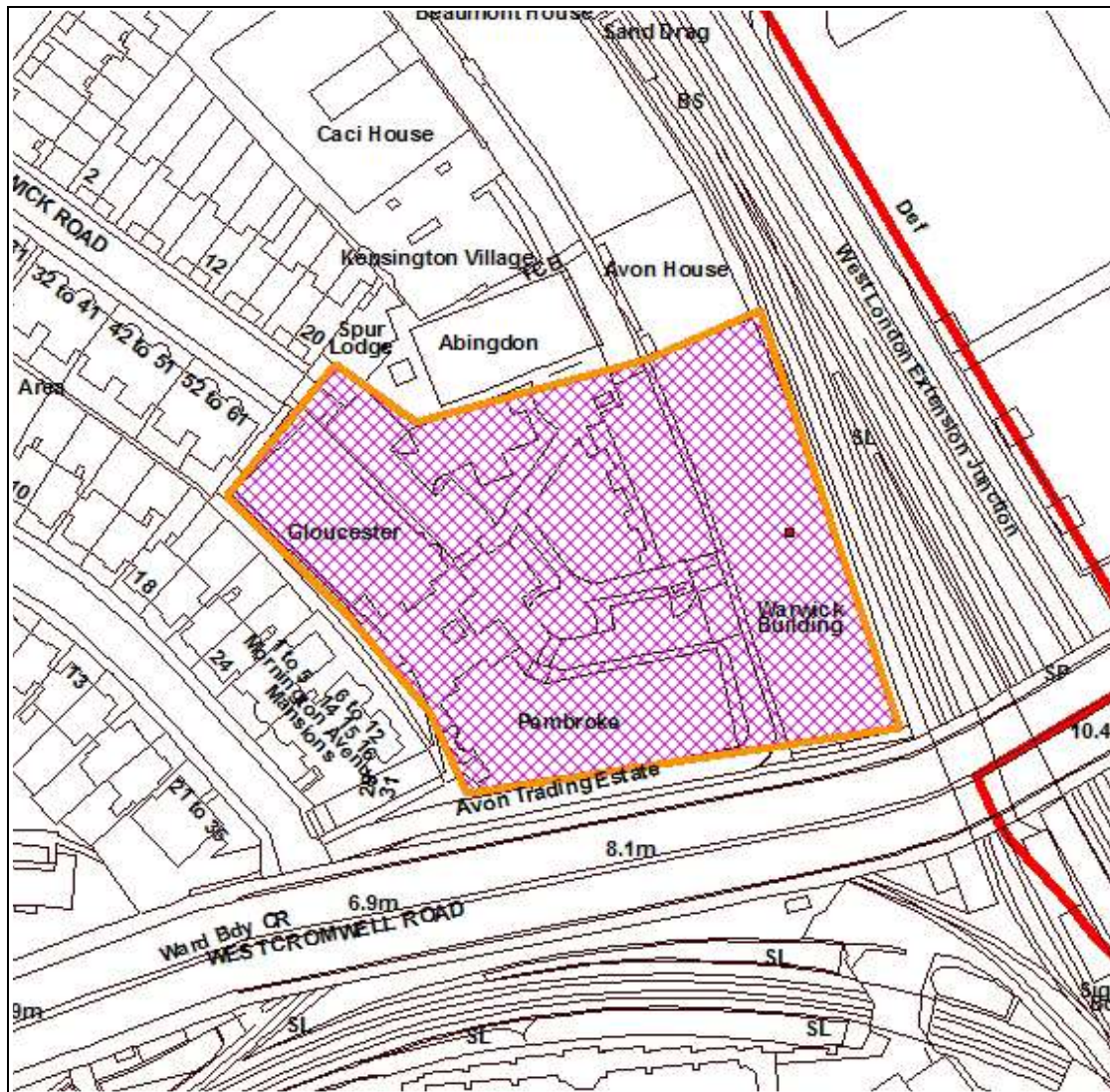


**Ward:** Avonmore And Brook Green

**Site Address:**

Warwick Building Kensington Village Avonmore Road London W14 8HQ



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

**Reg. No:**

2020/03397/FUL

**Case Officer:**

Sian Brown

**Date Valid:**

21.12.2020

**Conservation Area:**

Constraint Name: Olympia And Avonmore  
Conservation Area - Number 23

**Committee Date:**

20.04.2021

**Applicant:**

Reisen

CORE UK 2016 3 Sarl 121 Avenue de la Faiencerie L-511 Luxembourg

**Description:**

Demolition of existing rooftop plant rooms and existing roof, and erection of a single storey roof extension to provide additional office accommodation (Class E) with ancillary roof terrace and replacement plant room; installation of new entrance from Avonmore Road at ground floor level; ancillary alterations to the existing office building (including replacing louvres with new matching windows); and provision of disabled persons parking, ev points and cycle facilities.

Drg Nos: See condition 2

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

1) That the Committee resolve that the Chief Planning Officer be authorised to grant permission upon the completion of a satisfactory legal agreement and 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 Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

**Conditions:**

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Condition required to be imposed by section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

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

Demolition plans:

WRW-MLA-DE-RF-DR-A-0415 Rev P02; WRW-MLA-DE-ZZ-DR-A-0420 Rev P02;  
WRW-MLA-DE-ZZ-DR-A-0421 Rev P02; WRW-MLA-DE-ZZ-DR-A-0422 Rev P02

Proposed plans:

WRW-MLA-GA-XX-DR-A-1100 Rev P05; WRW-MLA-GA-B1-DR-A-1209 Rev P04;  
WRW-MLA-GA-00-DR-A-1210 P08; WRW-MLA-GA-01-DR-A-1211 Rev P06;  
WRW-MLA-GA-02-DR-A-1212 Rev P06; WRW-MLA-GA-03-DR-A-1213 Rev P06;  
WRW-MLA-GA-04-DR-A-1214 Rev P06; WRW-MLA-GA-05-DR-A-1215 Rev P07;  
WRW-MLA-GA-RF-DR-A-1216 Rev P04

Proposed elevations and section:

WRW-MLA-GA-ZZ-DR-A-1300 Rev P02; WRW-MLA-GA-ZZ-DR-A-1301 Rev P02;  
WRW-MLA-GA-ZZ-DR-A-1302 Rev P02; WRW-MLA-GA-ZZ-DR-A-1320 Rev P01;  
WRW-MLA-GA-ZZ-DR-A-1321 Rev P01; WRW-MLA-GA-ZZ-DR-A-1322 Rev P01;  
WRW-MLA-GA-ZZ-DR-A-1330 Rev P01; WRW-MLA-GA-ZZ-DR-A-1350 Rev P04;  
WRW-MLA-GA-ZZ-DR-A-1351 Rev P04

Approved documents:

Demolition Logistics Plan Revision 06 dated March 2021, prepared by Oakmont Construction; Construction Logistics Plan Revision 06 dated March 2021, prepared by Oakmont Construction; Demolition Environmental Management Plan Revision 04 dated March 2021, prepared by Oakmont Construction; Construction Environmental Management Plan Revision 04 dated March 2021, prepared by Oakmont Construction; Design and Access Statement including Accessibility Statement" prepared by Morrow Lorraine dated 01/12/20; Energy and Sustainability Statement dated 02/12/2020, prepared by Black & White Engineering, and Addendum dated 23rd March 2021, prepared by Black & White Engineering; Flood Risk and SuDS Statement Revision 2 dated 05 February 2021; Drainage Strategy Report Ref. 18-45-DMAG-DSR dated December 2020; Supplementary Drainage Report Ref. 18-45-DMAG-SDR dated February 2021.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4, and DC8 of the Local Plan (2018).

- 3) Any alterations to the elevations of the existing buildings, including works of making good, shall be carried out in the same materials as the existing elevation to which the alterations relate.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 4) The external rooftop demolition and creation of rooftop accommodation (including piling works) hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) have been submitted to and approved in writing by the local planning authority which:

- provide demolition and construction details for demolition of rooftop plant rooms and single storey roof extension together with associated works

- provide details on the use of tall plant/scaffolding- Scaffold design, Cat3 checked and tied securely to the building together with RAMS for erection and dismantle of scaffolding. We will require lifting and location place of the mobile crane together with the collapse radius

- accommodate the location of the existing London Underground structures- an Impact Assessment will be required to assess the impact on the railway and the

LU Asset Wall 125 between the building and the district line

- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Condition requested by Transport for London to ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan (2021) Policy T3 and Land for Industry and Transport Supplementary Planning Guidance (2012).

