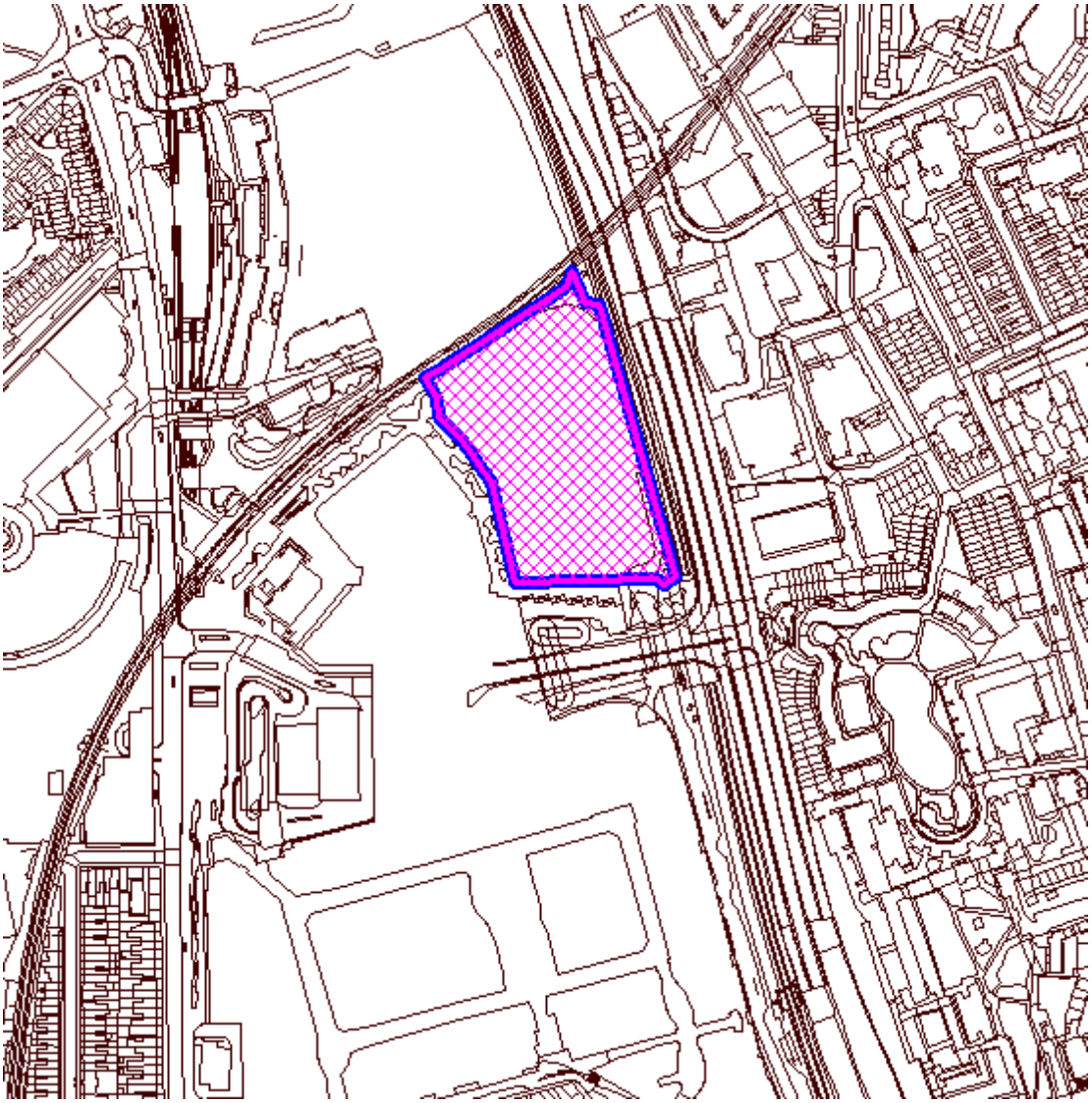
Ward: Shepherd's Bush Green

Site Address:
Land North of Westfield Shopping Centre, Ariel Way, London W12



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Reg. No:
2021/01101/OUT

Case Officer:
Neil Button

Date Valid:
07.04.2021

Conservation Area:

Committee Date:
06.12.2022

Applicant:
Westfield Europe Limited
C/o Agent

Description:
Outline planning application (All Matters Reserved) for a mixed-use redevelopment comprising the erection of new buildings ranging from 30m - 122m AOD above podium plus basement level, providing up to 1,700 residential units (up to 164,974 sqm (GIA) residential (Class C3) floorspace) with associated private and communal garden areas and amenity spaces; up to 2,510 sqm (GIA) of Class E/F.2 floorspace; provision of basement level car park and associated development, including new and enhanced public realm across the site with new open spaces, vehicular access and servicing facilities.

Drg Nos: See Condition 4

Application Type:
Outline Application

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Officer Recommendation:

1. That the Committee resolve that, subject to there being no contrary direction from the Mayor of London, the Chief Planning Officer be authorised to grant planning 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 Assistant Director Legal Services 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 proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

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.

1. Reserved Matters Details

Development of each phase shall not commence until all details of the proposed means of access; layout and scale; appearance and landscaping for that phase have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the Local Planning Authority may be satisfied as to the details of the proposal, to comply with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

2. Time Limits (Reserved Matters)

i. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of enabling works and substruction and podium works shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. Development constituting enabling works and substruction and podium works shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to enabling works and substruction and podium works) to be approved pursuant to condition 1.

ii. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 6 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 6 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 6) to be approved pursuant to condition 1

iii. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 5 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 5 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 5) to be approved pursuant to condition 1

iv. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 7 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 7 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 7) to be approved pursuant to condition 1

v. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 4 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 4 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 4) to be approved pursuant to condition 1

vi. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 8 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 8 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 8) to be approved pursuant to condition 1

vii. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Blocks 1 and 9 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Blocks 1 and 9 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Blocks 1 and 9) to be approved pursuant to condition 1

viii. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 3 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 3 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 3) to be approved pursuant to condition 1

ix. Application(s) for the approval of the Reserved Matters specified in condition 1, in respect of Block 2 shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. Development within Block 2 shall be begun before the expiration of 2 years from the date of the approval of the last of the relevant Reserved Matters (in respect to Block 2) to be approved pursuant to condition 1

Reason: Condition required to be imposed by Section 92 (2) (a) of the Town and Country Planning Act 1990. Extended time periods for which the planning permission can be implemented is given considering exceptional circumstances

relevant to the extent of the development.

3. Phasing Programme

No development shall take place on the site (with exception to demolition, site clearance and enabling works) until a detailed phasing plan of the whole development and construction and completion of each phase has been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed sequence of development across the site, the extent of the development phases and the timing for the completion of the public realm relative to each phase. Any changes that may be required to the phasing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing.

Reason: To ensure that the development is carried out in a comprehensive, orderly, and within a reasonable timescale for the benefit of future occupiers and other occupiers of the surrounding area, and with the provisions and assessment set out in the approved Environmental Impact Assessment, in accordance with Policies D1, D2, D3, D4, D5, D8, D9, D11, D12, D13, HC1, HC3, HC4 and G7of the London Plan (2021), and policies DC1, DC2, DC3, DC4, DC7, DC8 of the Local Plan (2018).

4. Design Code

All reserved matters applications shall include a statement to demonstrate how the reserved matters have been prepared substantially in compliance with the mandatory design codes prepared by Glenn Howells Architects (dated July 2022).

Reason: To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved design code, in accordance with the NPPF (2021), National Model Design Code (2021), Policies D1, D2, D3, D4, D5, D8, D9, D11, D12, D13, HC1, HC3, HC4 and G7of the London Plan (2021), and policies DC1, DC2, DC3, DC4, DC7, DC8 of the Local Plan (2018).

5. Parameters Plans

All reserved matters applications shall include a statement to demonstrate how the reserved matters have been prepared in accordance with the approved Parameter Plans and the Planning Parameters Report (May 2022). The approved Parameter Plans are listed below:

- 2123-GHA-XX-ZZ-DR-001 – Site Context.
- 2123-GHA-XX-ZZ-DR-002 – Planning Application Area.
- 2123-GHA-XX-ZZ-DR-003 – Existing Site Levels.
- 2123-GHA-XX-ZZ-DR-004 Rev 02 – Development Plots Ground.
- 2123-GHA-XX-ZZ-DR-005 Rev 02 – Development Plots Park Level.
- 2123-GHA-XX-ZZ-DR-006 Rev 03 – Proposed Site Levels.
- 2123-GHA-XX-ZZ-DR-007 Rev 03 – Horizontal Levels of Deviations.
- 2123-GHA-XX-ZZ-DR-008 Rev 02 – Maximum Building Heights.
- 2123-GHA-XX-ZZ-DR-009 Rev 02 – Ground Floor Uses and Frontages.
- 2123-GHA-XX-ZZ-DR-010 Rev 03 – Park Level Uses and Frontages.
- 2123-GHA-XX-ZZ-DR-011 Rev 02– Typical Upper Floor Uses.
- 2123-GHA-XX-ZZ-DR-012 Rev 03 – Public Realm at Ground and Park Level.

- 2123-GHA-XX-ZZ-DR-013 Rev 02– Basements.
- 2123-GHA-XX-ZZ-DR-014 Rev 03 – Access and Routes Ground Level.
- 2123-GHA-XX-ZZ-DR-015 Rev 03– Access and Routes Park Level; and
- 2123-GHA-XX-ZZ-DR-016 Rev 02 – Extensive Bio-Diverse Roof.

Reason: To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with the NPPF (2021), Policies D1, D2, D3, D4, D5, D8, D9, D11, D12, D13, HC1, HC3, HC4 and G7of the London Plan (2021), and policies DC1, DC2, DC3, DC4, DC7, DC8 of the Local Plan (2018).

