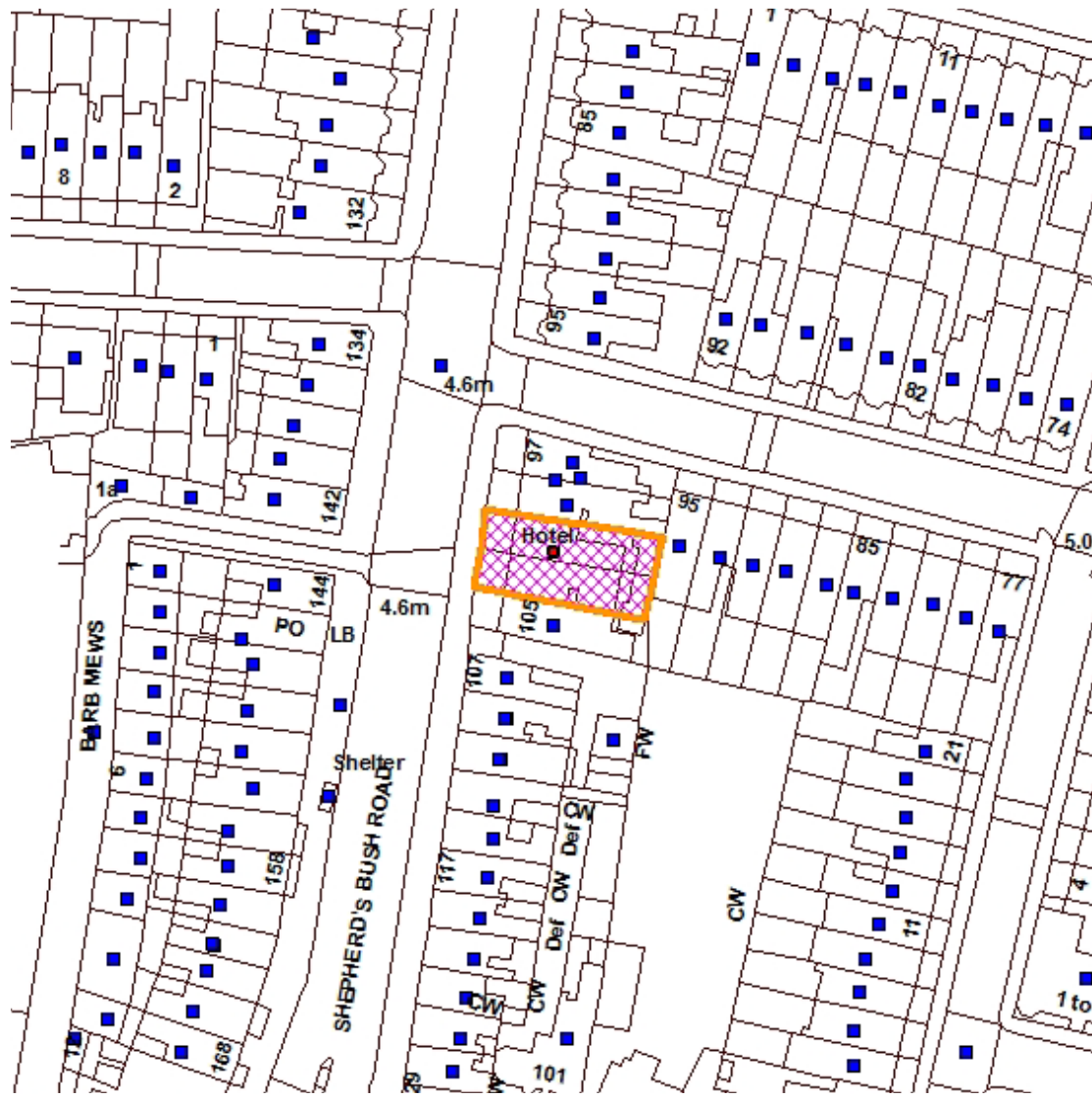


Ward: Addison

Site Address:

101 - 103 Shepherd's Bush Road London W6 7LR



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

For identification purposes only - do not scale.

Reg. No:
2020/02545/FUL

Case Officer:
Richard Kealey

Date Valid:
02.11.2020

Conservation Area:
Constraint Name: Lakeside/Sinclair/Blythe Road
Conservation Area - Number 36

Committee Date:
02.02.2021

Applicant:

St Mungos

C/O Agent: Mike Spurgeon Peacock and Smith London EC1Y 0UP

Description:

Change of use of existing hotel (Class C1), to hostel accommodation (Class Sui Generis), on a temporary basis until November 2023 and provision of internal link to 105 Shepherd's Bush Road (existing hotel) to combine the two properties in connection with concurrent planning application 2020/02546/FUL for temporary use as hostel accommodation.

Drg Nos: 101-103 Shepherds Bush Road Good Neighbours Plan. Planning Statement dated 30th of September 2020. Flood Risk Assessment. 1982/2/11 (Rev.A), 1982/2/12, 1982/2/13, 1982/2/14.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

- 1) That the Committee resolve that the Chief Planning Officer be authorised to grant permission subject to the conditions listed below;
- 2) That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

- 1) The temporary use of the site as a hostel, hereby approved is permitted for a limited period only until 30th of November 2023, after which the use shall be discontinued. The site shall be made good to its original condition.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC8 and HO11 of the Local Plan (2018).

