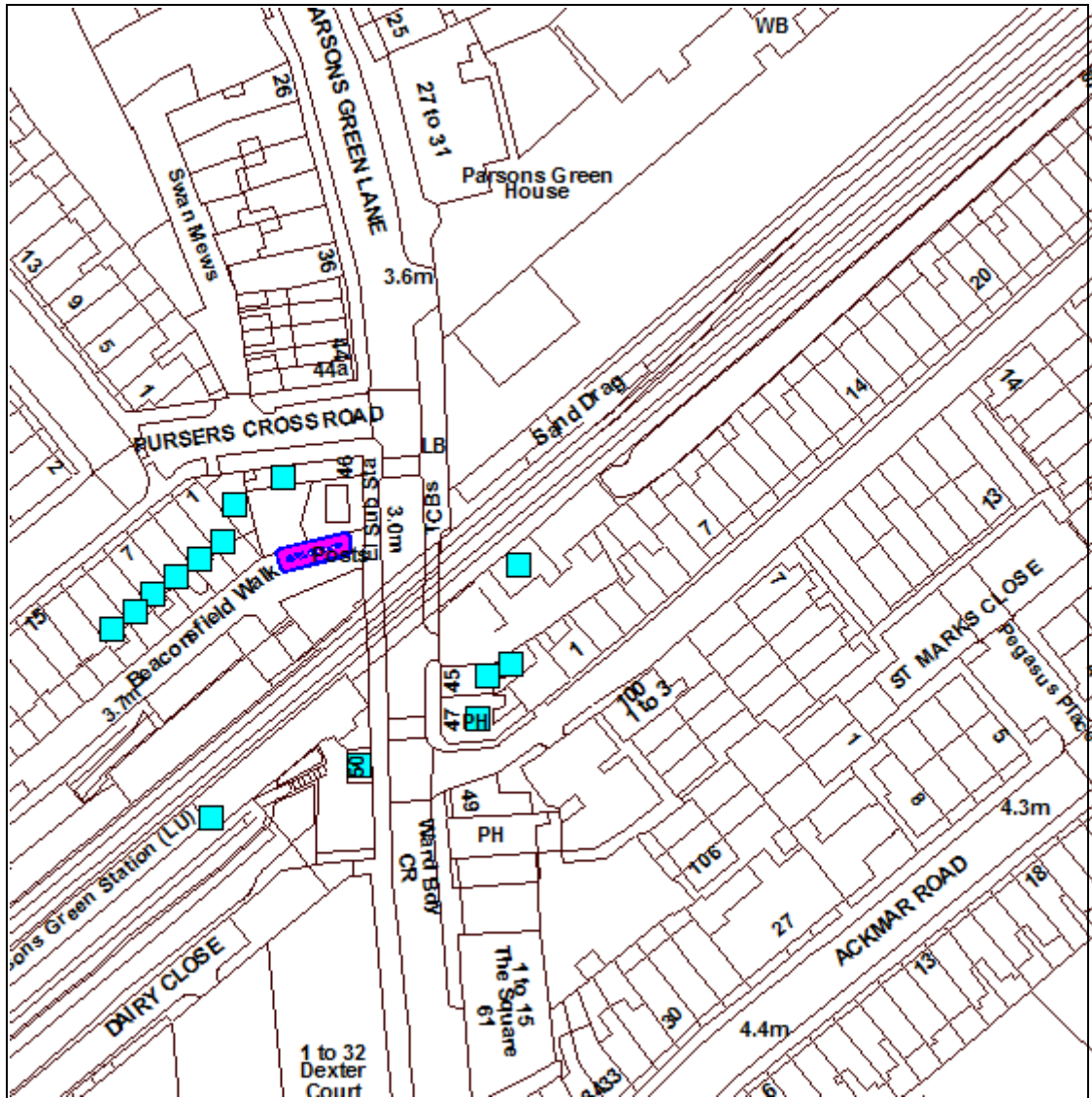


**Ward:** Town

**Site Address:**

Beaconsfield Walk Junction Parsons Green Lane London SW6 4DA



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

**Reg. No:**  
2019/00431/FR3

**Case Officer:**  
Grace Purnell

**Date Valid:**  
14.02.2019

**Conservation Area:**  
Constraint Name: Parson's Green Conservation Area - Number 10

**Committee Date:**  
03.12.2019

**Applicant:**

Miss Lynda Dunn  
25 Bagleys Lane Fulham SW6 2QA

**Description:**

Use of part of the public highway for two temporary traders' market stalls; one for commodity flowers Monday to Sunday from 7am to 8pm; one for Trading Coffee Monday to Friday from 7am to 5pm.