6. Amount of Development

The total gross external floorspace (GEA) areas of the development comprising the land uses hereby approved shall not exceed the following:

i. An overall gross maximum floor space of all the development, including parking, servicing, energy centre and plant and storage but excluding the basement that shall not exceed x square metres GEA; and

ii. Overall gross maximum floor space (Gross Internal Area (GIA)) (excluding car park and energy centre) by land use, notwithstanding the provisions of the Town and Country Planning (Use Classes Order 1987) (as amended) or (General Permitted development) Order 2015 (as amended) or any subsequent act, shall not exceed the following:

- Residential (C3): 164,794 sqm
- Commercial/Community (E/F2): 2,510 sqm

Reason: To ensure the development carried out does not exceed the cumulative maximum floor space, in accordance with the approved plans and to ensure a suitable mix and distribution of land uses within the development and to ensure the quantum of floor space keeps within the Parameters assessed pursuant to the EIA in relation to the development, in accordance with policies D1, D2, D3, D4, D5, D8, D9, D10, D11, D12, D13, HC1, HC3 and HC4 of the London Plan (2021), policies WCRA, WCRA1, DC1, DC2, DC3, DC4, DC7, DC8 , CC11, CF1, CF2 , TLC2, E1 , E2 and E4 of the Local Plan (2018).

7. Residential Units

The total number of residential units (Class C3) hereby approved shall not exceed 1,700 or 164,794 sqm (GIA).

Reason: To ensure the development carried out does not exceed the cumulative maximum approved and to ensure the quantum of floor space keeps within the parameters assessed pursuant to the EIA in relation to the development in accordance with policies H1, H4, H5, H6, D1, D2, D3, D4, D5, D8, D9, D10, D11, D12, D13, HC1, HC3 and HC4 of the London Plan (2021) and policies WCRA, WCRA1, DC2, DC3 , DC4, DC7, DC8, H01, HO4 and HO5 of the Local Plan (2018)

8. Demolition Management Plan

Prior to the commencement of the development (excluding Enabling Works), a Demolition Management Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP shall include:

- details of the location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking
- storage of any skips
- oil and chemical storage
- membership of the Considerate Contractors Scheme
- delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-300hrs on Saturdays
- advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works.
- details shall also include the use of on road Ultra Low Emission Zone compliant Vehicles e.g., Euro 6 and Euro VI
- provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway.

The works shall be carried out in accordance with the relevant approved DMP throughout the project period.

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, Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

9. Construction Management Plan (CMP)

Prior to the commencement of the development hereby permitted (excluding Demolition Works), a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include:

- a detailed plan showing phasing
- relevant foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent),
- contractors' method statements
- waste classification and disposal procedures and locations
- location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking,
- details of storage and any skips,
- oil and chemical storage,
- membership of the Considerate Contractors Scheme,
- delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible

beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays,
- advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works.
- details of the use of on-road Ultra Low Emission Zone compliant Vehicles e.g., Euro 6 and Euro VI
- provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway.

The works shall be carried out in accordance with the relevant approved CMP throughout the project period.

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 Policies SI 1, T7 and GG3 of the London Plan (2021) Policy D14 of the London Plan, Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

10. Construction Logistics Plan

Prior to commencement of the development hereby permitted (excluding Demolition Works) a Construction Logistics Plan in accordance with Transport for London guidance shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The Construction Logistics Plan shall cover the following minimum requirements:

- Site logistics and operations
- Construction vehicle routing.
- Contact details for site managers and details of management lines of reporting.
- Detailed plan showing phasing.
- Location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking.
- Storage of any skips, oil, and chemical storage etc.; and
- Access and egress points.
- The impact on bus stops on Wood Lane, bus layover facility and bus stops opposite Shepherd's Bush London Underground Station and include details of temporary bus stop facilities during the construction phase of the development.
- The Cumulative impact on Wood Lane, Uxbridge Road and Shepherd's Bush Green associated with the construction of the TfL cycleway on Wood Lane, and other construction activities along the Wood Lane corridor.
- Membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the approved Construction Logistics Plan throughout the whole construction period.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, and the operation of bus services within the area, the amenities of residents and the area generally in accordance with Policy T7 of the London Plan and T1, T6 and T7 of the Local Plan (2018).

11. Temporary Fencing and Enclosure

Prior to the commencement of development of each specific phase or part thereof of development, details of temporary fencing and/or enclosure of the site in each phase of the works shall be submitted to and approved in writing by the Local Planning Authority for the relevant phase of the development and shall be retained as approved for the duration of the construction works.

Reason: To ensure that the site remains in a tidy condition during the construction phase and to prevent harm to the street scene in accordance with Policy DC1 of the Local Plan (2018).

Aviation

12. Radar Mitigation

Prior to the commencement of development of each specific phase or part thereof of development, a Radar Mitigation Scheme (RMS) on the H10 Radar at Heathrow Airport, including a timetable for its implementation during construction, shall be agreed with the Operator, NATS. Details shall be submitted to and approved in writing by the Local Planning Authority.

Any agreed mitigation shall be implemented in full throughout the construction phase.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policy T8 of the London Plan (2021).

13. Construction Management Strategy – Aviation Safeguarding

Prior to the commencement of development of each specific phase or part thereof of development, an aviation safeguarding construction management strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall cover any land to be used during the construction period and shall include details of the following:

a. details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 'Cranes' (available at http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf).

b. details of temporary lighting – Such details shall comply with Advice Note 2 'Lighting' (available at http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf)

The development shall thereafter be undertaken in full accordance with the approved details.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through the penetration of instrument

flight procedures in accordance with Policy T8 of the London Plan (2021).

Air Quality

14. Updated Air Quality Assessment (AQA)

Prior to the commencement of any development pursuant to Blocks 1a, 1b, 2a, 2b, 3a, 3b and 4, an air quality & air quality neutral assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment report shall include:

a. Review of air quality around the development site using existing air quality monitoring data and modelling data

b. Dispersion modelling of emissions of Nitrogen Dioxide (NO2), and Particulates (PM2.5, PM10) from vehicles, and combustion plant (Gas boilers, CHP, Emergency diesel Generators) in light of findings of part a). The predicted concentrations of NO2, PM2.5 and PM10 from ground level to roof level at all on-site sensitive receptors at the first occupancy of the proposed development shall be assessed against the Annual Mean World Health Organisation Air Quality Guideline Values for NO2 (30ug/m-3) , PM2.5 (10ug/m-3) and PM10 (20ug/m-3)

c. Indication of the number of on-site and off-site receptors which will be exposed to NO2, PM2.5 and PM10 concentrations within 5% of limits stated in part (b) as a result of the development.

d. Proposed Mitigation measures associated with the design, location and operation of the development in order to reduce air pollution and exposure to existing poor air quality

The updated air quality assessment shall be completed in reference to Environmental targets, Section (2), Environmental Act 2021, LAEI (2019), London Councils' Air Quality and Planning Guidance, (2007), IAQM Land Use Planning and Development Control: Planning for Air Quality, Version 1.2 (May 2017), Local Air Quality Technical Guidance (TG22), DEFRA, (August 2022), NPPG, London Plan (2021) and draft Air Quality Positive London Planning Guidance (2023), Air Quality Neutral London Planning Guidance, (2023) or any such superseding guidance.

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

15. Air Quality Dust Management Plan (AQDMP)

Prior to commencement of the construction phase of works on site, an Air Quality Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP shall be in accordance with the Council's AQDM Template "C" and shall include the following details:

a. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries

b. Construction Site and Equipment Layout Plan

c. Inventory and Timetable of dust generating activities during construction site activities.

d. Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM_{10} (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments.

e. Site Specific Dust, and NOx Emission mitigation and control measures shall be in a table format and include mitigation for on-road and off-road construction traffic as required by the overall Medium/High Dust Risk Rating of the site.

f. Details of Site Particulate (PM_{10}) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant Particulate (PM_{10}) monitors on the site boundaries used to prevent levels exceeding predetermined PM_{10} Site Action Level (SAL) of 190 $\mu g/m^{-3}$, measured as a 1-hour mean. Prior to installation of the PM_{10} monitors on site the calibration certificates of MCERTS compliant PM10 monitors and the internet-based log-in details to enable access to the real-time PM_{10} monitoring data from the PM10 monitors shall be issued to the Council by e-mail to constructionairqualitymonitoring@lbhf.gov.uk. The PM data from the on-site Particulate (PM_{10}) monitors shall also be made available on the council's construction site air quality monitoring register website https://www.envimo.uk.

g. Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage IV NOx and PM_{10} emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of construction shall be registered on the NRMM register https://london.gov.uk/non-road-mobile-machinery-register prior to commencement of construction works and thereafter retained and maintained until occupation of the development.

h. Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 (AIR Index https://airindex.com/ Urban NOx rating A) and Euro VI

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

16. Ventilation Strategy

Prior to commencement of above ground works, of each relevant phase, in Development Plots 1a, 1b, 2a, 2b, 3a, 3b, 4, and 9 of the development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the self-contained residential units (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all receptor locations where the Annual Mean Nitrogen Dioxide (NO2), and Particulate (PM10, PM2.5) concentrations are equal to 30ug/m-3, 20ug/m-3 and 10 ug/m-3 respectively and where current and future predicted pollutant concentrations are within 5 % of these limits. The report shall include the following information:

a. Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of all residential floors

b. Details and locations of restricted opening windows for habitable rooms (Bedrooms, Living Rooms) of maximum 200mm (for emergency purge ventilation only).

c. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, in order to minimise the potential for the recirculation of extract air through the supply air ventilation intake in accordance with paragraph 8.9 part 'C' of Building Standards, Supporting Guidance, Domestic Ventilation, 2nd Edition, The Scottish Government, 2017.

d. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO2) and Particulate Matter (PM2.5, PM10) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM2.5, PM10) 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 of the development and thereafter permanently retained and maintained.

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

17. Ventilation Strategy (Compliance)

Prior to occupation of the relevant development phase hereby permitted, details of a post installation compliance report of the approved ventilation strategy for the Residential use (Use Class C3) as required by condition 16 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Services Engineer (CIBSE).

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

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

18. Green Infrastructure

Prior to the occupation of the development hereby permitted, details of the proposed hard and soft landscape scheme in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance shall be submitted to and approved in writing by the Local Planning Authority. This should include vertical and horizontal greening of a minimum height of 1.5 m within 1 metre of the kerbside boundaries with Marathon Way and Ariel Way, planting schedules and details of the species, height and maturity of replacement trees and shrubs including sections through the planting areas, depths of tree pits, containers and shrub beds; hard surfacing materials and an implementation programme. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of the development shall be replaced in the next planting season with others of comparable size and species.