- 2) The development hereby permitted shall be built in complete accordance with the drawings hereby approved.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC8 and HO11 of the Local Plan (2018).

- 3) At the end of the temporary change of use period, the site shall revert to its original use as a Guest House (Class use C1). All operations as a hostel (Sui Generis) shall cease.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC4, DC8 and HO11 of the Local Plan (2018).

- 4) The temporary change of use hereby permitted shall be operated in line with the information outlined in the Good Neighbours Plan (management plan) hereby approved.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC8 and HO11 of the Local Plan (2018).

- 5) The development shall be carried out in accordance with the details contained within the Flood Risk Assessment submitted with this application. All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the occupation of the development.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy CC2 and CC3 of the Local Plan (2018).

- 6) The temporary change of use hereby approved shall only be used as a hostel facility falling within Class Sui Generis of the Town & Country Planning (Use Classes) Order 1987 (as amended). The resulting converted property shall not be used as housing in multiple occupation falling within Class C4 or as self-contained residential uses within Class C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (As amended 2017).

The use of the property as either house in multiple occupation or self-contained units rather than as a hostel would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with Policies DC1, HO1, HO2, HO4, HO5, HO11, HO8 of the Local Plan (2018).

- 7) Prior to the use of the development as a hostel provision should be made for the storage of eight bicycles, in the form of the dedicated cycle storage area at ground floor level in the front garden of 101 Shepherd's Bush Road. Thereafter the provision for cycle storage shall be so maintained for the life of the development.

To ensure satisfactory provision for cycle storage and thereby encourage sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan (2018).

- 8) Prior to the occupation of the newly proposed used, a Travel Plan Statement to reduce dependency on the private car, which shall include clear and unambiguous objectives and modal split targets, together with a time-bound programme of

implementation, monitoring and regular review and improvement; and be based on the particulars contained within the approved framework produced in support of this application, shall be submitted to and approved in writing by the Local Planning Authority and thereafter operated.

To ensure satisfactory provision for sustainable travel arrangements and thereby encourage sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan (2018).

Justification for Approving the Application:

- 1) It is considered that the proposal would not have a significant effect on the residential amenity of nearby occupiers and would not be harmful to the conservation area. In this respect the proposal complies with Policies CC3, CC11, CC13, CF1, CF2, DC1, DC8, HO4, HO7, HO8, E2, T2 and T3 of the Hammersmith and Fulham Local Plan (2018) and London Plan (2016) Policies 3.1, 3.2, 5.1, 5.12, 5.13, 5.14, 5.15, 5.16, 6.1, 6.3, 6.9, 6.10, 6.13, 7.3, 7.4, 7.6, 7.14 and 7.15.

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

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

Application form received: 6th October 2020
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:
Thames Water - Development Control	11.11.20

Neighbour Comments:

Letters from:	Dated:
17 Melrose Gardens London W6 7RN	15.12.20
22 STERNDAL ROAD LONDON W140HS	30.11.20
8 Cromwell Grove London W6 7RG	16.12.20
7 Melrose Gardens London W6 7RN	23.11.20
41 Cromwell Grove London W6 7RQ	16.12.20
10, Dewhurst Road London W140ET	23.11.20
winkworth 129 shepherds bush road London w6 7lp	23.11.20
18 Melrose Terrace London W6 7rl	29.11.20
16 Melrose Terrace London W6 7RL	29.11.20