Drg Nos: 65010/26/2 rev A; 65010/16/1 rev A

**Application Type:**

Full Regulation 3 - LBHF is Developer

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, The Economy, be authorised to determine the application and grant permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the condition(s) listed below:

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

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

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

- 2) The use of the flower stall shall not be permitted outside the hours of 07:00-20:00, Monday to Sunday. The use of the coffee stall shall not be permitted outside the hours of 07:00- 17:00, Monday to Sunday.

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

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

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

- 4) Prior to the commencement of the development, a refuse strategy shall be submitted to, and approved in writing by, the Local Planning Authority. This should provide details on how the stall operator will manage waste production.

To ensure that waste associated with the proposal will be appropriately managed, in accordance with Policy CC7 of the Local Plan (2018).

**Justification for Approving the Application:**

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

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

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

Application form received: 11th February 2019

Drawing Nos: see above

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

**Consultation Comments:**

**Comments from:** **Dated:**

**Neighbour Comments:**

**Letters from:** **Dated:**

3 Harbledown Road London SW6 5TW	26.06.19
29 Purser's Cross Road London SW6 4QY	19.10.19
29 Purser's Cross Road London SW6 4QY	23.06.19
13 Pursers Cross Road London SW6 4 QY	11.03.19
12 Elmstone Road London SW65TN	24.06.19
30a Parsons Green Lane London Sw64hs	24.06.19
61 Parsons Green Lane London Sw6 4ja	08.03.19
14 Elmstone Rd London SW6 5TN	24.06.19
NAG	11.03.19
8 Novello Street London SW64jb	24.06.19
25 Pursers Cross Road London SW6 4QY	16.10.19
25 Pursers Cross Road London SW6 4QY	14.03.19
34a Parsons Green Lane London SW6 4HS	08.03.19
27, Pursers Cross Road Fulham, London SW6 4QY	15.03.19
4 SHOTTENDANE ROAD FULHAM London SW6 5TJ	22.06.19
9 Purser?s Cross Road London SW64QY	11.03.19
32 Marquis House, 45 Beadon Road London W6 0BT	09.03.19
3 PURSERS CROSS ROAD LONDON SW6 4QY	23.10.19
3 PURSERS CROSS ROAD LONDON SW6 4QY	10.03.19

## 1.0 BACKGROUND

1.1 The application sites are located on the northern and southern sides of Beaconsfield Walk, an area of public footway connecting Parsons Green Lane and St Maur Road. The site is in close proximity to the second entrance serving Parson's Green Tube Station and the junction with Parson's Green Lane.

1.2 The application site is located within the Parsons Green Conservation Area, is designated as within the Environment Agency's Flood Zone 2 and is located approximately 45 metres to the north of the Parson's Green Lane Neighbourhood retail parade.

1.3 The application seeks permission for the use of part of the public highway for two temporary traders' market stalls; comprising one commodity flowers stall with opening hours of Monday to Sunday from 7am to 8pm and one coffee stall with opening hours of Monday to Friday from 7am to 5pm.

## 2.0 PUBLICITY AND CONSULTATION RESPONSES

### Neighbouring responses

2.1 The application was initially advertised by way of site and press notices under the following description of development:

Use of part of the public highway for two permanent traders' market stalls; one for commodity flowers Monday to Sunday from 7am to 8pm; one for Trading Coffee Monday to Friday from 7am to 5pm.

Individual letters were also sent to 32 neighbouring properties.

2.2 Ten letters of objection have been received along with six letters of support with the objection letters raising the following concerns:

- Proposal would be visually unacceptable/impact on conservation area
- Harm the viability of local businesses
- Would change the nature of the area from residential to commercial
- Busy route would be made even busier by the stalls/would cause obstruction
- The units are not necessary with a number of shops close by
- Increased noise disturbance
- Will increase anti-social behaviour/security concerns
- Increase litter

Support comments are as follows;

- Would bring vitality to the area
- Stands would be aesthetically pleasing
- Existing tradespeople are hardworking
- Would help small/local businesses

2.3 Following a discussion with the applicant and the LPA, the application was agreed to be amended to a temporary use, and the location of the stalls altered. Following re-consultation, three letters of objection have been received raising the following concerns:

- Proposal would be visually unacceptable/impact on conservation area
- Harm the viability of local businesses
- Would change the nature of the area from residential to commercial
- Busy route would be made even busier by the stalls/would cause obstruction
- The units are not necessary with a number of shops close by

## 3.0 PLANNING CONSIDERATIONS

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

- The principle of the development.
- Highways matters, most particularly servicing and deliveries.