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

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

19. Zero Emissions Heating Compliance

Prior to occupation of the development hereby permitted, details of the installation/commissioning reports of the Zero Emission MCS certified Air/Water Source Heat Pumps or Electric Boilers to be provided for space heating and hot water for the Commercial uses shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

20. Aerobic Food Digester

Prior to the occupation of the non-residential units within the relevant development phase hereby permitted, details of the commissioning and installation of Aerobic Food Digesters (AFD) for the non-residential units (Class E/F2) in order to mitigate the impact of air pollution from vehicles associated with the removal of food waste shall be submitted to and approved in writing by the Local Planning Authority.

Approved details shall be fully implemented prior to the occupation of the non-residential units within the development and thereafter permanently retained and maintained.

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

21. External Space Heating of outdoor seating areas

No gas fired heaters or fire pits shall be used within any outdoor seating area ancillary to the commercial units (Class E) hereby permitted.

Reason: To comply with the requirements of the NPPF (2021), Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

22. Contamination: Quantitative Risk Assessment

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and Planning Guidance SPD Key Principles LC1 to LC7.

23. Contamination: Remediation Method Statement

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and Planning Guidance SPD Key Principles LC1 to LC7.

24. Contamination: Verification Report

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and following the approval and implementation of the remediation methods identified in Condition [24], a verification report confirming these works has been submitted to, and approved in writing, by the Council for each individual phase. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and Planning Guidance SPD Key Principles LC1 to LC7.

25. Contamination: Onward Long-Term Monitoring Method Statement

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence, relevant to the specific phase or part thereof of development, until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and Planning Guidance SPD Key Principles LC1 to LC7.

Public Protection

26. Transport and/or industrial noise sources

Prior to commencement of above ground works (excluding enabling works) of the commercial premises or Block 5, a noise assessment shall be submitted to the Local Planning Authority for approval of external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014.

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

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport and industrial/ commercial noise sources, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

27. Separation of noise sensitive rooms in neighbouring flats

Prior to commencement of above ground works (excluding enabling works) relevant to the specific development phase or part thereof of the development phase, details shall be submitted to and approved in writing by the Local Planning Authority, of an enhanced sound insulation value DnT,w and L'nT,w of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings.

Approved details shall be implemented prior to occupation of the relevant parts of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by household/neighbour noise transmission to adjoining dwellings at unreasonable levels due to unsuitable layout and arrangement of rooms and communal areas, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

28. Separation of commercial and noise sensitive premises

Prior to commencement of above ground works (excluding enabling works) relevant to the specific development phase or part thereof of the development phase, details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor/ ceilings/ walls separating the commercial part(s) of the buildings from dwellings. Details shall demonstrate that the sound insulation value

DnT,w is sufficiently enhanced above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises.

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

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

29. Separation of communal facilities/plant etc. noise from noise sensitive premises

Prior to commencement of above ground works (excluding enabling works) relevant to the specific development phase or part thereof of the development phase, details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor/ ceilings/ walls separating any basement or podium level plant rooms, car park or communal facilities from noise sensitive uses above. Details shall demonstrate that the sound insulation value DnT,w, and L'nT,w as appropriate, is sufficiently enhanced the Building Regulations value and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the criteria LAmax,F of BS8233:2014 within the noise sensitive premises.

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

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

30. External noise from machinery, extract/ ventilation ducting, mechanical gates, etc.

Prior to occupation of the relevant development phase, details shall be submitted to and approved in writing by the Local Planning Authority, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The required mitigation measures are required to be installed in line with the approved details and evidence is to be provided to the Local Planning Authority to confirm installation.

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

Reason: 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).

31. Anti- vibration mounts and silencing of machinery etc.

Prior to occupation of each relevant phase of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. 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.

Reason: 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 Local Plan (2018).

32. Extraction and Odour Control system for non-domestic kitchens

Prior to commencement of above ground works relevant to each development phase or part thereof of development, details shall be submitted to and approved in writing by the Local Planning Authority, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with Appendix 4G of the LBHF Planning Guidance Supplementary Planning Document (February 2018).

Approved details shall be implemented prior to the commencement of the use of any non-domestic kitchens and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour, in accordance with Policy CC13 of the Local Plan (2018).

33. Floodlights, Security lights and Decorative External Lighting

Prior to commencement of specified works within the relevant part(s) of the development, details of external artificial lighting shall be submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/21: Guidance Notes for the Reduction of Obtrusive Light'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming, and shielding luminaires.

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

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC12 and CC13 of the Local Plan (2018).

Sustainability

34. Sustainability Statement and BREEAM

The development hereby permitted shall be undertaken in full accordance with the approved Sustainability Statement (Rev. 7, dated 03.05.2022). The non-residential uses shall achieve a minimum BREAAM rating of 'excellent' under the relevant scheme for each permitted use. The residential elements of the proposal shall also include sustainable design and construction measures as outlined in the Sustainability Statement.

Within 3 months of the substantial completion of each Block, or relevant phase of the development hereby permitted, a BREEAM post-completion assessment and certification and a post-construction sustainability statement for the relevant block or phase shall be submitted to and approved in writing by the Local Planning Authority to confirm that the measures within the approved document have been implemented in full, for the relevant block of phase.

Reason: In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policies SI 1, SI 2, and SI 3 of the London Plan (2021) and Policies CC1, CC2 of the Local Plan (2018).

35. Revised Energy Strategy

Prior to commencement, a Revised Energy Strategy shall be submitted to the council for approval that demonstrates that CO2 emissions have been minimised and the London Plan net zero carbon target achieved. On-site measures should aim to reduce overall CO2 emissions by at least 65% for the residential units and at least 46% for the non-residential elements of the development. As part of the overall CO2 reductions:

- Each reserved matters applications shall demonstrate a minimum 10% domestic Be Lean reduction in regulated CO2 emissions (for the residential element) compared to a 2013 Building Regulations compliant development.

- Each reserved matters applications to demonstrate a minimum 15% non-domestic Be Lean reduction in regulated CO2 emissions (for the non-residential elements) compared to a 2013 Building Regulations compliant development.

There shall be no less than 461.38 kWp of Photo Voltaic arrays proposed across the whole development. Confirmation that the development will connect into the existing Westfield heat network should also be provided.

No part of the development shall be used or occupied until it has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: In the interests of energy conservation and reduction of CO2 emissions in accordance with Policies SI 1, SI 2, and SI 3 of the London Plan (2021) and Policies CC1, CC2 of the Local Plan (2018).

36. Overheating

Prior to commencement of any phase or relevant part thereof, a dynamic Overheating Analysis for that phase to assess the overheating risk within any naturally ventilated residential spaces shall be carried out. The Analysis shall identify a range of measures to reduce overheating within any naturally ventilated residential spaces. This should follow the CIBSE TM59 methodology for the London Design Summer Year 1 (DSY1) weather file: 2020s, High emission, 50% percentile scenario. The applicant should also investigate the risk of overheating using the DSY 2 & 3 weather files. A Dynamic Overheating Analysis to assess the overheating risk on non-residential spaces should be also carried out. This should follow the CIBSE TM52 methodology for the London Design Summer Year 1 (DSY1) weather file: 2020s, High emission, 50% percentile scenario. The applicant should also investigate the risk of overheating using the DSY 2 & 3 weather files.

The Overheating Assessment shall be submitted to the Local Planning Authority and approved in writing prior to construction above ground level for each phase, or relevant part thereof. All mitigation measures set out in the overheating analysis shall be implemented prior to occupation of the relevant part of the development and shall be retained for the lifetime of the development.

Reason: In order to demonstrate that the dwellings are not at risk of overheating in accordance with policies SI4 of the London Plan (2021), the Mayor's Supplementary Planning Guidance on Sustainable Design and Construction and policy CC3 of the Local Plan (2018).

37. Surface Water/SUDS

Prior to commencement of the development (excluding Enabling and Demolition Works) hereby permitted, full details of the Surface Water Drainage Strategy and Design shall be submitted to the Local Planning Authority for approval which shall include the Sustainable Drainage Systems (SuDS) to be used to manage surface water discharge from the site, within each phase of development as appropriate.

SuDS Measures shall include but not be limited to rainwater harvesting for collection and re-use of surface water, soft landscaping including living roofs, permeable hard surfaces and attenuation storage and controlled release of stormwater. Confirmation of discharge connections and rates shall be provided along with maintenance information for each SuDS measure. Detailed Plans shall be provided to show all SuDS measures and how they connect to the wider drainage network. The detailed SuDS scheme must demonstrate that it has been developed in accordance with the overarching principles set out in the Outline Surface Water Drainage Strategy set out in the Flood Risk Assessment (dated May 2022), in compliance with the London Plan Drainage Hierarchy to minimise any required discharge of surface water to the sewer network.

The Detailed Strategy and Designs shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure that sufficient drainage capacity is made available to cope with

the new development, and to avoid adverse environmental impact upon the community 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 SI 13 of the London Plan (2021) and policies CC1, CC2, CC4, CC5, OS1, OS4 and OS5 of the Local Plan (2018).

38. Basement Waterproofing

Prior to commencement of the development (excluding Enabling and Demolition Works) hereby permitted, details of the structural water-proofing measures proposed for the basement, including any detailed plans and specifications, shall be submitted for approval by the council to demonstrate that there will be no increase in flood risks from groundwater on or off site as a result of the development.

Reason: To prevent any increase in flooding within the basement as a result of internal sewer flooding in accordance with Policy CC3 of the Local Plan (2018) and the NPPF.

39. Waste Capacity (Thames Water)

The development shall not be occupied until confirmation has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water, that either waste capacity exists off site to serve the development, or all wastewater network upgrades required to accommodate the additional flows from the development have been completed prior to occupation of the development, or an infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied.