- 5) The works hereby permitted are to be carried out in accordance with the approved Demolition Logistics Plan Revision 06 dated March 2021 and Construction Logistics Plan Revision 06 dated March 2021, both prepared by Oakmont Construction. If works have not commenced within two months from the date of the decision notice, an updated Demolition Logistics Plan and Construction Logistics Plan must be submitted and approved in writing by the local planning authority prior to the commencement of works.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway in accordance with Policy T7 of the London Plan (2021), and Policies T1, T6 and T7 of the Local Plan (2018).

- 6) The development hereby permitted shall be implemented in accordance with the approved Demolition Environmental Management Plan Revision 04 dated March 2021 and the Construction Environmental Management Plan Revision 04 dated March 2021, both prepared by Oakmont Construction.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policy D14 of the London Plan (2021), Policies DC1, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

- 7) The external rooftop demolition and creation of rooftop accommodation hereby permitted shall not be commenced until samples of the external materials palette have been submitted to and approved in writing by the Local Planning Authority. These details will include:

- o Sample Photographs
- o Manufacturers Details / Specification Details

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 8) The external rooftop demolition and creation of rooftop accommodation hereby permitted shall not be commenced until 1:20 sections of typical bays, including the roof extension, ground floor entrance and the replaced windows have been submitted to and approved in writing by the Local Planning Authority.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 9) The external sedum roof hereby permitted shall not be commenced until 1:10 sections of the proposed sedum roof and details of its maintenance regime is submitted to and approved in writing by the Local Planning Authority.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 10) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the front, rear or side elevations of the building hereby approved.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies D3, D14 and HC1 of the London Plan (2021), and Policies DC1, DC4, DC8, CC11, CC13 and H011 of the Local Plan (2018).

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-

enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 13) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the buildings/extension(s) hereby permitted.

It is considered that such structures would seriously detract from the special architectural and historic interest of the building of merit and its setting, and would fail to preserve the character and appearance of the Conservation Area, contrary to Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 14) No advertisements shall be installed on the building hereby permitted without the prior written approval of the Council.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4, DC8 and DC9 of the Local Plan (2018).

- 15) No part of the development hereby approved shall be occupied or used prior to the completion of the approved access improvements set out in the "Design and Access Statement including Accessibility Statement" prepared by Morrow Lorraine dated 01/12/20. The measures shall thereafter be permanently retained.

To ensure suitable entry into the building for disabled people. In accordance with Policy D5 of the London Plan (2021), and Policies DC1 and DC4 of the Local Plan (2018).

- 16) Other than the areas explicitly identified on the plans as a roof terrace, no other part of any roof of the building shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

The use of the roof as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of overlooking, loss of privacy and noise and disturbance, contrary to Policies H011, CC11 and DC4 of the Local Plan (2018) and SPD Policy HS8 of the Planning Guidance Supplementary Planning Document (2018).

- 17) The roof terrace and balcony hereby approved shall only be used by office workers of the development hereby approved, and shall not be used by the members of the public outside of the approved development. The roof terrace and balcony shall only be used between the hours of 08:00 to 21:00 Monday to Saturday and between the hours of 10:00 to 20:00 on Sunday and Public/Bank Holidays, and shall not be used at any other time. No music (either acoustic or amplified) shall be played at any time on any of the outside areas.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from activities or people using the terrace or balcony, in accordance with Policies H011, CC11 and DC4 of the Local Plan (2018), and SPD Policy HS8 of the Planning Guidance Supplementary Planning Document (2018).

- 18) The plant/equipment hereby approved shall not operate between the hours of 23:00 to 07:00hrs. Should the plant/equipment be required to be used at night-time outside of these hours additional mitigation will be required in order to prevent any adverse impact. Prior to the use of any plant/equipment being used between the hours 23:00 to 07:00hrs details confirming the external sound level emitted from plant, machinery or equipment will be lower than the lowest existing background sound level by at least 10dBA shall be submitted to, and approved in writing by the Council. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The approved details shall be implemented prior to the use of the plant/equipment between the hours of 23:00 to 07:00hrs, and shall be permanently retained thereafter.

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

- 19) Prior to the commencement of the relevant phase of the development hereby permitted, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 20) External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'. Lighting should be minimized, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance Policy CC12 of the Local Plan (2018).

- 21) The development hereby approved shall not be occupied until the measures set out in the approved Energy and Sustainability Statement dated 02/12/2020, and the Addendum dated 23rd March 2021, both by Black & White Engineering, have been fully implemented on site and they shall be permanently retained thereafter.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies SI2 and SI4 of the London Plan (2021), and Policies CC1 and CC2 of the Local Plan (2018).

- 22) No part of the development hereby approved shall be occupied or used prior to a verification report / post construction assessment relating to the achieved BREEAM Excellent rating and the 'Gold' WELL Building Assessment rating has been submitted to and approved in writing by the Local Planning Authority.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policy SI2 and SI4 of the London Plan (2021), and Policies CC1 and CC2 of the Local Plan (2018).

- 23) The development shall only be carried out in accordance with the flood mitigation measures set out in the approved Flood Risk and SuDS Statement, Revision 2 dated 05 February 2021; the Drainage Strategy Report Ref. 18-45-DMAG-DSR dated December 2020; and the Supplementary Drainage Report Ref. 18-45-DMAG-SDR dated February 2021. The measures shall be implemented in accordance with the approved details, and permanently retained and maintained in accordance with the approved details.

To reduce the impact of flooding for future occupants and the development and to make the development more resilient in the event of flooding in accordance with Policy SI12 of the London Plan (2021), and Policy CC3 of the Local Plan (2018), and to prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy SI13 of the London Plan (2021), and Policies CC2 and CC4 of the Local Plan (2018).

- 24) Prior to occupation, a ventilation report shall be submitted to mitigate the impact of existing poor air quality for Class E use receptor locations where the air quality objectives for NO2 and World Health Organisation (WHO) targets for Particulate Matter (PM2.5, PM10) are already exceeded and where current and future predicted pollutant concentrations are within 5 % of these limits shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:

1. Details and locations of the ventilation intake locations at rear roof level remote as remote as practically possible from Talgarth Road (A4) and roof level Emergency Diesel Generator Plant

2. Details of restricted opening windows with front elevations with Avonmore Road and Talgarth Road (A4)



3. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, terraces

4. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

The whole system shall be designed to prevent summer overheating and minimise energy usage. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 25) Prior to occupation of the development, details of a post installation report of the approved ventilation strategy as required by condition 24 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 26) Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the council. The report shall include the following:

1. Details to demonstrate that the termination height of the Flue stack for the combustion Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area

2. Details of emissions certificates, and the results of NO<sub>x</sub> and PM<sub>10</sub> emissions testing of each Emergency Diesel Generator Plant and associated abatement technologies including Diesel Particulate Filters (DPF) shall meet a minimum dry NO<sub>x</sub> emissions standard of 100 mg/Nm<sup>3</sup> (at 15% O<sub>2</sub>) respectively by an MCERTS accredited organisation shall be provided following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). The DPF particulate emissions abatement system must achieve a value less than 0.015 g/kWh and a minimum reduction of 95% in the weighted engine-out brake-specific PM mass emissions. Where any combustion plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NO<sub>x</sub> abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

3. Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 10 minutes of the generator commencing operation. During the operation of the emergency Diesel generators there must be no persistent visible emission. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used for a maximum of 48 hours when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 27) Prior to occupation of the development, details of the installation of the MSC 007 certified Zero Emission Air Source Heat Pumps for hot water production and the ErP compliant and Zero Emission VRF System for space heating to be provided 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 28) 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 ULES must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to 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) Alternative Fuel e.g. CNG, Hydrogen, LPG, (4) Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NOx rating A) and Euro VI. A monitoring report of the implementation of the ULES shall be submitted on annual basis to the LPA. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 29) Prior to occupation of the development hereby permitted, details of the installation including location and type of active rapid electric vehicle charging points (minimum 50KW) for a minimum of 6 of the total number of 12 surface car parking spaces must be submitted to and approved in writing by the Local Planning Authority. The remaining 6 surface car parking spaces provided on site shall be passive. The approved electric vehicle charging points shall be installed prior to

occupation of the development hereby approved and retained in working order for the lifetime of the development.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 30) No part of the development hereby approved shall be occupied or used until the cycle storage arrangements and cycling facilities at ground and basement levels have been implemented in accordance with the details provided on drawing no.s WRW-MLA-GA-B1-DR-A-1209 Rev P04 and WRW-MLA-GA-00-DR-A-1210 Rev P08, and within the "Design and Access Statement including Accessibility Statement" prepared by Morrow Lorraine dated 01/12/20. Thereafter the provision for cycle storage shall be so maintained for the life of the development.

To ensure satisfactory provision for the bicycle and thereby promote sustainable and active modes of transport, in accordance with Policy T5 London Plan (2021), and Policy T3 of the Local Plan (2018).