24 westwick garden London W14 0bu	01.12.20
5 Lena Gardens Lena Gardens London W6 7PY	02.12.20
40 Batoum Gardens London W6 7QD	29.11.20
31 Melrose gardena London W67RN	29.11.20
26 melrose gardens london W6 7RW	23.11.20
99 Brook Green London W6 7BD	28.11.20
18 Melrose Terrace LONDON W67RL	29.11.20
1 Batoum Gardens London W6 7QB	29.11.20
15 Dunsany Road London W14 0JP	27.11.20
15 Dunsany Road London W14 0JP	02.12.20
96 Brook Green London W6 7 BD	29.11.20
20 Lena Gardens London W6 7PZ	22.12.20
100 Brook Green London W6 7BD	23.11.20
29 MELROSE GARDENS, LONDON W6 7RN	23.11.20
NAG	21.11.20
77 Sterndale Road London W14 0HX	28.11.20
31 Melrose gardens London W67RN	29.11.20
61 Rowan Road London W6 7DT	30.11.20
97 - 99 Shepherds Bush Road Hammersmith London W6 7LP	19.11.20
97 - 99 Shepherds Bush Road Hammersmith London W6 7LP	20.11.20
80 Brook Green LONDON W6 7BE	30.11.20
80 Brook Green LONDON W6 7BE	30.11.20
95 Sterndale Road London W14 0HX	01.12.20
19 Dunsany Road London W14 0JP	02.12.20
5 Phoenix Lodge Mansions Brook Green Hammersmith W67BG	20.11.20
27 St Stephens avenue London W12 8JB	23.11.20
3 Netherwood Road Flat 2 London W14 0BL	27.11.20
40 Batoum Gardens London w6 7qd	29.11.20
Batoum gardens London W6	29.11.20
87 Sterndale Road London W14 0HX	30.11.20
106 Addison Gardens London W14 0DS	16.12.20
33 Batoum Gardens Flat A London W6 7QB	04.12.20
Minford Gardens 40 London W14 0AN	25.11.20
99 Brook Green London W6 7BD	27.11.20
5 Holley road London W3 7tr	29.11.20
13 Dunsany Road London W14 0JP	24.11.20
30 Poplar Grove london w6 7re	25.11.20
89 Sterndale Road London W14 0HX	30.11.20
137 Sulgrave Road London W67PX	17.12.20
13 MELROSE GARDENS LONDON W6 7RN	17.12.20
13 MELROSE GARDENS LONDON W6 7RN	17.12.20
44 Batoum Gardens London W6 7QD	02.12.20
56 Netherwood Road London W14 0BG	16.12.20
129 Shepherds Bush Road Hammersmith w6 7lp	23.11.20
94 Brook Green London London W6 7BD	18.12.20
1 Dewhurst Road London W14 0ET	24.01.21
11 Dunsany Road London W14 0JP	01.12.20
2 Dewhurst road london w140et	20.11.20
9 Dunsany Road London W140JP	24.11.20
10 Dewhurst Rd. London W140ET	23.11.20
20 Dewhurst Road London W14 0ET	16.12.20
27 Melrose Gardens London W6 7RN	26.11.20

5 Dewhurst Road London W14 0ET
40 Woodstock Grove London W12 8LG

26.11.20
28.11.20

1.0 SITE DESCRIPTION

- 1.1 The site consists of an existing hotel located on the eastern side of Shepherds Bush Road. The site contains a four storey, mid-terrace property located within the Lakeside/Sinclair/Blythe Road Conservation Area.
- 1.2 The site is located outside the perimeters of both Shepherds Bush and Hammersmith town centres. It is located within the Environment Agency flood risk zones 2/3.
- 1.3 The immediate character and appearance of the area along Shepherds Bush Road is a mixture of commercial uses at ground floor with accommodation at upper levels. The area also contains a number of small hotels/guest houses.
- 1.4 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent). Shepherds Bush Road is classified as London Distributor Road and the site is within Controlled Parking Zone C. A nearby bus stop serves bus routes 72, 220, 283, 295 and N72 which provide links to East Acton, Ladbroke Grove, Willesden Junction, Hammersmith, Wandsworth and Clapham Junction.
- 1.5 The Hammersmith stations are 0.4miles/8 minutes away which afford access to TfL Hammersmith & City, Circle, District and Piccadilly underground lines. Kensington (Olympia) station is 0.6miles/12 minutes away which affords access to TfL Overground and Southern Rail services. Goldhawk Road is also 0.5miles/10 minutes away which is also served by TfL Hammersmith & City and Circle lines.

2.0 RELEVANT PLANNING HISTORY

- 2.1 2020/02545/FUL - 101 - 103 Shepherd's Bush Road - Change of use of existing hotel (Class C1), to hostel accommodation (Class Sui Generis), on a temporary basis from December 2020 to November 2023 and provision of internal link to 105 Shepherd's Bush Road (existing hotel) to combine the two properties in connection with concurrent planning application 2020/02546/FUL for temporary use as hostel accommodation - Pending consideration
- 2.2 2020/00604/DET - Submission of details of Condition 11; Condition 12; Condition 13; Condition 14; Condition 15; and Condition 16 of planning permission reference: 2019/00994/FUL dated 30th August 2019 - Granted
- 2.3 2019/00994/FUL - Change of use from a hotel (Class C1) into a large House in Multiple Occupation (Sui Generis) comprising 12no. bedrooms - Granted - not implemented
- 2.4 2010/03193/FUL - Change of use from office (Class B1) to a hotel use (Class C1); installation of 8 nos bicycle spaces to front of property; and the erection of a refuse store to rear of property - Granted

- 2.5 2009/00018/FUL - Erection of a single storey rear extension, to the side of the existing back addition - Granted
- 2.6 1983/02064/FUL - Erection of single storey rear extensions at first and second floor levels to provide two enlarged bedrooms to bed and breakfast hotel - Refused
- 2.7 1976/01091/HIST - The erection of a single storey extension to the existing two-storey back addition to accommodate a bathroom and toilet - Granted
- 2.8 1976/00730/HIST - Change of use to form a bed and breakfast hotel together with improvements to the rear extension at first floor level and the addition of a shower and W.C. at ground floor level - Granted
- 2.9 1975/00427/HIST - Use of former Area Health Authority premises as an extension to existing Area Team Social Workers' offices - Granted

3.0 PROPOSAL

- 3.1 The current application is for the change of use of an existing Hotel (Class C1), to hostel accommodation (Class Sui Generis), on a temporary basis until November 2023. In addition to the change of use, it proposes the provision of internal link to 105 Shepherd's Bush Road (existing guest house) to combine the two properties in connection with concurrent planning application 2020/02546/FUL for temporary use as hostel accommodation (also on this agenda).
- 3.2 In support of this application the applications have confirmed existing and proposed floor plans, provided a good neighbours plan (management plan), draft travel plan statement, planning statement and Flood Risk Assessment (FRA).