Reason: To ensure that sufficient foul drainage capacity is made available to cope with the new development, and to avoid adverse environmental impact upon the community in accordance with Policy SI 13 of the London Plan (2021) and Policy CC3 and CC5 of the Local Plan (2018). The development may lead to sewage flooding and Thames Water may need to undertake network reinforcement works to ensure sufficient capacity is provided to accommodate additional flows from the new development. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

40. Water Infrastructure (Thames Water)

The development shall not be occupied until confirmation has been submitted to and approved in writing with Thames Water that either all water network upgrades required to accommodate the additional flows from the development has been completed, or an infrastructure phasing plan has been agreed with Thames water to allow the development to be occupied. Where an infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason: To ensure that sufficient foul drainage capacity is made available to cope with the new development, and to avoid adverse environmental impact upon the community in accordance with Policy SI 13 of the London Plan (2021) and Policy CC3 and CC5 of the Local Plan (2018). The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to

ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning.

41. Post Occupation Whole Life-Cycle Carbon Assessment

The development shall be carried out in accordance with the approved Whole Life Cycle Carbon Assessment Addendum by Rambol submitted in September 2022.

Within 6 months of occupation or any use of the development, a post-construction monitoring report setting out how the development met with the requirements of the approved WLCC Assessment in part (i) of the condition shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of energy conservation and reduction in carbon, in accordance with London Plan Policy SI2.

42. Circular Economy Assessment Post-Construction Report

Within 6 months of occupation or any use of the development, a post-construction monitoring report setting out how the construction process met the requirements of the approved Circular Economy Statement (dated September 2022) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of reducing waste and supporting the Circular Economy, in accordance with London Plan Policy SI7.

43. Details of Living Roofs

Prior to commencement of above ground works of each relevant phase of development or part thereof the development phase, hereby permitted, details of all living roofs including a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until the scheme has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure the provision of green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with Policies G5, G6 and SI 13 of the London Plan (2021) and Policy OS5 of the Local Plan (2018).

44. Replacement of Trees & Shrubs

Any tree or shrub planted, pursuant to approved landscape details, that is removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of comparable size and species to that originally required to be planted.

Reason: To ensure a satisfactory provision for planting in accordance with Policies G1, G5 and G7 of the London Plan (2021) and Policy OS5 of the Local Plan (2018).

45. Ecological Management Plan

An Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to the completion of each Development Phase. The EMP shall comprise a habitat management plan and monitoring report which shall set out objectives and prescriptions for the management of new areas of vegetation and public open spaces within the development, for a minimum period of 5 years.

Reason. To ensure the biodiversity of the site is protected and enhanced where possible, in accordance with policy G6 of the London Plan (2021) policies OS1 OS2 and OS3 of the Local Plan (2018).

46. Urban Greening Factor

The proposed development shall be carried out in accordance with the Urban Greening Factor of 0.4 set by this outline planning permission. All reserved matters submissions shall be submitted with a detailed updated Urban Greening Factor confirming this standard has been met, for the relevant phase, where appropriate which shall be approved in writing by the Local Planning Authority prior to occupation within the relevant phase.

Reason. To ensure the biodiversity of the site is protected and enhanced where possible, in accordance with policy G6 of the London Plan (2021) policies OS1 OS2 and OS3 of the Local Plan (2018).

Transport & Highways

47. London Underground Infrastructure Protection

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development for all foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority. The submission shall:

a. provide details on all structures

b. provide details on the use of tall plant/scaffolding

c. provide details of the servicing and access strategy along the arches to ensure it does not compromise TfL schemes

d. accommodate the location of the existing London Underground structures

e. demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land

f. demonstrate that there will at no time be any potential security risk to our railway, property or structures

g. accommodate ground movement arising from the construction thereof

h. 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.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with Policy T3 of the London Plan (2021).

48. Car Parking Design and Layout

Prior to the commencement of works pursuant to the car park hereby permitted, details shall be submitted which shall include detail of but not be limited to the numbers, detailed design, layout, and location of parking bays shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the design and location of 53 blue badge parking spaces, and of provision for 119 further blue badge parking spaces should future demand arise. These accessible parking spaces shall be permanently retained for the life of the development for use by disabled residents and visitors.

The development shall be implemented in accordance with the approved details prior to occupation, and permanently retained thereafter.

Reason: To ensure the detailed design of car parking provides adequate capacity for vehicle manoeuvring in the interest of public safety and to ensure adequate provision of Blue Badge parking spaces in accordance with Policies D5 and T6 of the London Plan (2021) and Policies T1, T4 and T5 of the Local Plan (2018).

49. Car Park – Quantum

The residential car parking provision for the development shall not exceed 350 car parking spaces.

Reason: To avoid creating unacceptable traffic congestion on the surrounding road network in accordance with Policies T1 and T4 of the Local Plan (2018).

50. EVCP Provision

Prior to first occupation of the relevant development phase hereby permitted, details of the installation including location and type of active electric vehicle charging points (22- 50KW) for a minimum of 40% of the total off-street car parking spaces must be submitted to and approved in writing by the Local Planning Authority. Details shall further be provided of passive provision for electric vehicle charging for the remaining 60% of car parking spaces.

The approved electric vehicle charging points shall be installed prior to the first occupation of the development hereby permitted and retained in working order for the lifetime of the development.

Reason: To encourage sustainable travel in accordance with Policies GG3, D5, SI 1, T6 and T7 of the London Plan (2021), and Policies CC1 and T4 of the Local Plan (2018).

51. Cycle Parking

Prior to the commencement of the relevant part of the development, details of the facilities to be provided for the secure storage of bicycles for each use shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the number, location and access arrangements to cycle parking and details of accessible cycle parking spaces of a quantum no less than 5% of the overall provision for each use. Details shall further be provided of provision for cargo bikes, children's bikes and charging facilities for electric bikes and scooters.

The relevant approved facilities shall be provided prior to the first occupation of each phase. The cycle parking facilities provided pursuant to this condition shall thereafter be retained and not used for any other purpose without the prior written consent of the Council.

Reason: To ensure the suitable provision of cycle parking within the Development to meet the needs of future site occupiers and users and in the interest of the appearance of the development, in accordance with Policy T5 of the London Plan (2021) and Policy T3 of the Local Plan (2018).

52. Cycle Parking Management Plan

Prior to first occupation of the relevant development phase, a Cycle Parking Management Plan shall be submitted to and approved in writing by the Council. This management plan shall include details of access to cycle parking and how any potential conflicts with vehicles will be resolved or managed. The management plan shall further include details of monitoring and reviewing of demand for various types of cycle parking and how it will be ensured that the cycle store meets future changes in demand.

The development shall not be operated otherwise than in accordance with the Cycle Parking Management Plan as approved and shall thereafter be permanently retained in this form.

Reason: To ensure an appropriate level, mix and location of cycle parking is achieved for the development and that management arrangements are in place to control its allocation and use in accordance with Policies T1, T2, T4 and T5 of the London Plan (2021) Policies CC1, CC2, CC6, CC7, CC9, CC10, CC11, CC12, CC13, T1 and T6 of the Local Plan (2018) and SPD Transport Policies of the Planning Guidance Supplementary Planning Document (2018).

53. Details of Motor-Cycle Parking

Prior to the commencement of the relevant part of the development, details of the facilities to be provided for the secure storage of motorcycles for each use shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the number, location and access arrangements to motorcycle parking.

The relevant approved facilities shall be provided prior to the first occupation of each phase. The motorcycle parking facilities provided pursuant to this condition shall thereafter be retained and not used for any other purpose without the prior written consent of the Council.

Reason: To ensure the suitable provision of motorcycle parking within the Development to meet the needs of future site occupiers and users and in the interest of the appearance of the development, in accordance with Policy T6 of the London Plan (2021) and Policy T4 of the Local Plan (2018).

54. Waste Management Strategy

Prior to first occupation of the relevant development phase hereby permitted, a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. Details shall include how recycling will be maximised and be incorporated into the facilities of the development.

All approved storage arrangements shall be provided in accordance with the approved details and shall be retained for the lifetime of the development.

Reason: In order to protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with Policies DC2, CC6 and CC7 of the Local Plan (2018) and SPD Key Principle WM1 (2018).

55. Delivery & Servicing Plan

Prior to first occupation of the development hereby permitted, a Delivery and Servicing Management Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

a. Use of Zero Exhaust Emission Vehicles in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle, (4) Alternative Fuel e.g., CNG, Hydrogen.

b. On-site freight consolidation facilities to minimise the number of vehicle movements to the site.

c. Reduction and consolidation of deliveries and collections e.g. Waste.

d. Re-timing of deliveries and collections outside of peak traffic time periods of 07:00-10:00 and 16:00-19:00 hrs.

e. Facilities and measures that will minimise the impact of vehicle emissions from increasing personal deliveries.

f. Times, frequency and management of deliveries and collections including collection of waste and recyclables.

g. Operations of any loading bay(s).

h. Emergency access, and vehicle movement at the site entrance and throughout the development.

i. Quiet loading/unloading mitigation including silent reversing measures in accordance with Building Design Guidance for Quieter Deliveries, TFL, June 2018.

j. An assessment of loading demand and loading area capacity, to ensure the proposed loading locations have sufficient capacity to accommodate all delivery and servicing demand generated by the proposal (including a report on the operating practices of fast-food deliveries being made by cycles and mopeds).

k. Rapid Electric charging facilities provided for all loading areas.

l. Concierge facilities, Amazon lockers etc should be provided to ensure first time delivery.

m. Booking systems for larger deliveries.

n. Parking management / enforcement for all loading areas, including the service yard, and Marathon Way.

o. How delivery vehicles that informally use the perimeter roads and pavements will be enforced.

p. How the roads that buses operate on to and from the layover (Dimco Road, Ariel Way, Westfield Way, Wood Lane) could be impacted by delivery and servicing activities associated with the proposed development. And include details of Traffic/parking management to minimise the impact.

q. confirmation that the DSP is intended to work independently or collaboratively with the existing retail operations of the Westfield London centre.

The DSP shall demonstrate that all servicing and deliveries shall take place from within the site. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained for the lifetime of the development.

Reason: To ensure that satisfactory provision is made for refuse storage and collection; to ensure that potential conflicts between servicing vehicles and other road users/pedestrians are adequately mitigated and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy T7 of the London Plan and Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

Design

56. Details & Samples of Materials

Prior to the commencement relevant works of each development phase or part thereof, details and samples of materials to be used for that phase (or relevant part thereof) on all external faces and roofs of the buildings, shall be submitted to and approved in writing by the Local Planning Authority and no part of that phase (or relevant phase thereof) shall be used or occupied prior to the implementation of the approved details. Each phase or part thereof, of the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with the NPPF (2021), policies DC1, DC2, DC3 and DC7 of the Local Plan (2018).