- 31) No part of the development hereby approved shall be occupied or used until provision has been made for car parking for disabled users in the form of two Blue Badge-holder spaces as indicated on the approved drawing no. WRW-MLA-GA-00-DR-A-1210 Rev P08. Thereafter the provision for Blue Badge parking shall be permanently maintained in this form for the lifetime of the development.

To ensure that the development is accessible, in accordance with Policy T6 of the London Plan (2021), and Policies T4 and T5 of the Local Plan (2018).

- 32) Prior to occupation of the of the development hereby permitted, a final Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the management and times of deliveries to avoid peak times, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, silent reversing methods, quiet loading/unloading measures, location of loading bays and vehicle movements. The approved details shall be implemented prior to occupation and the DSP hereby permitted shall thereafter operate in accordance with the approved details. The DSP shall be regularly monitored and reviewed and any subsequent modifications or alterations to the DSP should be submitted to and approved in writing by the LPA.

To ensure that satisfactory provision is made for refuse storage and collection and that servicing activities do not adversely impact on the highway, in accordance with Policy T7 of the London Plan (2021), and Policy T2 of the Local Plan (2018).

- 33) The development hereby permitted shall only be used in connection with the continued use of the existing building as offices, and for no other purpose (including any other separate purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the special circumstances of the case. Certain other uses within the same use class may be

unacceptable due to effect on residential amenity or traffic generation, in accordance with Policies DC1, DC4, HO11, CC11, CC13 and T1 of the Local Plan (2018).

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

- 1) 1) Principle: The proposals would support the retention, enhancement and intensification of the existing the employment use. Subject to a legal agreement the proposal would also offer a financial contribution towards Local Employment, Training and Skills Development Initiatives. The proposals therefore comply with London Plan (2021) Policies E1 and E2, and Local Plan (2018) Policies E1 and E4.
- 2) Design and Heritage: The proposed extension and alterations are judged to be acceptable in visual terms. The proposals are considered to be of a high quality of design having regard to the special architectural and historic interest of the Building of Merit, and to the character and appearance of the conservation area. The settings of nearby heritage assets would be preserved. The proposal therefore accords with the NPPF (2019), London Plan (2021) Policies D3 and HC1, Local Plan (2018) Policies DC1, DC4, DC5 and DC8, and Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Key Principles of the Planning Guidance SPD (2018).
- 3) Accessibility: The proposals include a number of access improvements by the refurbishment of the existing building, the implementation of which is secured by a condition. The proposal complies the NPPF (2019), London Plan (2021) Policy D5, Local Plan (2018) Policies DC1 and DC4, and Key Principles of the Planning Guidance SPD (2018).
- 4) Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is not considered unacceptable. The impact to residential amenity from both demolition/construction and operational phases has been considered. There would be no significant worsening of outlook, overlooking, and noise/disturbance, and no unacceptable loss of sunlight or daylight to cause undue detriment to the amenities of neighbours. Measures would be secured by condition to minimise noise and disturbance to nearby occupiers from the demolition and construction phases as well as the operation of the proposed facilities. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with the NPPF (2019), London Plan (2021) Policy D14, Local Plan (2018) Policies DC1, DC4, HO11, CC11, CC12 and CC13, and Key Principles of the Planning Guidance SPD (2018).
- 5) Transport: The application is supported by several documents including; a Transport Assessment, Workplace Travel Plan, draft Delivery and Servicing Plan, and Demolition and Construction Logistics Plan which provide a comprehensive review of all the potential transport impacts of the proposed development. It is considered that the scheme would not have a significant impact on the highway network or local parking conditions and is thus considered to be acceptable. Travel Plan monitoring will be secured by a satisfactory legal agreement. Satisfactory provision would be made for blue badge car parking, cycle parking and refuse storage. External impacts of the development would be controlled by conditions related to servicing and deliveries and demolition and construction logistics plans.

The proposed development therefore accords with the NPPF, London Plan (2021) Policies T1-T7, Local Plan (2018) Policies T1-T5, T7 and CC7, and Key Principles of the Planning Guidance SPD (2018).

6) Sustainability and Energy: The application is supported by an Energy and Sustainability Statement which demonstrates how the proposal seeks to minimise its environmental impact. The measures will be secured by a condition. The proposed development therefore accords with the NPPF, London Plan (2021) Policies SI2 and SI4, Local Plan (2018) Policies CC1 and CC2, and Key Principles of the Planning Guidance SPD (2018).

7) Flood Risk: Subject to a condition relating to the implementation of the proposed flood risk and sustainable drainage measures the development would not have a significant effect on flood risk or surface water run-off. The proposed development therefore accords with the NPPF (2019), London Plan (2021) Policy SI12, Local Plan (2018) Policies CC2, CC3 and CC4, and Key Principles of the Planning Guidance SPD (2018).

8) Air Quality: Subject to conditions relating the submission of a ventilation strategy and Ultra Low Emission Strategy (ULES) as well as details of the installation of combustion plant compliance, Zero Emission Air/Water Source Heat Pumps or Electric Boilers for space heating and hot water, and the provision of electric vehicle charging points the development would not have a significant effect on local air quality. The proposed development therefore accords with the NPPF (2019), London Plan (2016), London Plan (2021) Policy SI1 and Local Plan (2018) Policy CC10.

9) Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

10) Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. A financial contribution towards Local Employment, Training and Skills Development Initiatives, and travel plan monitoring are secured. The proposed development would therefore mitigate external impacts and would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy CF1.

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

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

Application form received: 18th December 2020  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2019  
The London Plan 2021  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Crossrail Limited	22.12.20
Transport For London - Land Use Planning Team	11.01.21
Crime Prevention Design Advisor - Hammersmith	07.01.21
Fulham Society	05.01.21

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
CACI House Kensington Village Avonmore Road W14 8TS	15.01.21
13 Stanwick Road LONDON W14 8TL	18.01.21
Top Floor Flat 24 Stonor Road London W14 8RZ	22.01.21
Flat 9 Mornington Ave Mansion LONDON W148UW	12.01.21

**SITE CONTEXT AND CONSTRAINTS**

- 1.1 The Warwick Building is part of Kensington Village, a collection of seven buildings which provides a secure commercial estate consisting mainly of offices with an ancillary gym and restaurant. The Warwick Building itself is a five-storey brick commercial (Class E) building fronting Avonmore Road, and is directly adjoined to Avon House to the north, and Beaumont House beyond that.
- 1.2 To the south of the site runs the West Cromwell Road (A4), to the east several railway lines and to the west the Kensington Village courtyard and Pembroke House. The immediately surrounding area provides a mixture of uses and building styles, with industrial uses to the south in the Earl's Court and West Kensington Opportunity Area (the boundary of which runs along the northern edge of the A4 immediately to the south of the site), commercial, retail and residential properties to the east on the opposite side of the railway lines, and residential properties to the north and west.
- 1.3 The site is located within the Olympia And Avonmore Conservation Area and the Warwick Building, Beaumont House, Spur Lodge, Caci House and Abingdon

House (all located within Kensington Village) are locally listed Buildings of Merit. The railway lines adjacent to the site to the east are a designated Green Corridor.

- 1.4 The existing Warwick Building was originally part of a larger building that included Avon House and Beaumont House. This building was known as the Whiteley's Furniture Depository. Built in 1892 and designed by Alfred M Ridge the depository supplied Whiteley's Department Stores. In the 1970s, the Avonmore Trading Estate was affected by fire completely damaging the adjoining Avon House, which was subsequently rebuilt as a dark glass building in the late 1980s. In the 1990's, as part of the new Kensington Village, the Warwick Building was fully refurbished and adapted to office use.
- 1.5 The Royal Borough of Kensington and Chelsea is located immediately to the east of the site on the opposite side of the adjacent railway lines.
- 1.6 The main vehicular entrance and access to the Warwick Building is from within Kensington Village, on Avonmore Road via a 24/7 security gatehouse. Stanwick Road provides a secondary vehicular access to the site. The site benefits from the use of the shared basement car park beneath the central courtyard with access behind Pembroke House. The site has a PTAL of 6 meaning it has excellent access to public transport.
- 1.7 This site is in the Environment Agency's Flood Zone 1 which indicates a low risk to flooding from the River Thames.