4.0 PUBLICITY AND CONSULTATIONS

- 4.1 The application was publicised by way of site and press notices. In addition, individual notification letters were also sent to 213 neighbouring properties.
- 4.2 In total 57 residents' responses have been received. 1 supporting the application and 56 objecting. The responses received can be summarised as follows:

Support

- Aware of local objection
- View that many of those unfortunate people who are homeless would like to repair their lives and I hope this hostel will give them a chance
- Do not see loss of hotel rooms as a negative
- Would welcome the times that the hostel opens and closes is staggered so that all the residents do not come and go at the same time

Objection

- Fear of crime
- Ongoing issues around Brook Green / Little Brook Green / Anti-social behaviour in the area

- Already issues of people congregating locally, this will exacerbate this issue
- Should deal with ongoing issues with existing hostels operators
- Drug dealing / substance and alcohol abuse / located nearby an off license
- Large numbers of elderly people and unaccompanied children travelling to several local schools (safeguarding concerns)
- No local consultation prior to submission
- No mitigation for smoking area to the rear / smoke will enter garden, harmful to children / disposal of cigarette butts
- Prevent users scaling wall and entering Dunsany Communal Garden
- No food provisions
- Change character of the conservation area
- Profile of hostel uses are not 'like for like' compared to hotel which made economic contributions
- Will harm local shopping amenities
- Pressure on local shops and services e.g. Tesco, pharmacy, GP's nearby.
- Unsure hostel had been coordinated with NHS to provide specialist services individuals require
- Misleading submitting 2 separate applications / timing of applications given permission is due to start on the 1st of December 2020 which has passed
- Services should be evenly distributed around borough and not concentrated in this area given issues with other hostels in the local area (114-120 Shepherd's Bush Road and 4 Batoum Gardens)
- Pop up hostels ran by St Mungo's elsewhere in the borough during the Covid19 crisis were badly managed
- Visited 229 King Street and noted issues outside hostel there which is also operated by St Mungo's
- Put tourists off staying in the area especially other local hotels
- The 2018 Homeless Link report findings are, 'initiatives form part of a wider shift from large shelters with basic provisions to smaller and/or more specialised services that offer individualised and targeted support'. Therefore, St Mungo's proposal of a forty-room hostel ignores an important and valuable report, even though government advisors are adhering to the report's recommendations.
- Intimidating behaviour from local drug dealer when they were reported
- Too much social housing in the area currently
- Unsure the onsite supervision will be adequate and able to handle any situations that arise
- Don't follow lockdown / social distancing rule
- Smaller facility would be preferred
- 10 years ago the area had problems with people drinking on the street, hostels will help speed up and revert back to this situation
- Simply housing people without providing any form of framework to help with their various addictions does not help anyone long term

4.3 Officer response: All material planning issues raised are considered and addressed in the following assessment. Issues relating to other sites / hostels are not material planning considerations. Likewise, issues relating to crime in the area generally, whilst noted fall outside the remit of this planning application.

4.4 Thames Water were consulted and raised no objections to the proposal.

4.5 Metropolitan Police Design Advisor - Raised no objections to the proposal. Concerns have been raised by local police officers about the impacts of the

proposal on the area. Following discussions with the local police officers, their concerns can be summarised as follows:

- Identified some local hot spots for ASB such as, Brook Green, Little Brook Green, Tesco's and the businesses opposite and next to the Hotel. They also refer to Hammersmith Broadway 'Town Centre' due to the footfall and opportunities to beg. Response: Applicants have commented that their service is not an outreach service, so it would be outside our remit to check all of the local hotspots identified. They will be regularly patrolling in the locality of the application sites (including as far as Little Brook Green and the edge of Brook Green (3 hourly patrols). However, if residents from the service are identified in causing ASB in any of these other areas then we would welcome discussions around this so that we can follow up in accordance with our Responding to Challenging Behaviour Policy (B17). We have not been made aware of any issues involving our residents at the Hammersmith Broadway.
- There is also no mention of enforcing COVID legislation: Response: Applicants have confirmed that in relation to Covid legislation, they do not have any powers to enforce legislation so this would be outside the remit of the service. However, we support our residents to understand the covid legislation and guidance, promote this and ensure that the residents understand the importance of it, supply face masks to residents and follow up with anyone who is not complying with guidance in partnership with other professionals (including colleagues in Public Health where necessary).