57. Details & Samples of External Hard Surfaces and Boundary Materials

Prior to the commencement of relevant works of each development phase or part thereof, details and samples, where appropriate, of all paving and external hard surfaces, boundary walls, railings, gates, fences, and other means of enclosure for that phase (or relevant part thereof) shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details prior to occupation or use of that phase (or relevant part thereof) and shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with the NPPF (2021) policies DC1, DC2, DC3 and DC7 of the Local Plan (2018).

58. Details of Typical Bays

Prior to the commencement of relevant works of each development phase or part thereof, detailed drawings of that relevant phase or part thereof, at a scale no less than 1:20 in plan, section, and elevation, of a typical bay of each proposed building type to show details of proposed cladding, fenestration, balconies, entrances, and shopfronts, are required to be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in accordance with the NPPF (2021) policies DC1, DC2, DC3 and DC7 of the Local Plan (2018).

59. Details of Hard & Soft Landscaping

Prior to the commencement of relevant works of each development phase or part thereof, the submission and approval in writing by the Local Planning Authority of full details of the proposed hard and soft landscaping for that relevant phase, or part thereof, including samples of surface treatments, planting schedules and details of

the species, height and maturity of any trees and shrubs and proposed landscape maintenance is required.

The approved details shall be implemented in the next winter planting season following completion of the building works for the relevant phase of the development of part thereof, or before the occupation or use of that relevant phase, or part thereof, whichever is the earlier, and the landscaping shall thereafter be retained and maintained in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in accordance with policies DC1, OS1, DC2, OS4 and OS5 of Local Plan (2018).

60. No External Alterations

Notwithstanding the details shown on the drawings hereby approved or agreed elsewhere under further conditions listed in this decision notice, no alterations shall be carried out to the external appearance of the development hereby approved, including the installation of lights, meter boxes, air conditioning units, water tanks, ventilation fans or extraction equipment, not shown on the approved drawings.

Reason: To ensure an appropriate standard of design in accordance with Policy DC1, DC2 and DC3 of the Local Plan (2018).

61. Street Furniture & Signage

Prior to the occupation of the relevant phase of the development or part thereof, details including the locations of the benches, litter bins and signage for the relevant phase of the development (or part thereof), shall be submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until the benches, litter bins and signage as approved have been provided, and must be permanently retained thereafter.

Reason: To ensure the satisfactory provision of facilities, in accordance with policies OS2 and OS3 of the Local Plan (2018).

62. Play Areas

Prior to the commencement of above ground works of each phase hereby permitted, a scheme detailing the size of play space, play equipment, boundary treatments and ground surface treatment of the outdoor play spaces shall be submitted to and approved in writing by the Local Planning Authority. Any play equipment will be designed to be fully inclusive to ensure the play areas are accessible to all. The development shall provide no less than 2,240 sqm Play Space/Play Areas across the site.

The development shall be implemented in accordance with the approved details prior to occupation or use of the relevant phase and shall be permanently retained thereafter.

Reason: To ensure equal life chances for all, and to prevent groups such as blind people and disabled children being excluded from use of public realm and other

amenities by designs failing in detail to take specific needs into account, in accordance with Policy S4 of the London Plan (2021) and Policy OS3 of the Local Plan (2018).

63. No PD – Aerials etc.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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 part of the development hereby permitted, without planning permission first being obtained.

Reason: To ensure that the visual impact of telecommunication equipment can be considered in accordance with policy DC1 of the Local Plan (2018).

Accessibility

64. Accessible, Adaptable and Wheelchair User Dwellings

10% of the total residential units hereby approved for the site shall be provided to meet Building Regulation requirement M4(3) or adaptable to this standard and retained as such.

All other remaining residential units hereby approved for the remainder of the site shall be provided to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'.

Reason: To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policies H10. H12 and D7 of the London Plan (2021), policies DC1, HO6, CC5 and E3 of the Local Plan 2018 and the Council's Planning Guidance Supplementary Planning Document (2018).

65. Entrance Doors & Thresholds

The ground floor entrance doors to all publicly accessible buildings to each Development Block and integral lift/stair cores shall not be less than 1 metre wide and the threshold shall be at the same level to the path fronting the entrance to ensure level access.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policy GG1 and D5 of the London Plan (2021), policies DC1 and DC5 of the Local Plan 2018 and the Council's Planning Guidance Supplementary Planning Document (2018).

66. Inclusive Access Management Plan

No part of the development hereby approved shall be occupied or used until an Inclusive Access Management Plan for the relevant part of the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out a strategy for ongoing consultation with specific interest groups regarding accessibility of the relevant part of the site. On-going consultation shall then be

carried out in accordance with the approved IAMP. The development shall not be operated otherwise than in accordance with the Inclusive Access Management Plan as approved and thereafter be permanently retained in this form.

Reason: To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy E10 of the London Plan (2021) and Policy E3 of the Local Plan (2018).

67. Lifts

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

Reason: To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policies D12 of the London Plan (2021), and Policy DC1 and HO6 of the Local Plan (2018).

68. Details of Steps

Prior to commencement of development on the external ground, or podium level surfaces in respect of the relevant part of the site, details of the design of the handrails and highlighted nosing, compliant tactile paving and landings shall be submitted to and approved in writing by the Local Planning Authority. These provisions shall be provided at all steps and level changes including to the Grand stair; adjacent to Super Lobby and between Block 6 and 7. The development within the relevant part of the site shall be implemented in accordance with the approved details prior to occupation of the relevant part of the site and shall be permanently maintained thereafter.

Reason: To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy E10 of the London Plan and Policy E3 of the Local Plan (2018).

Other

69. Permitted Development – Change of Use

Notwithstanding the provisions within the Use Classes Order (2021) as amended. Changes of Use under Class MA, Part 3, Schedule 2, (General Permitted Development) (England) Order 2021 from Class E (all sub-classes) to Class C3 (residential) will not be permitted, without express planning permission from the Local Planning Authority.

Reason: To ensure the development retains an acceptable level of commercial, community or office uses within this part of the White City Regeneration Area, to promote employment uses within the area, and to ensure the additional impact on socio-economic infrastructure (education, healthcare, leisure, community uses and

facilities) is minimised (in accordance with the Environmental Statement) in accordance with policies WCRA and WCRA1 and guidance contained in the National Planning Policy Framework (2021).

70. Public Space Management

Prior to the occupation of the development of the relevant phase of the development, details of the management of the public spaces throughout the development shall be submitted to and approved in writing by the Local Planning Authority and maintained permanently thereafter in accordance with the approved plans.

Reason: To ensure suitable public access through the site at all times and to avoid adverse impacts upon residential occupiers in accordance with Policy T1 and CC11 of the Local Plan (2018).

71. Fire Strategy

No Reserved Matters Application, for any phase of development shall be submitted unless it is accompanied by a full updated fire statement for the relevant phase/building of the development that shall demonstrate full compliance with London Plan policies D5 and D12. The Fire Statement shall be produced by a suitably competent and qualified person which shall detail the building's construction methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; features which reduce the risk to life including fire alarm systems, passive and active fire safety measures and associated management and maintenance plans; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building.

Specific Provisions shall be included for the following:

- Evidence and the detailed design to demonstrate that Multiple, suitably independent Stair Cores are provided within all Buildings.

- Evidence to demonstrate that there are sufficient numbers of dedicated evacuation and firefighters' lifts provided such that if an evacuation lift or firefighters lift is out of service (e.g., as a result of breakdown or maintenance), there is at least one of each that is still available for use from all areas of the relevant building.

- Evidence shall be provided to demonstrate that interactions between smoke ventilation systems will not have any adverse impacts upon conditions for escaping occupants, including those with restricted mobility, or firefighters and that persons of restricted mobility will be provided with equivalent means of conditions to able-bodied occupants at all times.

- Evidence that at least one stair core serving the above-ground levels in each building will terminate at ground floor level and will not serve basement levels.

- Details of how the disabled refuge areas will be kept clear of smoke ingress at all times.

- Details (for the Fire Statement for the relevant phase or building) of the additional stair serving the Amenity Lounge within Block 5.

- Evidence that the developer has consulted with the London Fire Commissioner in preparation of the Fire Statements, and that they have no objections.

Details of the Fire Statements for each relevant phase or building(s) shall be submitted to and approved by the Local Planning Authority in consultation with the London Fire Brigade and Health and Safety Executive prior to commencement of works within a relevant phase or building and shall be carried out in accordance with the approved details for that phase/building. The measures and means shall thereafter be retained for the lifetime of the buildings hereby approved.

Reason: To ensure full compliance with Polices D5 and D12 of the London Plan (2021) having regard to the need to meet the highest standards of fire safety for tall buildings in accord with the functional requirement B5 of the Building Regulations.

72. Airwaves Interference Study

Prior to commencement of development (excluding site clearance) the following details shall be submitted to and approved in writing by the Local Planning Authority:

I. The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and of required; and

II. The implementation of a Scheme of Mitigation Works for the purposed of ensuring zero detriment during the Construction Works identified by the Base-Line Study.

Such a Scheme of Mitigation Works shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

To ensure that the existing airwaves reception is not adversely affected by the proposed development, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

73. Television Interference

Details of methods proposed to identify any television interference caused by the proposed development, including during the construction process, and the measures proposed to ensure that television interference that might be identified is remediated in a satisfactory manner shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development above ground (excluding site clearance and demolition) hereby permitted. The approved remediation measures shall be implemented immediately that any television interference is identified.

Reason: To ensure that television interference caused by the development is

remediated, in accordance with Policies DC2 and DC10 of the Local Plan (2018).

74. Secured by Design

Within 3 months prior to occupation, a statement of how 'Secure by Design' requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to: site wide public realm CCTV and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, lower ground floor security measures and means to secure the site throughout construction in accordance with BS8300:2009. No part of the development shall be used or occupied until these measures have been implemented in accordance with the approved details, and the measures shall thereafter be permanently retained in this form.

