties. Whilst acknowledged that Policy HO11 typically provides guidance on protecting the amenity of neighbouring residential occupants, the principle considerations of outlook, privacy, daylight/sunlight and a sense of enclosure are still be considered to be applicable considerations to the current application.

4.15 Policy CC11 of the Local Plan (2018) specifies that noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed uses within the vicinity.

4.16 Officers note that the impact upon the amenity of No.168 Du Cane Road is of particular importance, because the proposal would need to demonstrate that it would not prevent an alternative use coming forward once the Koestler Trust vacates this building.

4.17 The siting of the proposed two-storey building would place its eastern elevation in close proximity to three ground-floor windows serving the ground-floor element of No.168's existing ground and first-floor extension. Nevertheless, the site visit highlighted that the ground-floor element of this extension is treble aspect (with windows also situated within the extensions north, south and western elevation). Officers consider that this would mitigate against unduly detrimental harm to the outlook of future occupants of this room.

4.18 With regard to the proposal's impact upon light, a daylight and sunlight assessment (27.06.2019) prepared by 'Keeping Blue Ltd' has been submitted as part of the current application. The document indicates that No.168 Du Cane Road would achieve levels of daylight and sunlight that would be in accordance with BRE guidance. Furthermore, Officers note that the proposal would sit below a line of 25-degrees drawn from the mid-point of those first-floor windows within the western elevation of No.168 Du Cane Road's main flank wall and the first-floor element of the existing ground and first-floor extension. Accordingly, this would be considered to mitigate against unduly detrimental harm to the levels of light received to any future occupants of these rooms.

4.19 Officers note that no windows are proposed to the flank elevation facing No.168 Du Cane Road, which would be considered to ensure a satisfactory level of privacy for any future occupants of No.168 Du Cane Road.

4.20 Accordingly, Officers consider that the proposal would not prevent an alternative use coming forward for 168 Du Cane Road once the Koestler Trust vacates this building.

4.21 The site visit revealed that the proposed two-storey building would have its western elevation in close proximity to the adjoining No.154 Du Cane Road; which currently accommodates the Wormwood Scrubs Visitors Centre. The applicants' daylight and sunlight assessment highlights that those high-level windows within the eastern elevation of No.154 serve a mixture of offices, flexible use rooms and W/Cs. Given the usage of this building and that these rooms would only be occupied for relatively short periods of time, Officers consider that on balance the proposal would result in an acceptable impact upon the amenity of visitors to No.154 Du Cane Road.

4.22 Officers consider that the existing prison wall to the rear (north) of the proposal site would provide a screen between the proposal and any buildings to the north.

4.23 The eastern elevation of the proposal would be situated in close proximity to the western elevation of what we understand to be the Prison Officers Club. There are no windows located within this elevation of the building, therefore it is considered that the development would not result in detrimental harm to the amenity of users of this building.

#### +Accessible design

4.24 Policy 7.2 of the London Plan (2016, as amended) specifies that all new development within London should achieve the highest standards of accessible and inclusive design.

4.25 Key Principle DA1 of the Planning Guidance SPD (2018) outlines that drawings submitted for planning approval should show external access features, as well as how internal facilities will cater inclusively for all categories of users. Key Principle DA6 outlines that where an entrance to a building would be above or below street level, any access ramp should not exceed a gradient of 1:20.

4.26 Key Principle DA7 provides the following guidance with regard to access to facilities inside a building:

-Lifts to main general public use areas should have an 1100mm wide door and lift cars that are 2000mm x 1400mm inside in accordance with BS 8300:2009. Otherwise, lifts in or at the entrances to public use areas should meet Building Regulation Part M Approved Documents requirements.

-Accessible unisex toilets in main general public use areas should be 2m x 2.2m in size, and meet the recommendations for internal fittings and layout set out in Fig 51b of BS 8300: 2009

4.27 A key feature of the current proposal is the provision of an entrance for members of the public within the southern elevation of the building; which would be accessible via Du Cane Road. Notably, an access ramp (no more than 1:20 gradient) with handrails would be included, to facilitate inclusive access to the building. The main entrance opening to the southern elevation would be of an acceptable width and includes a level landing. Internally, a lift (of appropriate size) would serve both floors. A disabled toilet would be provided at both ground and first-floor levels. Officers consider that these facilities would be consistent with Policy 7.2 of the London Plan (2016, as amended) and Key Principles DA1, DA6 and DA7 of the Planning Guidance SPD (2018).

#### +Impact upon highways and parking

4.28 Policy T1 of the Local Plan (2018) outlines that traffic generated by development should be minimised so that it does not add to parking pressures or congestion.

4.29 Policy T3 of the Local Plan (2018) seeks to encourage and support the increased usage of bicycles, and notes that convenient, accessible and secure cycle

parking should be provided in accordance with Policy 6.9, Table 6.3 of the London Plan (2016, as amended) and Appendix 8 of the Local Plan (2018).