## 2.0 RELEVANT PLANNING HISTORY

- 2.1 The most relevant planning permissions relate to the redevelopment of the former Avon Trading Estate as Kensington Village, facilitated by the planning permission 1988/01361/FUL granted 2nd June 1989 for the refurbishment and change of use of warehousing to business use and the erection of a six storey building (Pembroke) and a four storey building (Gloucester) with two basement levels below for car parking.
- 2.2 More recently, planning permission (2012/02817/FUL) was allowed on appeal under the written representations procedure for the "Erection of an extension to the roof of the Warwick Building to provide two floors of accommodation at fifth and sixth floor levels comprising of 25 residential units (4 x 1 bed, 18 x 2 bed and 3 x 3 bed), and a plant machinery enclosure for the new units and the existing offices within the building, with balconies at fifth and sixth floor levels on the northern and southern elevations and winter gardens on the eastern and western elevations; Use of 15 existing on-site car parking spaces at basement level within the courtyard of Kensington Village by occupants of the new flats; Change of use of 75 sq.m of office (Class B1) floorspace at ground floor level to create a lobby for the proposed flats; Creation of a new lift and canopy over the existing staircase in front of Warwick Building from ground floor level to the existing basement car park within the courtyard of Kensington Village; Creation of 28 covered cycle storage spaces within the courtyard of Kensington Village located between Gloucester House and Pembroke House for use by occupants of the new flats."

- 2.3 The 5 reasons for refusal can be summarised as:
- 1) Effect of the proposed development on neighbours, both commercial and residential in terms of noise and disturbance and disruption to the operation of the highway;
  - 2) Failure to provide adequate affordable housing;
  - 3) Prematurity in the absence of an overall plan or strategy for the future of Kensington Village;
  - 4) Inadequate living environment for future occupiers;
  - 5) Failure to demonstrate that the proposed development would be compliant with Level 4 of the Code for Sustainable Homes.

2.4 The application was subsequently allowed at appeal, but the permission was not implemented. This permission has now expired.

### 3.0 PROPOSAL

3.1 The current proposal relates to the extension and refurbishment of the existing office accommodation.

3.2 In more detail the proposed works include:

- o demolition of the existing rooftop plant rooms and existing roof;
- o erection of a single storey roof extension over part of the roof at 5th floor level to provide 605 sqm of additional office accommodation (Class E) with an ancillary enclosed roof terrace (303sqm) and replacement plant;
- o installation of a new repositioned entrance from Avonmore Road at ground floor level;
- o ancillary alterations to the existing office building (including replacing louvres with new matching windows);
- o alterations to the existing underground car park comprising the removal of 26 parking spaces and provision of 108 cycle parking spaces with associated showers, changing facilities and lockers; and
- o alterations to the 12 existing car parking spaces at street level to include 2 additional disabled parking spaces, 4 electric vehicle charging spaces and 2 passive electric charging spaces.

3.3 The main changes from the previous approval (2012/02817) include a reduction to the height and footprint of the proposed roof extension, and a change to its design; the removal of the residential accommodation; and the provision of additional office space including a roof terrace.

### 4.0 PUBLICITY AND CONSULTATIONS

+ Public Engagement

4.1 A Statement of Community Involvement (SOI) supports the current planning application and summarises the pre-application engagement undertaken.

4.2 Leaflets were posted to stakeholders and distributed by hand to 500 local residents during the week commencing 26 October 2020. In addition to providing a general overview of the proposal recipients were invited to view the revised proposal on a dedicated website. A feedback form allowed comments to be shared



on the merits of the proposal. Members from the Fulham Society also requested a site visit which was undertaken on the 13th November 2020.

- 4.3 457 residents and stakeholders were recorded as viewing the website. Of these 3 representations were received. Comments received requested restrictions to the hours of use of the roof terrace to avoid potential noise impacts; the restriction on the hours of construction; the minimising of external lighting around the roof terrace; and further details in respect to the loss of the car parking spaces on site; as well as concerns regarding the impact to the appearance of the warehouse.

+ Statutory Consultation

- 4.4 The planning application was publicised by way of letters sent to 1287 surrounding properties. Site and press notices were also published.

- 4.5 Representations have been received from 3 residents of Mornington Avenue Mansions, Stanwick Road and Stonor Road and 1 representation has been received from an existing business within Kensington Village raising the following summarised concerns:

- o There is no demand for additional office accommodation
- o The original warehouse building needs to be preserved
- o Harm to the building of merit and conservation area
- o Loss of light to properties on Mornington Avenue
- o Noise resulting from the roof terrace
- o Noise and disruption during construction works to surrounding residential streets and to businesses operating within Kensington Village
- o Obstruction to residential roads caused by heavy goods vehicles
- o Dirt and dust will result in additional window cleaning and plant equipment filters being change more regularly
- o Works to the basement will cause disruption to occupiers of existing businesses within Kensington Village
- o Will the electric parking space and cycle parking facilities be for use of all buildings?
- o Loss of privacy from the glazed elevations and roof terrace
- o Materials should be non-reflective

+ Amenity groups

- 4.6 The Fulham Society state: "The proposal to add an additional floor to the Warwick building alone would totally destroy the balance and harmony of the wonderful view of the buildings along the railway." "Beaumont and Warwick more or less preserve their original facades, including the brackets which supported the former glass roof. ....the proposals to open up the front façade to the Warwick building as a 'modern' entrance would be deleterious to the views along the whole sweep of the building." And ...."we feel that something more sensitive and imaginative could be provided, which would be less intrusive on the courtyard façade."
- 4.7 Avonmore Residents Association were consulted on the planning application and have not made any comments.

4.8 The Hammersmith and Fulham Historical Society, Hammersmith and Fulham Historic Buildings Group, The Hammersmith Society, and the National Amenity Societies and Theatre Trust were also consulted on the planning application and have not made any comments.

+ Technical Consultations

4.9 Transport for London have no objection subject to conditions to ensure that the development does not impact on existing neighbouring London Underground transport infrastructure.

4.10 Network Rail requests the applicant contacts the Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing and request a number of informatives.

4.11 Crossrail Limited confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction, and therefore does not wish to make any comment on the application as submitted.

4.12 Metropolitan Police Service Designing Out Crime Officer confirms he has no comments to make.

4.13 The Royal Borough of Kensington and Chelsea, the Environment Agency, Thames Water, London Underground, and The London Fire and Emergency Planning Authority were consulted on the planning application and have not made any comments.

+ Design Review Panel

4.14 The scheme was presented to the Councils Design Review Panel 6th October 2020. The panel recognised the challenges both from a structural and engineering perspective of adding a roof-top pavilion to the existing building. They considered that the scheme would benefit from further review to ensure that the new build element is integrated with the existing building and that the form and design of the extension of other elements serve to maximise opportunities to enhance the character and appearance of the host building overall.

4.15 The current proposal is considered to have responded to the comments made by the Design Review Panel.

## 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 (2021) 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 March 2021. It forms the Spatial Development Strategy for Greater London and sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. It forms part of the development plan for Hammersmith and Fulham.

+ Local Plan

5.7 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:

- The principle of intensifying the existing employment use on the site;
- Design and visual amenity (including the impact on heritage assets);
- Residential Amenity (outlook/privacy/ daylight and sunlight/noise);
- Highways and Transportation; and
- Environmental Matters

### LAND USE

6.2 London Plan Policies E1 and E2 support improvements to the quality, flexibility and adaptability of office space of different sizes and state that this should be supported by new office provision, refurbishment and mixed-use development. Local Plan Policies E1 and E2 also support the retention, enhancement and intensification of existing employment uses.

- 6.3 In line with these policies the proposals would both intensify and enhance the existing employment use which in turn will assist with its long term retention. The existing building has 740 full time employees. The proposal seeks to provide 605sqm of additional office accommodation at roof level, which would provide for 52 additional full-time employees on the site, as well as upgrading the existing office space to provide a high quality, modern working environment. The proposal is therefore judged to accord with the above policies.
- 6.4 Local Plan Policy E1 further states proposals are also subject to appropriate scale of development, with particular regard to local impact, the nature of the surrounding area, and public transport accessibility. These matters are considered in the subsequent sections of this report where it is concluded the proposal is acceptable in these respects.
- 6.5 Local Plan Policy E4 requires the provision of appropriate employment and training initiatives for local people of all abilities in larger employment generating developments when these are completed. Accordingly, the Council will ask applicants to commit to programmes which will enhance business and area competitiveness as well as maximising opportunities for local entrepreneurship and enterprise.
- 6.6 In this case the proposed development would consist of an additional gross internal floorspace of 605sqm and would provide an increase of 52 new full-time employees on the site. The Council's Local Procurement Code (LPC) sets out the necessary actions of the developers working in partnership with the Council's Local Procurement Initiative to ensure local small and medium sized local enterprises (SMEs) based in the borough, benefit directly from relevant developments taking place in the borough. In this case a financial contribution of £3,400 has been calculated for the facilitation of the LPC. In addition, according to the Council's Employment and Skill Code, £3,500 is required in this case for training and support necessary for a local person to move onto an apprenticeship. The applicant has agreed to enter into a Section 106 Agreement to provide a financial contribution of £6,900 for the above Local Employment, Training and Skills Development Initiatives. On this basis the proposal accords with Local Plan Policy E4.