Reason: To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy D11 of the London Plan (2021), and Policies DC1 and DC8 of the Local Plan (2018).

75. Wind Microclimate

Prior to above ground works, of the relevant phase of the development or part thereof details of the mitigation measures for that relevant phase of the development, or part thereof relating to wind/micro-climate impacts to entrances, pedestrian thoroughfares and external amenity spaces and any proposed balconies/roof terraces for that phase, shall be submitted to and approved in writing by the local planning authority.

The development shall be implemented in accordance with the approved details prior to occupation or use of the relevant phase or part thereof and shall be permanently retained thereafter.

Reason: To ensure a comfortable pedestrian and external amenity environment for users of the development in accordance with policies D8 and D9 of the London Plan (2021) and policy CC2 and DC3 of the Local Plan (2018).

76. Temporary Land Use or Structures

Details of any temporary land uses or structures including sales/marketing suites within the site shall be submitted to and approved in writing by the Local Planning Authority for the relevant phase of the development (or part thereof) prior to the commencement of relevant works within the relevant phase of the development or part thereof. Any interim structures, uses and buildings shall be implemented in accordance with the approved details, for a specified period set out in the details and shall be discontinued/revised once the temporary period has expired.

Reason: To ensure that any temporary uses/structures do not create unneighbourly impacts in accordance with Policy CC11 and HO11 of the Local Plan (2021).

Justification for approving the application

1) Land Uses: The proposed land uses are supported by adopted policies including those which are specified in the Council's Strategic Site Policy WCRA1. Officers consider that the residential uses and flexible Class E and F uses proposed in the development are appropriate in this location, which forms part of the previously consented comprehensive redevelopment of land north of Westfield London adjacent to the Town Centre. The proposals are consistent with the allocated land uses within Strategic Site WCRA1 within the White City Opportunity and Regeneration Area, which is located in a highly sustainable location, with a PTAL rating of 6a. The proposal has adopted a design-led approach to optimise the capacity of a site in keeping with its surroundings within an emerging high-density area. The parameter plans and supporting information, including the Environmental Statement and Addendum demonstrate that an acceptable form of residential accommodation with a good range services and provision of indoor/outdoor amenity space is capable of being delivered at reserved matters stages. The proposed uses are therefore supported in land use terms subject to the satisfaction of other development plan policies and would be in accordance with the NPPF; Policies GG1, SD1 H1 and H16 of the London Plan 2021; and Policies WCRA, WCRA1, HO1, HO3 and HO4 of the Local Plan 2018.

2) Housing: The proposal would contribute to the overall housing delivery targets for the borough and wider area with the provision of 1,700 units increasing the range and choice of housing on the site. The provision of 340 affordable homes goes towards meeting the borough's affordable housing provision and is considered at this stage to provide the maximum reasonable proportion of affordable housing on site. Early, mid and late-stage review mechanisms are secured through the Section 106 agreement, consistent with the principles set out in the Viability Protocol in Appendix 9 of the Local Plan and advice contained within the London Plan Supplementary Planning Guidance for Affordable Housing and Viability. The proposed housing mix is acceptable in this instance. Overall, the proposal would provide an acceptable standard of accommodation for residents. The proposal is therefore considered to be in accordance with the NPPF; Policies GG4, H1, H4, H6 H8, H10 and H16 of the London Plan 2021; and Policies HO1, HO2 (b), HO3, HO5 and HO11 of the Local Plan 2018.

3) Design and Heritage: It is considered that the proposed design controls set out in the Parameter Plans and Design Code combine to provide an acceptable design framework, capable of delivering good quality architecture within a high-quality public realm which optimises the capacity of the site, regenerates part of the White City Regeneration/Opportunity Area and provides good quality residential and flexible commercial/community accommodation. In considering the townscape, urban design and heritage impacts, it is acknowledged that the application site is within an area identified for development of tall buildings in accordance with Local Plan Policy DC3 and London Plan (2021) Policy D9. The proposals are considered to result in some less than substantial harm to the setting of heritage assets within RBKC (including the Avondale Park Gardens Conservation Area) and the Grade II Listed Dimco Building. Having regard and applying the statutory provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act

1990, this harm lies at the lower end of the less than substantial harm. This harm would be demonstrably outweighed by the high-quality of the proposal scheme, environmental benefits; alongside substantial public benefits to arise out of the development. The proposal is also considered to be in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. Although some elements of conflict with RBKC's policy (CL3) the proposals do not amount to any harm to heritage assets within LBHF therefore complying with policy DC8 of the Local Plan. Notwithstanding the minor conflict with RBKC's heritage policy CL3 and the less than substantial harm which has been identified above overall, the Proposed Development is considered acceptable having regard to the public benefits test set out in the NPPF, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan 2021 and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan 2018.

4) Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered on balance, to be acceptable acknowledging the proposal results in some instances whereby significant losses of sunlight or daylight are recorded within adjacent developments and existing residential receptors. The resulting retained sunlight and daylight conditions within the most affected properties are considered to be typical of high-density urban high-rise developments. The design of the development acknowledges the siting and proximity of adjoining sensitive receptors and has been modified to reduce the impacts where possible. In this regard, the development would respect the principles of good neighbourliness. The proposed development, on balance, broadly accords with Policies D3, D6, D8 and D13 T4, D4, D11 and D14 of the London Plan 2021 and Policies CC11, CC13, DC2, DC3, HO4 and HO11 of the Local Plan 2018 and Key Principle HS6 and HS7 of the Planning Guidance SPD.

5) Transport: 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. Provision would be made for blue badge car parking, motorcycle parking and cycle parking (including cargo bikes). External impacts of the development would be controlled by conditions and section 106 provisions, related to blue badge parking, cycle and refuse storage, construction logistics plans while the monitoring of the Travel Plans is secured by legal agreement. Subject to the agreement of this the development would not generate congestion or disturbance as a deliveries and servicing and drop off/pick up parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is excellent, and the site is well served by public transport. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development provides excessive residential car parking levels which comprises a conflict with London Plan Policy T6.1. Nonetheless, on balance there are material considerations which justify the level of car parking proposed within the site, relating to the extant permission which could be implemented by the applicant for a higher number of car parking spaces. The proposed development therefore accords with Policies T1, T2, T3, T4, T5, T6.2, T6.3, T6.5 and T7 of the London Plan 2021 and Policies T3, T4, T5, T7 and CC7 of the Local Plan 2018.

6) Sustainability and Energy: The proposed development has been designed to meet the highest standards of sustainable design and construction. The application proposes several measures to reduce CO2 emissions to exceed London Plan

targets. The proposal would achieve an 'excellent' BREEAM rating and delivering this is secured by condition. The proposal would incorporate brown and green roofs and a Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution, waste, and minimise its environmental impact. Subject to the inclusion of conditions requiring the implementation of the detailed drainage designs, energy technologies and sustainable construction and design details the proposed development is capable of demonstrating broad compliance with Policies SI2, SI3 and SI4 London Plan Policies of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

7) Flood Risk and drainage: The site is in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted which advises standard construction practices to ensure the risk of flooding at the site remains low, however mitigation measures are required to be submitted and approved by condition. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system. Subject to the inclusion of conditions requiring the submission of a Surface Water Drainage Strategy (including any measures necessary to ensure the basement level is water-proofed), officers consider that the proposed approach would be acceptable and in accordance with Policies SI 12 and SI 13 of the London Plan 2021 and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC2, CC3, CC4 and CC5 of the Local Plan 2018 which requires development to minimise future flood risk.

8) Air Quality: There will be an impact on local air quality during the construction and operation of the proposed development, including emissions from the existing energy centre constructed in Block K of the wider Westfield development. A range of planning conditions are recommended prior to the commencement of above ground works for each phase of the development to mitigate the temporary and on-going impacts of the development during construction, an Air Quality Dust Management Plan for construction works is required by condition which will mitigate the air quality impacts of the development. Further mitigation for the operational phase will be provided by means of conditions. As such the proposed development can accord with Policy SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

9) Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policies CC9 of the Local Plan 2018.

10) Microclimate: The development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings or surrounding properties. Conditions are secured to provide additional mitigation measures through the materials and landscaping. The proposal is considered to comply with Policies GG1, D8 and D9 of the London Plan 2021 and Policies DC3 and CC2 of the Local Plan 2018.

11) Arboriculture, Ecology and Biodiversity: As part of the development of the ground level public realm, podium courtyard, connecting steps to the podium from ground level and surrounding spaces new trees/shrubs will be planted as part of a comprehensive landscape strategy with the principles specified in the Design Code. The new public realm incorporates recommendations to enhance the biodiversity value such as the inclusion of biodiverse roofs. Subject to the inclusion of conditions the proposed development accords with Policies G5 and G7 of the London Plan

2021 and Policies OS1 and OS5 of the Local Plan 2018 in terms of ecological and urban greening.

12) Security: No objections are received from the Designing Out Crime Officer. The overall security strategy and design intent is considered acceptable at this stage and the next stage of the process is to continue dialogue with the applicant and architects to agree the detail of measures to be incorporated within the development. A condition would ensure the development would provide a safe and secure environment for all users. The proposals are considered to be well designed and in accordance with the NPPF and Policy DC1 of the Local Plan 2018.

13) Local Economy and Employment: The proposal would provide opportunities for additional employment in the borough. The development would generate construction related full time equivalent (FTE) jobs over the build period and jobs once the development is complete and operational. The employment and training initiatives secured through the S106 agreement would bring significant benefits to the local area while a local procurement intuitive will be entered into by way of the legal agreement to provide support for businesses. Furthermore, contributions through the community use for borough residents would have a positive effect on the borough. The development is therefore in accordance with London Plan Policy E2 and Local Plan Policies E1 and E4.

14) Accessibility and Safety: 10% of the residential units would be wheelchair accessible, blue badge car parking spaces and cycle storage spaces for adapted/larger cycles are provided on-site. The Access Statement identifies that the development is capable of being designed to provide level access, lift access to all levels and suitable circulation spaces within all buildings, external spaces and uses including to the car and cycle parking areas. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policies D5 and D11 of the London Plan 2021; and Policy H06 of the Local Plan 2018. An Inclusive Accessibility Management Strategy is secured by way of condition.