- Noise and disturbance to neighbouring residential properties.
- Visual amenity and street clutter.

#### 4.0 PRINCIPLE

4.1 There are no policies within the Local Plan (2018) that specifically mention new proposals for street food or market stalls, and accordingly, Officers recommend that no objections be raised to the principle of the development. The key issues to be assessed are the highways impact of the scheme, noise and disturbance for neighbours, and the impact of the scheme on visual amenity and the character and appearance of the conservation area.

#### 5.0 HIGHWAYS

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

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

5.3 Parson's Green Lane is a Local access Road. Policy T6 of the Local Plan (2018) states that development would not be permitted if it would prejudice the effectiveness of these roads to provide safe and convenient access to individual properties or result in their use by through-traffic.

5.4 Highways Officers have clarified that the area of the carriageway nearest the location of the proposed market stalls is a no stopping area. Given this situation a condition will be attached to ensure that a delivery and service management plan, clearly detailing all the information regarding where and how the market stalls will be serviced without illegally parking along the carriageway or on designated driveway of other establishments.

5.5 Subject to this condition it is considered that the proposals would have a satisfactory impact on Parson's Green Lane and would not prejudice the effectiveness of Parson's Green Lane in providing safe and convenient access to individual properties or result in increased use of Parson's Green Lane by through-traffic.

5.6 The proposed market stalls are located in an area of the highway with a high level of footfall in proximity to the northern entrance of Parson's Green Station. Key Principle TR29 states: 'A minimum width of 1.8m clear and unobstructed footway will usually be required outside Town Centres... where there is a high level of footfall, even over short bursts, a greater width of clear and unobstructed footway than specified may be required'. In this instance, the submitted amended site layout plan indicates that an unobstructed footway width of 2.5-2.8 metres would be provided around the market stalls. Therefore, even with existing obstructions including Bicycle racks and lamp columns taken into consideration, there would still be enough space remaining to ensure the free flow of pedestrians.

## 6.0 NOISE AND NUISANCE

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

6.2 The nearest residential properties are located on the southern side of Purser's Cross Road and at the upper floor of No 46 Parson's Green Lane. Measurements demonstrate that there would be an approximate distance of 9-15 metres between the proposed market stall location and these residential properties.

6.3 Officer's acknowledge that noise from the development could be generated from vehicles arriving, servicing and voices etc. The application proposes a start time of 7am for trading, with set up commencing prior to that time. Whilst the start time could be early, it is not considered that the proposed market stall would generate additional noise beyond what has been established by the existing commercial activities in the area including the existing temporary market stall coffee and flower pitches and commercial activity associated with the nearby Parsons Green Lane neighbourhood Parade. Ambient noise is also generated by vehicular noise along Parsons Green Lane and a high pedestrian footfall in Beaconsfield Walk associated with the proximity of the site to Parson's Green Station. For these reasons, it is considered that no objections would be raised to the 7am start time proposed.

6.4 Officers note that the proposed market stalls would sell coffee and flowers. Resultantly, hot food odours would not be associated with the proposal.

6.5 It is recommended that the proposal for two markets stalls comprising 1 x coffee stall and 1 x flower stall is granted a temporary permission for 24 months, to allow both Highways and Noise and Nuisance Officers to monitor the impact of the developments and record any complaints received during that time. If the stalls were found to be operating without any detrimental issues, the applicant could then re-apply for a longer-term permission.

## 7.0 APPEARANCE/VISUAL CLUTTER

7.1 The proposed market stalls are considered to be modest in terms of their footprint, bulk and mass. After amendment to the original proposals, the market stalls now consist of a gazebo type structures. In order for the market stalls to comply with street trading licencing regulations it would be designed to integrate with the surrounding urban environment without detracting from its character and appearance. In this regard, no objections are raised on the grounds of visual amenity. It is considered that the character and appearance of the Parsons Green Conservation Area would be preserved.

## 8.0 CONCLUSIONS AND RECOMMENDATIONS

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

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