## DESIGN AND HERITAGE

### + Policies

- 6.7 The NPPF (section 12) states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation but extends this to recognise a role for change and increased densities. The NPPF (section 16) advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF states that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment.

- 6.8 In determining applications, Paragraph 192 of the NPPF states that LPAs should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 requires great weight to be given to an asset's conservation (and the more important the asset, the greater the weight should be) when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of the amount of harm. Paragraph 194 states that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional." Paragraph 196 states that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal `including, where appropriate, securing its optimum viable use`. Paragraph 197 concerns the effect of an application on non-designated heritage assets that should be taken into account in determining the application. "In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset." Paragraph 200 states that "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably." Paragraph 201 recognises that 'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance'.
- 6.9 Section 66(1) of the Listed Buildings Act applies to the determination of planning applications. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:  
'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'
- 6.10 Section 72 of the above Act states in relation to Conservation Area 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.'
- 6.11 London Plan Policy D3 specifies that development must take a design led approach that optimises the capacity of sites, with specific regard to form and layout, experience, quality and character. London Plan Policy HC1 states that development proposals affecting heritage assets, and their setting should conserve their significance and avoid harm and identify enhancement by integrating heritage considerations early on the design process.

6.12 Local Plan Policy DC1 states that 'Development should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.

6.13 Local Plan Policy DC4 states that 'The council will require a high standard of design in all alterations and extensions to existing buildings. These should be compatible with the scale and character of existing development, their neighbours and their setting. In most cases, they should be subservient to the original building. Alterations and extensions should be successfully integrated into the architectural design of the existing building. In considering applications for alterations and extensions the council will consider the impact on the existing building and its surroundings and consider the following:

- a) Scale, form, height and mass;
- b) Proportion;
- c) Vertical and horizontal emphasis;
- d) Relationship of solid to void;
- e) Materials;
- f) Relationship to existing building, spaces between buildings and gardens;
- g) Good neighbourliness; and
- h) The principles of accessible and inclusive design.'

6.14 Local Plan Policy DC6 states replacement windows should respect the architectural character of the building and its surroundings.

6.15 Local Plan Policy DC8 states that the council will '...aim to protect, restore or and enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument'. This is supported by Planning Guidance SPD Key Principle CAG3.

6.16 Planning Guidance SPD Key Principles AH1 and AH2 relate to the protection of heritage assets, and SPD Key Principle BM2 states development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings identified on the council's Register of Buildings of Merit.

+ Site context

6.17 The existing Warwick Building was originally part of a larger building that included Avon House and Beaumont House. This building was known as the Whiteley's Furniture Depository. Built in 1892 and designed by Alfred M Ridge the depository supplied Whiteley's Department Stores. In the 1970s, the Avonmore Trading Estate was affected by fire completely damaging the adjoining Avon House, which was subsequently rebuilt as a dark glass building in the late 1980s. In the 1990's, as part of the new Kensington Village, the Warwick Building was fully refurbished

and adapted to office use. The refurbishment included new windows, new cores and fire escapes. Later, due to water ingress, the roof was over-clad to provide enhanced protection from the elements and three rooftop plant enclosures were added.

- 6.18 The building along with the other 4 remaining original buildings (Beaumont House, Spur Lodge, Caci House and Abingdon House) at Kensington Village are on the Local Register of Buildings of Merit. The whole Kensington Village Estate is located within the Avonmore and Olympia Conservation Area.
- 6.19 In addition to heritage assets in LBHF, The Church of St Cuthbert and St Matthias (Grade I listed building), St Cuthbert's clergy house (Grade II listed building), and the Philbeach Conservation Area have been identified to the south-east of the application site, across the West Cromwell Road with the Royal Borough of Kensington and Chelsea.

+ Proposal

6.20 The proposed external works comprises:

1. A single storey roof level extension to the Warwick Building. These works include removing and replacing roof plant and the formation of a roof terrace;
2. A new ground floor entrance to the Warwick Building, including the introduction of an access ramp;
3. Reopening of blocked windows at ground floor level with new windows reinstated to match existing windows; and
4. Alterations to an existing basement floor car park to provide additional cycle parking and associated facilities.

+ Assessment

- 6.21 There are no objections to the principle of the roof extension which has been carefully considered in relation to viewpoints along the A4 and from neighbouring streets as well as from within the grounds of Kensington Village.
- 6.22 The existing building has a linear form and slightly cranked floorplan with a rhythm of bays across the masonry facades. These are constructed from brick and terracotta and incorporate a strongly vertical fenestration pattern. Conceived as a pavilion, the lightweight form of the proposed rooftop addition hovers above the existing façade. A strong, horizontal plane defined by a projecting canopy with terracotta coloured cladding around the perimeter of the extension reinforces the horizontality of the original building. Delicate supporting columns provide the pavilion with a lightweight aesthetic, while their regular spacing has been aligned to the host façade. Behind the primary grid of columns is a secondary rhythm of mullions from the curtain wall glazing which encloses the new office floorspace. An open sided terrace at the southern end of the building is incorporated within the primary grid and canopy so that it is discreet and integrated within the pavilion form. Rooftop plant is either contained within the pavilion structure or in a recessive roof enclosure that is attractively screened and proportioned to reinforce

the linearity of the pavilion structure. The existing roof level stair cores on the west elevation, do not make a positive contribution to the character and appearance of the building and would be substantially reduced in height and incorporated into the pavilion design of the façade.

- 6.23 In this instance the eastern range of warehouse buildings along the West London Line is broken by a modern office building inserted following fire damage. This insertion rises above the original warehouse buildings on either side and terminates the view northwards from the A4, assisted by the curve in the railway line. The southern end of the warehouse range now appears awkwardly lower in scale. Given the very limited vantage points from which the entire warehouse range is visible there are no objections to the southern end receiving a roof extension in isolation from the northern end. The modern insertion would continue to form the tallest part of the range.
- 6.24 The building currently lacks a legible entrance at ground floor level. The creation of the new entrance would result in the removal of existing fabric at ground floor level. It is considered that the removal of the fabric would not detract from key elements of significance associated with the heritage asset: its landmark character, its architectural interest reflecting its original use, and its historical associations. The new entrance incorporates full width glazing to one bay with a decorative terracotta frieze above. This is considered to make a positive contribution to the Warwick Building.
- 6.25 The proposal to restore full width glazing to bricked-up former ground floor windows will also provide a positive enhancement to the appearance of the building.
- 6.26 The proposed works to the basement car park would not result in any direct alteration to the Building of Merit as the subterranean works would have no physical manifestations above ground level.
- 6.27 The proposal has been reviewed by the Council's Design Review Panel and the design was substantially amended following the Design Review Panel meeting to respond to their concerns.
- 6.28 Officers consider that the pavilion roof extension would have a strong linear form that responds to the proportions and materiality of the host building. Alterations to the windows and the new entrance will be sympathetic to the architecture of the original building.
- 6.29 The proposal is considered to form a positive addition to the building and its setting within the Kensington Village estate and the wider Olympia and Avonmore Conservation Area. The scheme would therefore not result in any harm to the character or appearance of the Conservation Area. The proposals are considered to enhance the character of host building, its setting and its features and therefore would make a positive contribution to the significance of the non-designated heritage asset.
- 6.30 Considering the impacts of the development upon other heritage assets, particularly the Locally Listed, Buildings of Merit forming the Kensington Village; Beaumont House, Spur Lodge, Caci House and Abingdon House, and designated



heritage assets located within the Royal Borough of Kensington and Chelsea, (the Church of St Cuthbert and St Matthias (Grade I listed building), St Cuthbert's clergy house (Grade II listed building), and the Philbeach Conservation Area, whilst there would be some inter-visibility between the proposal and these assets, it is considered that given the design quality and complementary materiality of the proposal; there would be no harm caused to the setting of these assets overall.

- 6.31 Overall, subject to conditions, the proposed works, due to their design, scale and situation, would not harm the special architectural or historic interest of the Building of Merit (non-designated heritage asset) or its setting and would not harm the setting of adjacent designated/non-designated heritage assets in accordance with section 66 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, Officers consider that the proposed development would make a positive contribution to the character and appearance of the Conservation Area. The proposals would be in accordance with the NPPF (2019), Policies D3 and HC1 of the London Plan (2021), Policies DC1, DC4, DC6 and DC8 of the Local Plan (2018) and Key Principles AH1, AH2, BM2 and CAG3 of the Planning Guidance SPD (2018).