15) The Fire Statement indicates that the development would make appropriate provision for the required fire safety design provisions, evacuation lifts and sufficient stair core accesses being provided, including within the tall buildings. The strategy outlined in the Fire Statement and Access Statement includes commitments which demonstrate that the proposal has sufficient strategies capable of providing a high-quality environment for disabled and impaired members of the community deliverable by way of conditions and reserved matters. As such the proposal will comply with London Plan Policies E10, D5 and D12 Local Plan Policies DC1 and DC2 as well as Planning Guidance SPD Key Principles DA1, DA4, DA5, DA6, DA7, DA8, DA9, DA11, DA12 and DA13.

16) Environmental Impact Assessment: The Environmental Statement, and the subsequent Environmental Statement Addendum and the various technical assessments together with the consultation responses received from statutory consultees and other stakeholders and parties, enable the Council to determine this application with knowledge of the likely significant environmental impacts of the proposed development.

17) Objections and Representations: It is considered, for the reasons explained in the report, that planning permission should be granted for the outline application subject to appropriate safeguards to ensure that necessary controls and mitigation measures are established. This decision is taken on the basis of the proposed controls, mitigation measures and delivery commitments contained in the draft conditions and Heads of Terms for the Section 106 Agreement set out in this committee report, which are considered to provide an adequate framework of control (at this outline stage) to ensure as far as reasonably practicable that the public benefits of the scheme will be realised in accordance with relevant planning policies whilst providing the mitigation measures and environmental improvements needed to address the likely significant adverse impacts of the development.

18) 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.

19) Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. Contributions relating to the provision of economic development initiatives, including local training and employment opportunities and procurement, local social, physical, environmental and economic infrastructure improvements to the White City Regeneration Area, monitoring, transport and highways improvements and carbon offset payment are secured. The proposed development would therefore mitigate external impacts and would accord with Policy CF1 of the Local Plan 2018.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

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

Application form received: 6th April 2021
Drawing Nos: see above

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

Consultation Comments:

Comments from:	**Dated:**
Thames Water - Development Control	10.06.22
Crime Prevention Design Advisor - Hammersmith	16.06.22
Royal Borough of Kensington and Chelsea	19.05.21
Thames Water - Development Control	07.05.21

Network Rail	19.05.21
Civil Aviation Authority - Safety Regulation Group	29.04.21
National Air Traffic Services - Infrastructure	05.05.21
British Airports Authority Plc	09.06.22
Crime Prevention Design Advisor - Hammersmith	30.04.21
National Air Traffic Services - Infrastructure	15.06.22
Thames Water - Development Control	07.05.21
Historic England London Region	30.05.22
Environment Agency - Planning Liaison	27.05.22
Network Rail	27.05.22
Crime Prevention Design Advisor – Hammersmith	06.05.21
London Fire Brigade	19.01.22, 18.11.22, & 25.11.22
Transport for London	14.07.22
Greater London Authority (GLA)	01.06.21
HSE (Gateway 1)	24.11.22

Neighbour Comments:

Letters from:	**Dated:**
113 Godolphin Road, W12	10.06.21
8 Newall Court, Bronze Walk, W12	05.05.21
64 Abdale Road, W12	19.05.21
24 Maclise Road, W14	11.06.21
Apartment 307, 3 Television Centre, 101 Wood Lane, W12	12.06.21, 07.06.22
West London Business	26.06.21
Flat 12, Archdale Court, 1 Bloemfontein Avenue, W12	09.05.21
4 Vanderbilt Villa, Sterne Street, W12	09.05.21
31E Stoneleigh Street, W11	26.10.21, 25.03.22
29 Poynter House,1 Queensdale Crescent, W11	17.04.21
No Address Given	21.02.22

1. BACKGROUND

1.1 This outline application site relates to part of the wider Westfield Phase 2 masterplan area and is located directly adjacent to the shopping centre. This is a stand-alone application that relates only to the plot referred to as 'Block C' in the Phase 2 masterplan, and it is for an alternative redevelopment of this part of the masterplan site to that previously approved. The Phase 2 masterplan was granted outline consent in 2012 (ref. 2011/02940/OUT) and subsequently varied in 2014 and 2017.

1.2 The Phase 2 masterplan consent comprises the now complete retail extension to Westfield (Block A) and three residential-led development plots (Blocks C, D and K). Block K has been completed and comprised entirely of affordable housing. The masterplan consent remains extant (ref. 2016/03944/VAR).

1.3 The current application seeks outline consent for the delivery of a residential led mixed-use scheme, comprising of 1,700 new homes (or 164,978sqm of residential floorspace), with associated private and communal garden areas and amenity spaces, provision of up to 2,510 sqm (Class E / F.2) (Gross Internal Area), provision of

basement level car park and associated development including new and enhanced public realm across the site with new open spaces, vehicular access and servicing facilities.

1.4 This application was originally submitted in April 2021 and included taller residential buildings. The original application was paused by the applicant to enable revisions to be made to the proposals, in response to concerns regarding the height of the development, and to allow further community engagement on these revisions prior to their submission. The revised proposals, as described in para 1.3 above, were submitted in May 2022.

Mayoral Referral

1.5 Under the terms of the Town & Country Planning (Mayor of London) Order 2008, the Greater London Authority (GLA) has been notified, as the application is within the thresholds of potential strategic importance to London.

1.6 The Mayor of London formally considered the proposal on 1 June 2021 and issued a Stage 1 report. A summary is set out within the Publicity and Consultation section of this report. The contents of the Stage 1 have been considered by both the applicant and the Council and there have been discussions with the officers at the GLA to ensure that their concerns and comments have been properly addressed as far as is reasonably practicable.

1.7 The GLA were notified that amended plans had been received in May 2022 and further comments were provided in June 2022. A summary of the comments received is also provided within the Publicity and Consultation section of this report.

1.8 The application will need to be referred back to the Mayor (stage 2) for his final decision before any decision notice can be issued. The Mayor then has 14 days to decide whether he wants to call the application in or allow the Council to proceed to issue a decision notice.

2. SITE DESCRIPTION AND SITE SURROUNDINGS

2.1 The application site covers an area of 2.06ha and is located to the north of the Westfield shopping centre and to the south of the Hammersmith & City and Circle lines viaduct and the White City Living development. To the west of the site is Silver Road, the London Overground/Southern rail line and the A3220 West Cross Route. To the south is Newall Court residential development (Block K of Phase 2) and Bronze Walk which is an elevated pedestrian route. Ariel Way runs beneath Bronze Walk within a podium. The recently completed Phase 2 extension to Westfield London is to the immediate west.

2.2 The site is laid out across two levels, the ground level, which is at the same grade as Silver Road (which will become Marathon Way) to the East and “The Makery” to the North and a podium level, which is defined by the Silver Street podium to the West and the Block K podium, now known as Bronze Walk, to the South.

2.3 The site has been cleared as part of the consented masterplan, is predominantly hoarded and only accessible by construction crew. There are temporary two-storey portacabins on the site which are associated with its use as a construction and material

store.

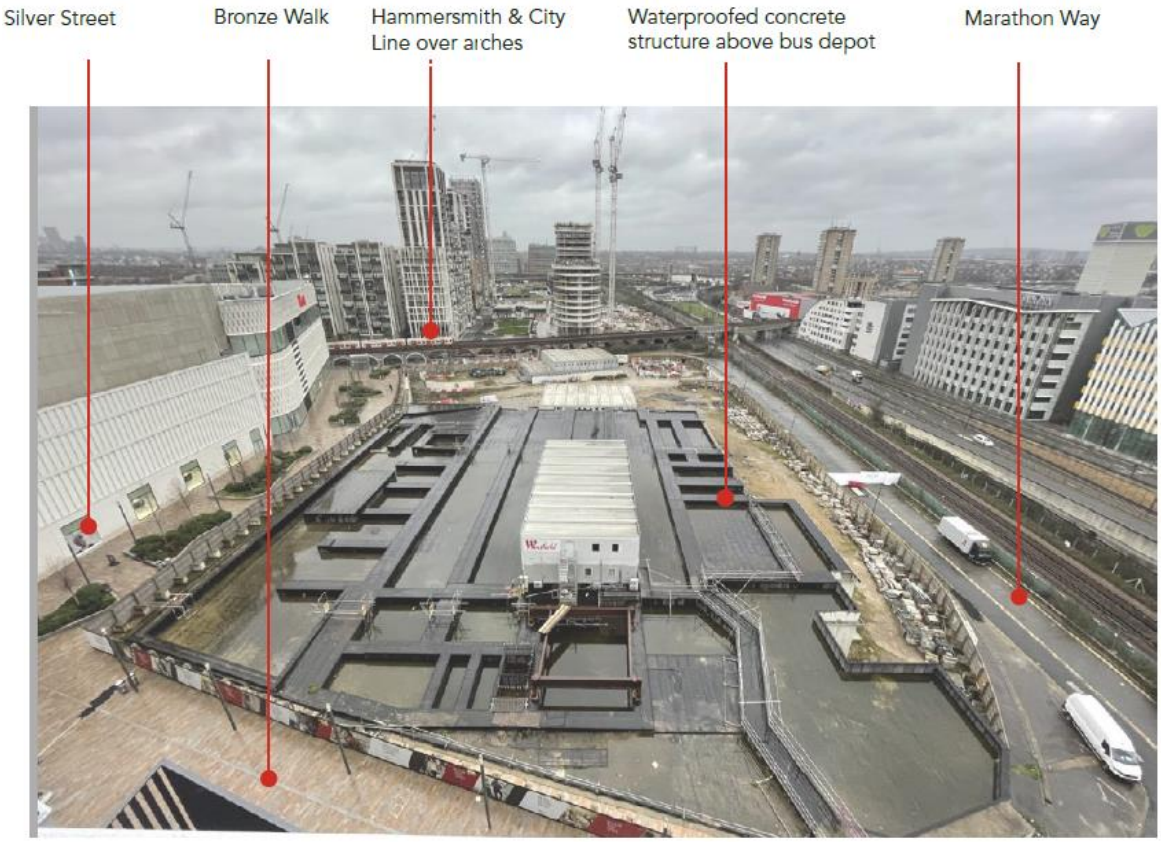


Figure 1: site as existing, looking north

2.4 To the southwest of the site is a concrete structure, three-storeys in height, which resides between the ground and podium levels. This houses a TfL bus layover and energy centre which will remain operational. The structure does not form part of the current application site, being excluded from the red line boundary at ground floor level. The podium level is underlain by the structure.