4.6 The police have also commented on the Good Neighbours Plan, in relation to: Is there a Code of conduct for guests;

- Response: Yes. There are house rules and licence agreements. Action will always be taken in response to breaches of the house rules, licence agreement or induction. The response taken will be dealt with on a case by case basis in accordance with our 'Responding to Challenging Behaviour' Procedure (B17). Will there be security on site, and will the observation logs be shared with police;
- Response: We will not have security on site but will deal with issues in accordance with our 'Responding to Challenging Behaviour' Procedure (B17). The log is discussed with H&F Council. If their own guests are congregating outside then they should deal with accordingly as per their above code of conduct; what are the regular checks carried out?;
- Response: Staff will always speak to residents in the first instance but may contact the police if behaviour of anyone outside the service is deemed to be too dangerous to intervene. During the day, locality checks involves a route which goes around nearby streets to ensure that nobody is engaged in antisocial behaviour nearby. At night, checks include immediately in front of the building. We would like a contact number for local residents and businesses, as this would again fall to police to act as the go between. We would also welcome those to attend our Ward Panel Meetings;
- Response: We will have a 24 hour 'complaints hotline' based in the service, which will be advertised to local residents and businesses. How many breaches of the conduct/behaviour codes until the punitive measures are actually carried out?
- Response: It depends on the behaviour. As a homelessness organisation our goal is to keep people in accommodation, but this aim must be balanced against any risks posed to other residents, staff or members of the local community. We can carry out immediate evictions in response to serious breaches. What will define the 'locality'

- Response: Locality is used flexibly to allow us to be responsive to issues, but relates to local shops, streets, parks etc close to the service. The log will be used to evidence and highlight issues or potential issues. Where issues relate to our residents, staff will follow up in accordance with B17. Where issues do not relate to our residents, we will make the relevant agencies or services know (e.g. Neighbourhood Wardens, Police, other hotels, other homelessness services). What will the log be used for as this replicates two paragraphs above, in relation to the Breaches B17; What about non indictable crime such as the ASB
- Response: The work we do with our residents is built on good rapport and trust. While we will follow up incidents of ASB or non-indictable crime with clients in accordance with B17, there is not a legal obligation to report this to the police and on balance we feel that we are more likely to support clients away from offending behaviours by not calling the police around low level offences. The above approach is consistent with our Working with the Police Procedure (B18).

5.0 POLICY FRAMEWORK

- 5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).
- 5.3 In this instance the statutory development plan comprises the London Plan (2016) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.
- + National Planning Policy Framework (February 2019)
- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2019 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.
- 5.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- + London Plan
- 5.6 The London Plan was published in July 2016. It sets out the overall strategic plan for London and a fully integrated economic, environmental, transport and social framework for the development of the Capital over the next 20-25 years. It forms part of the development plan for Hammersmith and Fulham

+ Draft London Plan

5.7 On 29 November 2017, the Greater London Authority published their Draft London Plan. The consultation period ended on 2 March 2018. In August 2018 the Mayor published a revised version of the draft Plan that includes minor suggested changes. Consultation comments relating to the draft Plan have been reviewed by the independent Planning Inspector appointed by the Secretary of State and the Plan's formal Examination in Public (EIP) took place from January to May 2019. The Mayor has considered the Inspectors' recommendations and further recommendations from the SoS and published the 'Publication London Plan' in December 2021. On 21 December 2020 the Mayor issued to the Secretary of State his intention to publish the London Plan. The SoS has indicated that they will respond to this by 1 February 2021. Where a policy in the 'Publication London Plan' has not been queried by the SoS it has significant weight.

+ Local Plan

5.8 The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

6.0 PLANNING ASSESSMENT

6.1 The main considerations material to the assessment of this application have been summarised as follows:

- o Principle of Land Use
- o Quality of accommodation
- o Design and Appearance (including impact on heritage assets).
- o Residential Amenity (outlook/privacy/noise)
- o Highways and Transportation
- o Environmental Matters

LAND USE

6.2 London Plan Policy 3.1 sets out the Mayor is committed to ensuring equal life chances for all Londoners. This includes addressing the barriers to meeting the needs of particular groups and communities. Policy 3.2 seeks to improve health and address health inequalities.

6.3 Local Plan Policy CF1 seeks to support community facilities and services and is echoed by Local Plan Policy CF2 which supports social infrastructure. Local Plan policy HO7 seeks to encourage and support applications for new special needs and supporting housing. This policy sets out four requirements:

- a. there is an established local need for the facility;
- b. the standard of the facilities are satisfactory and suitable for the intended occupants;
- c. there is a good level of accessibility to public transport and other facilities needed by the residents; and

- d. the impact of the proposed development will not be detrimental to the amenity of the local area or to local services
- 6.4 Local Plan Policy HO8 sets out the acceptability of planning applications for new hostels. They will be considered in relation to the following criteria:
- a. the quality of the accommodation that is proposed or might be lost;
 - b. the impact of the accommodation on the locality; and
 - c. the local need for the proposed or existing HMO or hostel accommodation.
- 6.5 The proposal would provide a 25-bedroom (majority with en-suite facilities) hostel which would be used for a temporary period up until November 2023 to house rough sleepers. The planning statement states, 'It would provide a base of operations for the assessment of the needs of users (clients). The proposed 'H&F Rough Sleeping Assessment Hub', will provide accommodation to rough sleepers from across the Borough, initially for a six week period so that assessment work can be completed and appropriate forms of more permanent accommodation identified'
- 6.6 Information available to the council sets out the need for such facilities. In 2016-17 there were 246 rough sleepers seen in the borough; in 2017-18 that fell to 202; and in 2018-19, the most recent year for which figures are available, it was 171. In 2018, Hammersmith & Fulham became the first local authority to undertake to end all rough sleeping. Additionally, St Mungo's had accommodation in Shepherds Bush market area, but have had to move out. The current proposal would help to reduce the numbers of rough sleepers in the area and provide help and guidance for those looking to move into permanent accommodation.
- 6.7 Given the use proposed is only temporary, no permanent loss of the guest house use would occur. Local Plan Policy E2 sets out primarily hotels should be located within town centres. This site is outside any town centre designation. It is recognised the negative impact the Covid19 pandemic has had on tourism with a drastic reduction in international visiting the UK, a trend seen across Europe. Based on the evidence available to officers and information presented within this application, a clear need for such a facility is recognised. The council's Supplementary Planning Document and Local Plan and London Plan policies support this use. As such, on balance, the principle of the Land Use is judged to be acceptable.