#### ACCESSIBILITY

- 6.32 The NPPF, London Plan D5, and Local Plan Policies DC1 and DC4 all seek to ensure that future development achieves the highest standards of accessible and inclusive design. Planning Guidance SPD Key Principles DA1, DA5, DA6, DA7, DA8, DA11 and DA12 all require that buildings are designed to be accessible and inclusive, both internally and externally, to all who may visit or use the building.
- 6.33 There are a number of access improvements proposed by the refurbishment of the existing building. The main pedestrian access will be via a new main entrance in the Village courtyard. The existing building has a step between the pavement and the entrance level. To provide level access, the external pavement level will include dropped kerbs and a gentle slope either side of the entrance. A new power assisted revolving door will provide the main access into the building, with a pass door operated by an automatic opening push button for those with reduced mobility. Level threshold access is proposed across the scheme at all entrances and to all terrace areas. All external entrance doors have suitable widths which are within the requirements of Approved Document Part M.
- 6.34 In terms of internal vertical circulation the four existing lift cars in the central core will be removed and replaced with three new 11 person lift cars serving all floors. In addition to this, a new fire-fighting lift is introduced to the central fire-fighting core, serving all levels. The existing building contains no provision for accessible WCs. As part of the refurbishment accessible WCs will be added to every level. WC provision generally is being upgraded to achieve BCO requirements for an occupancy level of 1:8.
- 6.35 The improvements to the existing building are welcomed and their implementation will be secured by a condition. The proposal in this respect will comply with the relevant aims and requirements of the policies cited above.

## RESIDENTIAL AMENITY

6.36 Local Plan Policy HO11 states that proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on:

- Privacy enjoyed by neighbours in adjoining properties;
- Daylight and sunlight to rooms in adjoining properties;
- Outlook from windows in adjoining properties; and
- Openness between properties.

6.37 Policies DC1 and DC4 require all proposals for new builds and extensions to be formulated to respect the principles of good neighbourliness. Planning Guidance SPD Housing Key Principles 6,7 and 8 support Local Plan Policy HO11 and set out a more detailed means of assessment.

### + Privacy and Outlook

6.38 SPD Key Principle HS6 states that a general standard can be adopted for assessing outlook, by taking a line at 45 degrees from a point 2 metres high on the boundary with adjoining gardens. SPD Key Principle HS7(iii) states any new windows should be positioned at least 18 metres from existing habitable room windows measured by an arc of 60 degrees taken from the centre of the proposed new window. SPD Key Principle 8 states planning permission will not be granted for roof terraces if the use of the terrace would result in an additional opportunity for overlooking.

6.39 The rear elevation of flats at Mornington Avenue Mansions on Mornington Avenue to the west look into the courtyard of Kensington Village and face Warwick Building, however the site is in excess of 70m from their rear boundary. The nearest residential properties on Stanwick Road to the north west would also be in excess of 70metres from the proposed development. It is therefore considered that the proposed development would not have a detrimental impact upon outlook from or privacy at neighbouring residential properties in accordance with Planning Guidance SPD Key Principles 6, 7 and 8.

### + Daylight and Sunlight

6.40 The NPPF (Paragraph 123 part c) and footnote 37 states that daylight and sunlight guidance should be applied flexibly 'where they would otherwise inhibit making efficient use of a site', so long as they continue to provide adequate living standards.'

6.41 The Mayor's Housing SPG makes clear that 'an appropriate degree of flexibility' should be applied when assessing the impacts of new development on surrounding properties and within developments.

6.42 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', sets out good practice for assessing daylight and sunlight impacts for new development. The introduction to the guide however stresses that it should not be used as an instrument of planning policy and should be interpreted flexibly because lighting is only one design factor for any scheme.

6.43 The BRE provides for a number of methods to assess potential reduction of light. The applicant's daylight and sunlight assessment of the proposed scheme refers to the Vertical Sky Component (VSC) and the annual probable sunlight hours (APSH) to assess the potential reduction to daylight and sunlight on residential windows. The level of sunlight to the outdoor amenity spaces (i.e. gardens) within the surrounding properties and within the proposed development has also been considered.

6.44 In this case the daylight and sunlight assessment has analysed the residential windows facing towards the development within Mornington Avenue Mansions on Mornington Avenue to the west. The results confirm that all windows and rooms within these properties will meet the target values as set out in the BRE Guidelines for daylight (in terms of VSC and daylight distribution) and sunlight (in terms of APSH). The analysis further demonstrates that the amenity spaces both within the site (i.e. the roof terrace) and external (i.e. the courtyard) to the proposal will also meet the minimum target values set out within the BRE Guidelines.

6.45 It is therefore considered that the proposal would not have an adverse impact on the amenities of neighbouring residential occupiers in terms of loss of light.

#### + Light Pollution

6.46 In addition to the abovementioned Policies Local Plan Policy CC12 states lighting arrangements should be appropriate for the intended use, provide the minimum amount of light necessary to achieve its purpose, and provide adequate protection from glare and light spill, particularly to nearby sensitive receptors such as residential properties.

6.47 A Light Pollution Report supports the application and concludes that residential properties would not experience any material additional light spill from the proposed development. Lighting simulations have been carried to assess the impact to the nearest residential windows which have a direct view of the proposed development within Mornington Avenue Mansions on Mornington Avenue to the west. Modelling is on a worse-case scenario where there are no blinds and the lights are all on. All lighting within the terrace will be positioned well within the perimeter of the terrace and controlled in such a way as to reduce any risk of spill light. A lighting control system will be utilised to provide the facility to automatically switch the external lighting off outside of designated times. The proposal will meet the recommendations within Institute for Lighting Practitioners' (ILP) Guidance Note GN01:2011 providing adequate protection from light spill and ensuring there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties. The Environmental Protection team has considered the proposals and raises no objections subject to a condition to ensure lighting accords with the Guidance Notes for The Reduction of Light Pollution.

#### + Noise and Vibration

6.48 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.

- 6.49 London Plan Policy D14 states in order to reduce, manage and mitigate noise to improve health and quality of life, development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.
- 6.50 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'. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected 'where necessary'. 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'.
- 6.51 For developments that have the potential to increase noise or vibration levels Planning Guidance SPD Key Principle NN1 requires the submission of a noise and/or vibration survey and report. SPD Key Principle NN4 requires all noise generating uses, including plant, machinery and equipment, will be subject to requirements to minimise noise to relevant criteria in order to protect residential and other noise sensitive amenity. SPD Key Principle NN7 requires the submission of a Demolition Management Plan and/or Construction Management Plan for substantial developments close to other premises. Finally, SPD Key Principle HS8 states that where balconies of terraces are provided, they must be designed to respect the amenity of neighbours in terms of potential for noise disturbance.
- 6.52 In accordance with the above policies a Noise Impact Assessment has been prepared. Noise breakout from plant as well as the from the use of the new development has been carefully considered, particularly due to the relatively close proximity of the neighbours to the west and north west. The Environmental Protection Team has considered the assessment and, subject to conditions, is satisfied the proposals would not result in unacceptable levels of noise.
- 6.53 In more detail, the proposed external plant to be located at roof level has been assessed to consider the noise impact on residential receptors in accordance with the principles of BS4142:2014. The closest residential receptors to the proposed external plant have been identified at 28-30 Mornington Avenue and Stanwick Road. The majority of the external plant is expected to operate during office hours only, however, for the purposes of the assessment, both the daytime (07:00hrs to 23:00hrs) and night time (23:00 to 07:00hrs) periods have been assessed.
- 6.54 The Noise Impact Assessment calculates that the night time plant noise levels will not meet the Councils required limits for night time but that the assessment has been calculated as 'worst case' and that as the plant is ancillary to the office use, it will not be operational at night time (23:00 to 07:00hrs). Should the plant be required to be used at night-time then additional mitigation will be required to ensure the sound level is lower than the lowest existing background sound level by

at least 10dBA, in accordance with BS4142:2014. This is secured by a condition.