4.30 Policy T4 of the Local Plan (2018) seeks to ensure car parking permit free measures on all new development, unless evidence is provided to show that there is a significant lack of public transport available. In such instances, any proposed development should conform with the car parking standards outlined within Appendix 7 of the Local Plan (2018).

4.31 Policy T7 of the Local Plan (2018) outlines that all construction, demolition, utilities and major logistic activities should mitigate against disruption to the smooth operation of the Borough's highway network.

4.32 The application site has a PTAL 5 rating, which ensures a good level of public transport accessibility. Paragraph 7.08 of the accompanying design and access statement (June 2019) specifies that staff and visitors to Koestler Arts currently make use of existing parking provision within the Wormwood Scrubs prison complex. Written confirmation has been received which states that the number of employees who would occupy the proposed building would likely remain unaltered (15 employees), and therefore no additional off-street parking provision is proposed (with the exception of one space for blue badge holders). Officers therefore consider that the proposal would not exacerbate any existing levels of parking stress or congestion within the vicinity of the application site.

4.33 Under Appendix 7 of the Local Plan (2018), one bicycle storage space is required per 250 square metres (sqm) for a B1 (including offices) Use Class and one bicycle storage space is required per 8 staff for a D2 (including art gallery) Use Class. The proposed site plan depicts the inclusion of seven Sheffield stands for bicycle storage to the north and south of the site, which would be consistent with Appendix 7 in light of the proposal's 580sqm footprint and the number of existing staff who would occupy the proposed building. Officers accordingly consider that the proposal would be consistent with Policy T3 of the Local Plan (2018).

4.34 Paragraph 1.07 of the submitted design and access statement specify that currently, refuse and recycling is collected by licensed contractors, with this arrangement to continue at the new building. The submitted proposed site plan highlighted that two waste bins would be provided to the north of the site, to store refuse and recycling before collection. Officers consider that such an arrangement would be acceptable.

4.35 No major construction work would be involved, given that the temporary building would be constructed from prefabricated parts. Furthermore, there is a dedicated service road to the north of the site, which could be used for unloading and loading during construction works. Nevertheless, Officers consider that a condition for the submission of a construction logistics plan should be attached to any planning consent; so that the Council can confirm that there would be no disruption to existing off-street parking spaces and servicing.

4.36 For the reasons outlined above, the proposal is considered to mitigate against detrimental harm to highway usage and parking within the surrounding area, consistent with Policies T1, T3, T4 and T7 of the Local Plan (2018).



## + Impact upon flood risk

4.37 Paragraph 155 of the NPPF (2019) specifies that inappropriate development should in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

4.38 Policy CC3 of the Local Plan (2018) outlines that the Council will require a site-specific flood risk assessment [FRA] for the following development proposals:

- All proposals for development within the Environment Agency's Flood Risk Zones 2 and 3

- All proposals for new developments over 1 hectare in size within the Environment Agency's Flood Risk Zone 1

- All proposals for new development in areas identified in the Council's Surface Water Management Plan (SWMP) as being susceptible to surface water flooding - i.e. Those located within a flooding hotspot

- All proposals for new development which includes a subterranean element in those areas identified in the Council's SWMP as being at risk from elevated groundwater levels

4.39 Officers note that the application site lies within the Environment Agency's Flood Risk Zone 1, and the proposed building (580m<sup>2</sup>) would not exceed 1 hectare in size. Furthermore, the application site is not located in proximity to a flooding hotspot as identified within the Council's SWMP (2015). Accordingly, Officers note that a FRA would not be required in this instance, and would not exacerbate the application site's existing flood risk, in accordance with Policy CC3 of the Local Plan (2018).

4.40 Annotations within the proposed site plan (drawing No. USM KTP 004 REV B) indicates that foul water drainage from toilets and kitchens would run below the building to existing connections.

4.41 Policy CC4 of the Local Plan (2018) specifies that all proposals for new development must manage surface drainage water run-off. Officers acknowledge that the proposal would result in the loss of some existing soft-landscaping within the subject plot of land, and so alternative sustainable drainage system (SuDS) provisions would be required.

4.42 Whilst the submitted drawings do not specifically detail how surface water would be managed as part of this proposal, Officers consider that there would be scope to provide SuDS as part of the proposal. Accordingly, Officers recommend that a condition be attached to the decision notice requiring further details of how surface drainage water would be managed to be approved prior to the commencement of works.

## 5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 Officers consider that the proposed development would result in a quality temporary building which would respect and enhance the existing frontage it would sit within. The development would not result in any long term harm to the character or appearance of the area and would also preserve the setting of the surrounding

designated heritage assets. Furthermore, Officers consider that the proposed development would not result in harm to the amenity of surrounding occupants, in excessive traffic generation, nor would the proposal result in an increase in flood risk concerns. The use of the pre-fabricated structure would also contribute towards sustainable design.

5.2 Accordingly, it is recommended that planning permission be granted for this temporary structure, subject to conditions.