QUALITY OF ACCOMMODATION

- 6.8 As a result of the Covid-19 pandemic, this application has been determined without a site visit. In considering this application, Officers have reviewed site photographs provided by the applicant and are satisfied that this has enabled them to fully assess the proposals. Officers have knowledge of the application premises as a result of a recent application(2019/00994/FUL).
- 6.9 As set out above in section 6.3 in order to meet the needs of people who need care and support, the standard of facilities should be satisfactory and suitable for the intended occupants. Floor plans provided confirm each of the 25 bedrooms would contain its own shower. 5 bedrooms contain a private shower only whilst the other 20 would provide a private bathroom and shower. The rooms without their

own toilet are bedrooms 8, 13, 16, 20 and 23. This is judged as being acceptable as private sleeping and washing facilities are being proposed. Moreover, in line with current social distancing regulations, this would help separate residents and prevent the spread of Covid19.

6.10 Each bedroom contains its own window which would afford natural lighting and provide users with good levels of outlook. The internal link proposed at ground floor level would allow access into 105 Shepherds Bush Road in the event both applications are approved. The primary entrance/exit would be the main doorway of 101-103 Shepherds Bush Road (this application). Given the unique challenges some users may present, staff would have sole access to the entry system affording them control over who can enter and exit the building. This in turn would protect vulnerable residents and help ensure their safeguarding.

+ Internal space standards

6.11 Whilst Local Plan Policy HO4 and HO11 expect all housing development to be of a high-quality design and be designed to have adequate internal space there is not a designated minimum space standard for temporary accommodation. Given only minimal works are being proposed (rather than the building of new development),

6.12 Officers consider that this proposal which provides a range of room sizes from 5.8sqm to 13.6sqm. Note, these figures do not include the floor space of the en-suite facilities. Bedroom 1 is on the ground floor of 101 Shepherds Bush Road and affords wheelchair access including washroom facilities.

6.13 The majority of the 25 bedrooms have a floorspace of at least 6.5sqm. Given the temporary nature of this development and that residents would not normally stay any longer than 6 weeks in the units, on balance, the internal space of the new proposed short-term residential accommodation is judged to be acceptable.

6.14 An office has been placed at the front of 103 Shepherds Bush Room at ground floor level. Furthermore, a meeting room and staff meeting room have been placed to the rear of each property. The stacking between residential accommodation and other uses should also help ensure noise disturbance is reduced. Given Shepherds Bush Road is a busy thoroughfare between Hammersmith and Shepherds Bush town centres, placing the majority of accommodation to the rear of the property would also reduce noise from the highway for the occupants. Likewise, having the office along the front elevation would also allow for passive surveillance to take place to the front of the property which would help to prevent any potential anti-social behaviour.

+ External amenity space

6.15 External amenity space is provided to the front and rear of the units. The front garden would also house 8 cycle spaces. A covered external smoking area was originally proposed however the proposal to cover this area was deleted from the proposal. This space to the rear would help prevent residents solely gathering to the front of the property as raised in objections received. Confirmation was received from the agent that St Mungo's will closely monitor the number of residents using the external smoking area at any one time. Clients of the service will need to obey house rules and appropriate sanctions will be used as required

up to and including exclusion/eviction if there is any breach. The clients have to sign up to behaviour standards and this includes not causing nuisance or disruption to neighbours and community. Several public parks are located nearby including Brook Green and Little Brook Green.

+ Secured by Design

- 6.16 London Plan Policy 7.3 seeks to create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion. The agent has confirmed all communal areas and corridors are covered by CCTV as requested by the Metropolitan Police Design Officer.

DESIGN AND HERITAGE

- 6.17 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. It is key to the assessment of these applications 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 s.72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.

- 6.18 s72 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.'

Paragraph 184 of the NPPF states:

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 190 of the NPPF states:

Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 of the NPPF states:

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.

Paragraph 196 of the NPPF states:

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.

- 6.19 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 designated heritage assets and/or their setting.
- 6.20 The application site is located in the Lakeside/Sinclair/Blythe Road Conservation Area. Given that the proposal scheme does not include any external changes to the appearance of the host property, officers assess that the development would not cause any harm to the character, appearance or significance of the Conservation Area. As such, the character and appearance of the Conservation Area would be preserved overall. Officers have assessed the impact of the proposal on the heritage assets and consider that the proposal would accord with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, Local Plan Policies DC1, DC8.