- 6.55 Consideration is also given to the potential noise from the operation of the office building itself in respect to proposed hours of use of the building and other noise generated by general activities, including the proposed roof terrace area.
- 6.56 There are no time restrictions imposed on the use of the existing buildings from a planning perspective due to the historic nature. The Warwick Building already has E Class office use and it is anticipated that the type of use, and indeed the hours of use will not change from what has historically occurred. The number of car parking spaces has been reduced under the proposals and therefore no additional vehicle movements are expected. The operational phase of the internal office accommodation is therefore not expected to result in any increase in noise, when compared to the existing status.
- 6.57 Due to its elevated position it is important that the proposed roof terrace does not result in the potential for unacceptable levels of noise and disturbance at a time when residents expect a good degree peace and quiet. The Noise Impact Assessment confirms the proposed roof terrace is to be used by office workers only as ancillary function space. No music is expected to be played in the roof terrace area. It is assumed that 40 people would use the terrace at any one time and noise levels from people speaking have been assessed. The report estimates that noise from the roof terrace will be inaudible inside the closest residential receptor owing to the existing ambient noise levels being over 20dB higher than the estimated noise from the roof terrace and therefore the risk of adverse noise impact is negligible.
- 6.58 It is noted there is an existing outdoor seating area at the restaurant in Abingdon House which was originally restricted to the hours of 07:30 to 21:00 hours Monday to Friday. In 2019 permission was granted to allow the outdoor seating area to be used between 07:30 until 21:00 every day for temporary period. Due to the elevated position of the proposed terrace Officers consider it is reasonable to restrict the hours of use of this area as well. Following consultation with the Environmental Protection team and considering the planning permission at Abingdon House the use of the terrace shall be restricted to the hours of 08:00 to 21:00 Monday to Saturday and between the hours of 10:00 to 20:00 on Sunday and Public/Bank Holidays. This will be secured by a condition.
- 6.59 In terms of disturbance during building works the application is supported by a Demolition Management Plan (DMP) and Construction Management Plan (CMP). During these phases the implementation of good industry standards, guidance and practice procedures (i.e. Considerate Constructors scheme) will be followed in order to minimise noise effects. Noise and vibration will be managed to reduce impacts, and mitigation measures have been set out within the document. The Environmental Protection team has considered the plans and are satisfied the amenity of neighbouring properties would not be adversely affected during the demolition and construction phases. The implementation of these measures as submitted will be secured by a condition.
- 6.60 Subject to the inclusion of conditions and the implementation of the mitigation measures proposed officers consider the proposals would not cause undue detriment to the general amenities at present enjoyed by existing surrounding

residents in terms of noise and vibration, in accordance with the above stated policies.

## HIGHWAYS AND TRANSPORTATION

- 6.61 Paragraph 108 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved. Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 111 states all developments that will generate significant amounts of movement should be required to provide a travel plan, and should also be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 6.62 London Plan Policy T1 states development proposals should facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. The policy further states all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 6.63 London Plan Policy T2 actively supports facilities used to support and promote regular trips by walking or cycling. Policy T5 expands on this by requiring development proposals to help remove barriers to cycling and create a healthy environment where people choose to cycle. It is suggested that this can be done through the provision of appropriate levels of secure and well-located cycle parking.
- 6.64 London Plan Policy T4 states development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. When required in accordance with national or local guidance, transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 6.65 London Plan Policy T6 requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. In this case the maximum car parking standards, disabled persons parking for Blue Badge holders and provision for infrastructure for electric or other Ultra-Low Emission vehicles should be in line with Policy T6.2 Office Parking.
- 6.66 London Plan Policy T7 states Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

- 6.67 Local Plan Policy T1 sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'.
- 6.68 Local Plan Policy T2 relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network".
- 6.69 Local Plan Policies T3, T4, T5 and T7 relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction logistics.
- 6.70 The above policies are supported by Key Principles TR1 -TR4, TR7, TR21 and TR27 of the Planning Guidance SPD.
- 6.71 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste. Planning Guidance SPD Key Principles WM1, WM2, WM7 and WM11 are also applicable which seek off-street servicing for all new developments.
- 6.72 In this case the construction phase and the intensified use of the site has the potential to impact on the public highway, the amenities of local residents and the area generally, from the comings and goings of people and of vehicles. In accordance with the above policies a Transport Assessment, Workplace Travel Plan, draft Delivery and Servicing Plan, and Demolition/Construction Logistics Plans have been prepared to support the planning application.

#### + Access

- 6.73 Vehicle access to the site is via Avonmore Road, a 3.3m wide access limited in height (around 5m) by the presence of an arch. A barrier and a gatehouse are located at this point, where security access control is performed, ensuring all incoming vehicles (including pedestrians) are checked in and are familiar with how to access the different buildings within the estate. A traffic flow scheme is operated within the whole estate. Egress from the estate is provided through Stanwick Road, via a 4.8m wide access with unlimited height. Gates on Stanwick Road are locked from 19:00, from which time vehicles egress through the Avonmore Road access point.
- 6.74 Pedestrian access to the site is taken via the Avonmore Road access, and through a secured pedestrian entrance from the A4 West Cromwell Road. There are 4 pedestrian access/exit stairwells to the underground car park, two in front of the Warwick Building, one located between Pembroke House and Gloucester House and one located near the Stanwick Road's access gates.

#### + Transport Assessment

- 6.75 The Transport Assessment (TA) indicates that the proposed additional office floorspace is forecast to generate a total of 141 two-ways daily person trips. A total

133 (95%) of trips will be by sustainable modes, including 49 walking (35%), 7 cycling (5%), 15 travelling by bus (10%), and 62 by tube/train (45%). Only 5 (3%) of trips are anticipated to be made by car/taxis, while servicing trips (2%) are anticipated to be existing and therefore already present in the local highways network. Given the high accessibility of the site, this level of additional person trips is anticipated to have a negligible impact on the operation of public transport services operating in the vicinity of the site. While the redevelopment of the site might result in an increase in the volume of deliveries/waste produced, these will be undertaken/collected within the existing vehicle trips made to the existing site and there will be no increase in the delivery/refuse movements.

#### + Car parking

6.76 The Warwick Building currently has a total of 45 designated on-site car parking spaces (33 within the underground car park and 12 surface parking spaces along Avonmore Road). The London Plan Policy T6 states that 'where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy'. The proposal seeks a betterment of the existing situation, in accordance with the London Plan, by reducing the total number of parking spaces allocated to the Warwick Building from 45 to a total of 19 spaces.

6.77 In more detail, 26 parking spaces within the underground car park will be removed to facilitate the additional cycle parking and associated facilities, leaving a total of 7 car parking spaces at this level. Additionally, alterations will be made to the 12 car parking spaces available at street level. The building currently has no accessible car parking spaces. To overcome this deficiency, 2 street level parking spaces will be widened to provide accessible parking within close proximity of the main entrance. It was originally sought to provide 6 new Electric Vehicle charging points (including 2 passive EV points) within the reconfigured street level parking spaces. In the interests of air quality the applicant has agreed to increase the provision so that a minimum of 6 of the 12 surface car parking spaces have active rapid electric vehicle charging points and the remaining 6 surface car parking spaces shall have passive electric vehicle charging points. This will be secured by a condition.

6.78 The site is in a highly accessible location (PTAL 6) in relation to existing pedestrian, cyclists and public transport facilities and, as discussed earlier, it is anticipated that employees will travel using sustainable modes of transport. The provision of no general parking within the site in association with the removal of existing parking bays to make space for cycle parking spaces will support the site's accessible location and encourage access using sustainable modes of transport.

#### + Cycle parking

6.79 A total of 108 additional cycle parking spaces will be created alongside the 23 Sheffield stands that are already allocated for the building. The additional provision will consist of 10 vertical cycle racks and 92 two tier cycle racks within the basement car park, and 6 new cycle stands at ground level for non-standard cycle parking (tricycles, handcycles, cycles for wheelchair users etc). In addition, 1 cycle maintenance station with tools and air pump, 11 showers, 2 WCs, associated changing areas and 204 lockers will be provided at basement level, which will



further support the shift towards sustainable modes of travel for those working in the Warwick Building's office facilities. The proposed total number of 131 cycle parking spaces is around 5.7 times the existing provision offering and is just 10 spaces short of the London Plan guidance. Given that it is only proposed 605m<sup>2</sup> of additional office space, the proposed number is considered to be a great betterment to the existing situation, for the benefit of staff of the whole building, and not only new staff associated with the proposal. A condition is attached to ensure the implementation of the cycle parking and associated facilities is implemented prior to the occupation of the development and retained thereafter.

#### + Refuse and Delivery Serving Plan

6.80 A draft Delivery and Servicing Plan (DSP) is included as a separate document as part of the planning application. The DSP seeks to manage deliveries to occur off-peak. An existing secured refuse store is located between the Warwick Building and Avon House containing segregated bins for paper/card recycling, general waste, food waste, glass. Refuse collection within the whole estate is managed by a private company. Collections are undertaken daily, 5 days a week (Monday to Friday), in the morning before 9am, and once a week a second collection is also undertaken, occurring early afternoon. Refuse vehicles park on Avonmore Road near the refuse store while the refuse is collected. As stated above, while the proposed development might result in an increase in the volume of deliveries/waste produced, these will be undertaken/collected within the existing vehicle trips made to the existing site and as such there will be no increase in the delivery/refuse movements. Highways officers consider the details are sufficient to ensure that the servicing and delivery to the proposed new development will not have a detrimental impact on the safe operation of the highway network. A final DSP will be secured by a condition.