RESIDENTIAL AMENITY

- 6.21 Local Plan Policy HO11 addresses detailed residential standards and, in seeking high standard of design, seeks to ensure the protection of existing residential amenities; 'including issues such as loss of daylight, sunlight, privacy and outlook'.
- 6.22 In this case there would be no external alterations that would be visible. As such the proposal would not result in loss of daylight, sunlight, privacy and outlook to neighbouring residential properties. The use of the hotel would remain the same, providing short term accommodation and as such any existing issues are unlikely to be exacerbated.
- 6.23 London Plan Policy 7.15 states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, a development and promoting new technologies and improved practices to reduce noise.
- 6.24 Local Plan Policy CC11 seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development 'in the most appropriate locations'. Local Plan Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.

- 6.25 NPPF paragraph 170 states that planning decisions should prevent new and existing development from contributing to unacceptable levels of noise pollution. Similarly, Paragraph 180 states that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 6.26 It is not considered the proposal would materially increase localised noise and disturbance to neighbouring residents in the change of use which would largely remain for short term accommodation.
- 6.27 An independent Good Neighbours Plan (management plan) specific to 101-103 Shepherds Bush Road (as well as one for the adjoining site) has been submitted with the application. This confirms that the site would have a visible management presence with a manned reception 24/7. Staff will have sole control over entry and exit to the facility. If both applications are approved, the main entrance will be via 101-103 Shepherds Bush Road only.
- 6.28 People congregating outside of the premises Shepherds Bush Road will be asked to disperse and police will be involved if needed. Staff will also conduct regular building checks throughout a 24-hour period and will be able to challenge any noise nuisance coming from particular rooms on the spot. The checks will include the external perimeter of the hotel throughout the 24 hour period.
- 6.29 Concerns have been raised by local residents that there will be a concentration of these uses in the area. It is accepted that a number of premises have been used in the pandemic to provide emergency accommodation for rough sleepers. Numbers 114 and 120 Shepherds Bush Road had been used earlier on in the current pandemic to provide emergency housing, however, this use of these hotels ended in July and June 2020 respectively. Furthermore, LBHF are currently housing some rough sleepers at nos 75 and 77/79 Shepherds Bush Road. This use will cease and the existing occupiers transferred to the current application sites, if planning permission were to be approved. In this respect the numbers of occupiers would not be increasing over the current levels.
- 6.30 We are also aware that there are 2 other sites in Shepherds Bush Green and Shepherds Bush Road, which provide temporary housing of behalf of the Home Office. These uses would not be impacted by the current applications.
- 6.31 Objections received raised the issue of a lack of community consultation. Given the small scale of this development, community consultation whilst encouraged and welcomed was not mandatory. However, if residents wish to raise issues concerning the operation of the use with St Mungo's, a 24 hotline is available. The management plan states Managers will attend the newly formed monthly multi agency Street Population Action Group meeting as required to discuss any emerging/ on-going issues in the locality. LBHF Community Safety will have management contact information for the services at the hostel. CCTV and other information will be shared as needed when issues are raised. They have access to CCTV footage of potential ASB hotspots at Little Brook Green/ Brook Green as raised in objections received.

- 6.32 The applicants have confirmed that St Mungo's have proposed a large staff team who would be employed to provide intensive support and effective locality management. Staff levels will fluctuate during the day, with between 3 and 10 persons generally. The staff would carry out regular patrols of the local area throughout the day and night and wear high visibility clothing so local residents will be able to identify them. Logs of the results of the patrols are kept and shared with LBHF, and any issues identified will be resolved by St Mungo's with police assistance, where necessary. Staff would be available 24-hours a day to respond to issues and residents would only be able to access the building via a video-controlled door entry system. There would be a minimum of three staff at night and up to ten during the daytime. CCTV coverage on site is 24hr. Staff will monitor CCTV from within the office so can respond to developing situations both inside and outside the buildings before incidents occur. As set out in the Good Neighbour plan, the applicants will carry out regular locality checks to deter and respond to any issues of Anti Social Behaviour in the community. They also confirm that they will respond to any ASB from their clients which has an impact on the local community. St Mungo's have also advised that they have already reached out to other services in the area to create a consistent approach to responding to ASB. and consider that they have the experience and resources to have an overall positive impact on the surrounding area. Furthermore, there will be a 24 hour 'complaints hotline' based in the service, which will be advertised to local residents and businesses to advise if there are issues.
- 6.33 The management plan also states residents will be required to sign up to an agreement which includes 'house rules' detailing obligations including around avoiding noise nuisance, no begging/shop lifting and use /dealing of illicit substances is not permitted. Given the client group, alcohol use is permitted in client rooms. Clients will be brought to the site, rather than turning up unannounced. St Mungo's have policies in place to deal with any of these issues that arise and allow them to deal with the problems in a controlled and fair manner. They have a range of procedures and methodologies to deal with breaches of their policies up to and including notices to quit the accommodation.
- 6.34 With regards to litter, hotel staff will complete regular litter picks at the front of the hotel. Proposed plans confirm refuse will continue to be stored in the rear of 101 Shepherds Bush Road.
- 6.35 With regards to nearby businesses staff will introduce the services in the locality and provide contact details so that proprietors will know who to contact if necessary. They will also offer advice to them on the placement of hand sanitisers to avoid its misuse.
- 6.36 Each room will include a fridge and microwave. The management plan states clients will be supported with referrals to food banks and supermarket vouchers to enable them to purchase supplies in order to preclude recourse to begging or shoplifting. Several shops are located nearby included a large Tesco supermarket with pharmacy along Barb Mews.

HIGHWAYS AND TRANSPORTATION

- 6.37 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 that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

- 6.38 Policies 6.1, 6.3, 6.9, 6.10, and 6.13 of The London Plan sets 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 parking standards.
- 6.39 Local Plan Policy T2 seeks a transport assessment for all development to assess their contribution to traffic generation and impact on congestion particularly on bus routes and on the primary route network. T3 seeks to increase and promote opportunities for cycling and walking.
- 6.40 This application was referred to the council's Highways department. It was judged as having negligible impact on the local transport compared to its existing hotel use. The site is located in PTAL area 6a meaning it has excellent access to public transport according to TfL methodologies.
- 6.41 Upon the request of the council's Highways team the applicant confirmed that no off-street car parking will be provided for staff or clients of the service. A staff travel plan was also submitted which made an assessment on the implications for the highway.
- 6.42 It confirms the site has disabled access to offices and one of the bedrooms makes provision for disabled service users (bedroom 1 on the ground floor of 101 Shepherds Bush Road). Public transport will be encouraged. In exceptional circumstances where staff have to leave work outside of the hours where public transport is not available, St Mungo's would use existing accounts with taxi companies however this would only be in exceptional circumstances. Likewise, if clients are referred when public transport is unavailable a taxi would be used. It is anticipated the majority of trips generated to and from the site will be in the form of sustainable modes of transport. A condition is attached requiring the submission of a more detailed Travel Plan Statement

+ Cycle parking

- 6.43 The management plan confirms staff and visitors who choose to cycle to work are able to secure their bikes in cycle parking areas within the site. Staff also have access to shower facilities if they require these following their journey to the site. The council's Highways team noted a total of 8no. bicycle racks and lockable posts are provided in the front garden of 101 Shepherds Bush Road. These will remain in situ and will be used to provide cycle parking facilities for the staff, clients and/or visitors to the proposed hostel accommodation. A condition is recommended requiring the 8 cycle parking to be installed prior to the use of the hostel.
- 6.44 A condition is recommended that this cycle parking is retained for the lifetime of the development. Likewise, a condition requiring a Travel Plan Statement to reduce dependency on the private car, which shall include clear and unambiguous objectives and modal split targets, together with a time-bound programme of

implementation, monitoring and regular review and improvement; and be based on the particulars contained within the approved framework produced in support of this application, shall be submitted to and approved in writing by the Local Planning Authority and thereafter operated.

+ Refuse storage / Delivery and servicing

6.45 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Local Plan Policy CC7 sets out the Council's Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

6.46 The delivery and servicing associated with the development would continue to be provided in the same way as they are for the existing hotel use and these arrangements are considered to be satisfactory.

ENVIRONMENTAL MATTERS

+ Flood risk

6.47 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'.

6.48 London Plan Policies 5.1, 5.12, 5.13, 5.14 and 5.15 require development to comply with the flood risk assessment and management requirements of national policy.

6.49 Local Plan Policy CC3 requires that development should reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4

6.50 This application was referred to the council's Environmental Policy team as it is located within the Environmental Agency Flood Risk Zone 2/3. The flood risk assessment (FRA) provided was reviewed and they raised no objection. Local Plan Policy CC3 requires that all developments must include water efficient fittings and appliances, where new facilities are provided. This will be communicated by way of an informative.

6.51 Although not in the breach extent area the FRA states that the occupiers will sign up to the EAs early flood warning system and that managers will be trained on flood evacuation. Whilst this is not required, it is welcomed.

+ Air Quality

6.52 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).

6.53 London Plan Policy 7.14 seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings; not worsen existing poor

quality air quality. Where additional negative air quality impacts from a new development are identified, mitigation measures will be required to ameliorate these impacts. Further the Mayor of London's Air Quality Strategy provides a framework of policy which aims to improve air quality in London.

6.54 Given the scale of this development which is only temporary its unlikely air quality improvements could be secured that would not be overly onerous. The heating of the hostel would remain. As such, on balance is judged to be acceptable.

7.0 CONCLUSION

7.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

7.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance. In summary, the proposed development would contribute towards the quantity of the borough's temporary housing stock to house the most at risk residents. The proposed change of use is temporary only. The use is in line with the councils aim to end homelessness and is supported by the figures of rough sleepers outlined in section 6.6 of this report.

7.3 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report, it is considered having regard to the development plan as a whole and all other material considerations that planning permission should be granted subject to conditions.

8.0 RECOMMENDATION

8.1 Grant planning permission subject to conditions.