#### + Travel Plan

6.81 In accordance with Local Plan Policy T2 a Workplace Travel Plan has been developed as a form of mitigation which demonstrates how the development will promote sustainable modes of travel. A legal agreement will secure the submission of an updated Travel Plan prior to the first use of the development which would be subject to ongoing monitoring and review, to ensure the development continues to encourage users of the development to travel by sustainable modes other than the car.

#### + Building Works

6.82 The main impact of the development in highway terms would be at the demolition and construction stages. In accordance with Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 a Demolition Logistics Plan (DLP) and a Construction Logistics Plan (CLP) have been submitted.

6.83 The submitted DLP and CLP demonstrate that the demolition and construction works are unlikely to have a significant impact on the local highway network. The Plans will be secured by a condition, and will remain live documents with ongoing consultation with the Council's Highways Officers.

- 6.84 Subject to the submission of the required documents by condition and the mitigation to the impacts of the development required by way of legal agreement, officers consider that the proposed development would not detrimentally impact on the highway network and would be in accordance with the policies cited above.

## ENVIRONMENTAL MATTERS

### + Sustainability and Energy

- 6.85 The NPPF states that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy.
- 6.86 The Mayor's Sustainable Design and Construction SPG provides guidance on the implementation of London Plan Policies and provides a range of additional guidance on matters relating to environmental sustainability.
- 6.87 London Plan Policy SI2 seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.
- 6.88 London Plan Policy SI4 seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals will reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.
- 6.89 Local Plan Policy CC1 requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.
- 6.90 An Energy and Sustainability Statement has been submitted with the application. The current building performs badly in terms of energy use and energy efficiency and the extension and alterations provide an opportunity to upgrade the whole building. Inclusion of energy efficiency measures such as improved insulation levels, use of LED lighting, heat recovery on the ventilation system etc in both the proposed extension and in the existing building and the addition of renewable

energy generation on site in the form of Air Source Heat Pumps (ASHPs) and solar PV panels is calculated to reduce energy use and associated CO2 emissions by 51.1% across the whole scheme. This meets the London Plan target of achieving at least a 35% reduction in emissions compared to the Building Regulations requirements. The implementation of the energy efficiency and low/zero emission measures outlined in the Sustainability and Energy Statement will be secured by a condition.

- 6.91 In terms of wider sustainability issues, the report states that the building will achieve a BREEAM rating of Excellent. A WELL Building Assessment has also been carried out and it will achieve the "Gold" rating.
- 6.92 During the course of the application additional information has been provided on the design pre-assessments and the applicant has agreed to a condition that requires the submission of a post construction assessment which will verify that the agreed measures have been integrated as required.
- 6.93 Subject to the inclusion of conditions requiring the implementation of the submitted Energy and Sustainability Statement, together with a post construction assessment, officers consider that the proposed development accords with the policies cited above.

+ Flood risk

- 6.94 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'.
- 6.95 London Plan Policy SI12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 6.96 Local Plan Policy CC2 requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. Local Plan Policy CC3 requires that new development is required to reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 which seeks that developments manage surface water run-off and requires all major developments to implement SuDS and to provide a sustainable drainage strategy.
- 6.97 The SuDs, and Flood Risk and Water Efficiency Chapters of the Planning Guidance SPD support the above.
- 6.98 The site is in the Environment Agency's Flood Zone 1. This indicates a low risk of flooding from the River Thames. There is an existing basement on site which is not being extended. This does not contain any office accommodation but shower/toilet and changing facilities are proposed as part of the works which has the potential to increase the risk of sewer surcharge flood risk in this part of the building. The building is not in a surface water flooding hotspot, although during a major storm

event there could be some small areas of ponding of water close to the building and more extensive ponding in neighbouring streets.

- 6.99 In accordance with the above policies, a Flood Risk Assessment, a Drainage Strategy Report and a Sustainable Drainage Report have been submitted to support the application.
- 6.100 There is no requirement for flood risk mitigation for the Warwick Building as the main extension works are proposed at roof level which is not at risk from flooding. A Supplementary Drainage Report was submitted during the course of the application which includes sewer surcharge protection to prevent sewer water backing up through the drainage system and entering the basement from the toilet/shower facilities.
- 6.101 With regards to the proposed measures to manage surface water run-off, rainwater harvesting (RWH) is proposed to collect rainwater for re-use (for toilet flushing), which is at the top of the London Plan Drainage Hierarchy. Maintenance information has also been provided. During the course of the application additional SUDs measures were also explored. Further information has been provided on the feasibility assessment carried out on incorporating a living roof, but due to structural concerns this is not being progressed. The issue of including other measures has been considered but ruled on account of avoiding harm to the existing historic building and because the applicant does not own any of the surrounding land.
- 6.102 While the final discharge rate to the sewer is not fully in line with the requirements of the Local Plan, which would require discharge rates to be at greenfield rates where possible, given the proposal is not a completely new build scheme the proposed improvement to the discharge rates is acceptable in this instance.
- 6.103 The implementation of the flood risk mitigation measures and sustainable drainage measures will be secured by a condition. On this basis, officers consider that the proposed development would not detrimentally impact on flood risk or surface water run-off and would be in accordance with the policies cited above.

#### + Air Quality

- 6.104 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).
- 6.105 London Plan Policy S11 states that development proposals should not lead to deterioration of existing poor air quality, create any new areas that exceed air quality limits or create unacceptable risk of high levels of exposure to poor air quality.
- 6.106 Local Plan Policies CC1 and CC10 seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.

- 6.107 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality that exceeds the WHO health based Air Quality Guideline Values for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> due to the road traffic emissions from the elevated section of the West Cromwell Road (A4). The development proposal will introduce new receptors into an area of poor air quality and will lead to deterioration in local air quality due to the construction, and operational phases of the development.
- 6.108 On this basis, the application is supported by an Air Quality Assessment. The Council's Environmental Quality officer has considered the proposal and has recommended conditions relating the submission of a ventilation strategy and Ultra Low Emission Strategy (ULES) as well as details of the installation of combustion plant compliance, Zero Emission Air/Water Source Heat Pumps or Electric Boilers for space heating and hot water, and the provision of electric vehicle charging points.
- 6.109 On this basis officers consider that the proposed development would not detrimentally impact on Air Quality and would be in accordance with the policies cited above.

#### LAND CONTAMINATION

- 6.110 Paragraph 170 of the NPPF says that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 6.111 Local Plan Policy CC9 requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development will be refused 'unless practicable and effective measures are to be taken to treat, contain or control any contamination'. Any permission will require that any agreed measures with the council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.
- 6.112 Key principles LC1-6 of the Planning Guidance SPG identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.
- 6.113 Given the scope of the proposed works, no contamination or ground investigations are deemed necessary by Land Contamination Officers.

#### 7.0 PLANNING OBLIGATIONS / COMMUNITY INFRASTRUCTURE LEVY (CIL)

##### + S106 Heads of Terms

- 7.1 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning

condition'.

- 7.2 London Plan Policy DF1 (Delivery of the Plan and Planning Obligations) states that: "Development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan."
- 7.3 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 7.4 It is anticipated that the S106 for this development will include the following draft heads of terms:
- o A financial contribution of £6,900 for Local Employment, Training and Skills Development Initiatives (£3,400 for the facilitation of the Local Procurement Code and £3,500 for Employment and Skill Code)
  - o A workplace Travel Plan plus monitoring cost (£3,000 paid at review years 1, 3 and 5).
- + Mayoral and Local CIL
- 7.5 The Mayor's CIL (Community Infrastructure Levy) came into effect in April 2012 and new fee rates came into effect in April 2019. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy DF1. This development would be subject to a London wide community infrastructure levy. This development is liable for an estimated Mayoral CIL of £48,400.00 (plus indexation).
- 7.6 The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. Due to the location of the site within the CIL 'North' Charging Zone this development would not be subject to the Council's community infrastructure levy.
- 8.0 CONCLUSION
- 8.1 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.
- 8.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance.
- 8.3 In summary, the proposals would support the retention, enhancement and intensification of the existing the employment use. Subject to a legal agreement

the proposal would also offer a financial contribution towards Local Employment, Training and Skills Development Initiatives. The proposed extension and alterations are acceptable in visual terms. The proposals are considered to be of a high quality of design having regard to the special architectural and historic interest of the Building of Merit, and to the character and appearance of the conservation area. The settings of nearby heritage assets would also be preserved. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality and land contamination have also been satisfactorily addressed and will be subject to conditions and a legal agreement. In these respects, the proposals comply with the relevant policies of the NPPF (2019), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the Planning Guidance Supplementary Planning Document (2018).

- 8.4 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 the conditions listed, and the completion of a s106 legal agreement.

## 9.0 RECOMMENDATION

- 9.1 It is recommended that planning permission be approved subject to conditions and the completion of a satisfactory legal agreement.