2.5 The A3220 West Cross Route forms the boundary with RBKC to the east.

Designations

2.6 The application site is within the White City Opportunity Area as designated within the London Plan, and the White City Regeneration Area (WCRA) as designated within the Local Plan. The site also falls within the White City East Strategic Site (WCRA1) and Shepherds Bush town centre.

2.7 The Site is not located within a conservation area; however, the Wood Lane Conservation Area is located immediately to the north of the Site beyond the Circle and Hammersmith and City line viaduct. The Shepherd's Bush Conservation Area is also located approximately 310m to the south of the Site. The site does not contain any statutory or locally listed buildings. The Grade II listed Dimco Buildings are located 140m to the south-west of the site.

2.8 The majority of the site has a Public Transport Accessibility Level (PTAL) of 6a to 6b, on a scale of 0-6 where 6b is highest. A small area in the north-east of the site has a

PTAL of 5. The site is well served by London Underground, London Overground and National Rail services from White City station (250m away) Shepherds Bush station (600m away).

3. PLANNING HISTORY

Westfield London Shopping Centre

3.1 On 29th March 1996, planning permission (ref. 1993/01830/OUT) was granted for the creation of what is now the Westfield London Shopping Centre. This included the land to the south of Ariel Way to provide the access and servicing roads to the shopping centre.

3.2 On 23rd December 2002, a further outline planning permission (ref. 2000/01642/OUT) was granted for the southwest corner retail extension which delivered additional retail floorspace, community facilities and an art gallery.

3.3 On 29th May 2013, full planning permission (ref. 2013/01074/FUL) was granted for the extension of the existing shopping centre at roof level to comprise 3,092 sqm (Gross Internal Area (GIA)) retail floorspace (A1 Use Class) and 7,249 sqm (GIA) leisure floorspace (D2 Use Class), (spilt over a full floor and mezzanine level) to be occupied by a Children's Education and Entertainment use ("the CEE Attraction") (known as Kidzania), located above the new M&S floor. The application also included identification of external signage zones, relocation of existing plant and addition of new plant and other associated works.

3.4 On 31st July 2013, full planning permission (ref. 2013/01768/FUL) was granted for the extension of the existing shopping centre at roof level comprising additional office floorspace (1490.34sqm) (Class B1), relocation of existing plant and addition of new plant and other associated works.

Westfield Phase 2 Extension

3.5 On 29th March 2012, outline planning consent (ref. 2011/02940/OUT) was granted for the redevelopment of land to the north of Ariel Way to allow a mixed-use scheme consisting of new additions and alterations to the existing Westfield London shopping centre. The permitted scheme comprises up to 50,855 sqm Class A1 (Retail), up to 5,070 sqm Classes A3, A4 and A5 (Restaurants, Cafes, Bars, Hot-food Take-away use), up to 540 sqm Class B1 (Offices), up to 1,520 sqm Class D1 (Community use) and up to 1,758 sqm Class D2 (Leisure use) floorspace, as well as up to 1,522 residential units.

3.6 On 5th September 2014, a second outline planning permission (ref. 2013/05115/OUT) was granted for the comprehensive redevelopment of the site to the north of the existing Westfield Shopping Centre including construction of new buildings (ranging from 2 - 23 storeys) and structures (including podium) up to 87.975m (AOD) to provide up to 61,840sqm (GEA) retail use (A1) including an anchor department store; up to 8,170sqm (GEA) restaurant and café use (A3 - A5); up to 2065sqm (GEA) office use (B1); up to 1,600sqm (GEA) community/health/cultural use (D1); up to 3500sqm (GEA) leisure use (D2) and up to 1,347 residential units.

3.7 On 15th July, an associated enabling works consent (ref. 2013/05350/FUL) connected to the outline application (ref. 2013/05115/OUT) was granted including demolition of existing buildings and associated structures, the closure and temporary diversion of highways, construction of temporary highways, excavation and construction of a tunnel and support structures to connect to the existing Westfield London basement, utilities diversions and other associated works.

3.8 On 1st July 2015, reserved matters application (2015/01447/RES) was granted to discharge access, scale and layout pursuant to condition 1 of the outline planning permission (ref. 2013/05115/OUT) for Phase A (engineering and construction operations comprising the formation of the basement and facilitating the future layout of the basement only) of the Westfield London development.

3.9 On 7th October 2015, planning permission was granted for a non-material

amendment application (ref. 2015/01569/NMAT) to the outline permission 2013/05115/OUT comprising amendments to the wording of the following conditions; 9 - Details of Typical Bays, 10 - Details of Hard and Soft Landscaping, 24 - Noise Assessment, 26 - Enhanced Sound Insulation Scheme, 66 - Bus Priority Measures, 67 - Vehicle Entry to Anchor Store, 69 - Wind / Microclimate, 77 - Business Relocation Plan, to require approval of details prior to commencement of the relevant phase of development, or part thereof.

3.10 On 13th October 2015, a Section 73 application (ref. 2015/02565/VAR) was granted to vary conditions 2, 3, 5 and 49 of the outline planning permission (ref. 2013/05115/OUT). The amendments included alterations to: site levels; the public realm; increase in massing affecting building footprint and building height; a 107sqm (GEA) overall reduction in total floorspace and changes to its apportionment to approved land uses including deletion of 2,065 sqm (GEA) B1 Office floorspace; reduction in non-residential car parking spaces.

3.11 On 6th April 2016, members of the planning committee resolved to grant planning permission (ref. 2015/05684/FUL) subject to a s106 legal agreement for the realignment of Ariel Way to include provision of a new point of egress from White City Bus Station to the proposed bus layover located under block C; provision of a taxi / valet drop-off area to the north of Ariel Way; formation of a solid central reservation prohibiting a right-turn from Ariel Way onto the short connecting link between Ariel Way and the main exit from Westfield London Car Park; the separation of access and egress to the relocated bus layover facility; a shortened bus lane, with the bus lane extending from the bus layover egress to the priority T-junction providing access to White City Bus Station; one service vehicle lay-by at the eastern end of Ariel Way; demolition and provision of new cleaning facilities on a new island site opposite the West Dimco building. The decision was issued on 15 June 2017.

3.12 On 29th April 2016, reserved matters application (2015/05217/RES) was granted relating to appearance, scale, access and layout for Phases B and C (Plot A structure and envelope) of the outline permission 2015/02565/VAR comprising 75,019 sqm of A1 floorspace, 4,285sqm of A3-A5 floorspace; 2,456 sqm of D2 leisure floorspace and 518 non-residential car parking spaces at level 60 and 63 pursuant to outline planning permission dated 13th October 2015 (ref. 2015/02565/VAR).

3.13 On 14th September 2016, non-material amendment application (Ref. 2016/03604/NMAT) was granted for amendment to planning permission 2015/02565/VAR dated 13th October 2015 for the relocation of the energy centre flue stack from Plot C to Plot K including a reduction in the height of the flue stack and amendments to the building line and building height of Plot K to allow the construction of the flue stack.

3.14 On 14th September 2016, members of the planning committee resolved to grant planning permission subject to a Deed of Variation to the s106 (Ref. 2016/02642/RES) for submission of reserved matters relating to layout, scale, appearance, access and landscaping for Plot K comprising 74 residential units (30 x 1 bed, 35 x 2 bed, 9 x 3 bed) pursuant to condition 1 of outline planning permission 2015/02565/VAR dated 13th October 2015.

3.15 On 28th September 2016, planning permission (Ref. 2015/05685/FUL) was granted for erection of a covered bus layover facility beneath the Westfield London

Phase 2 podium to provide 21 layover spaces and a drivers' facility, associated with the relocation of the existing White City bus layover facility from the East Dimco building.

3.16 On 4th July 2017, a Section 73 application (ref. 2016/03944/VAR) was granted to vary conditions 2, 3, 5 and 49 of the Outline Permission (ref. 2015/02565/VAR). The amendments granted include an increase in the maximum building height for Block K from 8 and 14 storeys to 10 and 16; an increase in the maximum height of the energy centre flue; a reduction in leisure and food/drink uses and an increase in retail use. This remains the extant masterplan consent.

3.17 On 4th July 2017, reserved matters consent (ref. 2016/04020/RES) was granted relating to layout, scale, appearance, access and landscaping for Plot K comprising the erection of a part 10, part 16 storey building to provide 89 residential units (33 x 1bed, 45 x 2 bed, 11 x 3 bed) pursuant to outline planning permission 2016/03944/VAR.

3.18 On 14th September 2017, reserved matters consent (ref. 2016/04581/RES) was granted relating to layout, scale, appearance and access of the 24 hour east-west route through the retail extension (Plot A, Phase D) pursuant to outline planning permission 2016/03944/VAR.

3.19 On 4th July 2017, reserved matters consent (ref. 2016/05319/RES) was granted relating to access, appearance, layout and scale of Phases B and C of Plot A pursuant to outline planning permission 2016/03944/VAR.

3.20 On 8th January 2018, a non-material amendment application (ref. 2017/04069/NMAT) was granted pursuant to outline planning permission 2016/03944/VAR. The amendments sought a reduction in the fixed maximum quantum of A1 floorspace and the introduction of a flexible use class heading to include A1, A3 - A5 and D2 floorspace.

3.21 On 1st March 2018, reserved matters consent (ref. 2016/04664/RES) was granted relating to layout, scale, appearance, access and landscaping for Phase E (Public Realm) pursuant to outline planning permission 2016/03944/VAR.

3.22 On 6th March 2018, reserved matters consent (Ref 2018/00053/RES) was granted relating to scale of Phases B (building structure) and C (building envelope) of Westfield London Phase 2 development pursuant to Condition 1 of outline planning permission (ref: 2016/03944/VAR) dated 04/07/2017. The application related to the scale (with regards to floorspace only) of the Mall Extension and Anchor Store buildings (including parts of Plot A and Plot P).

3.23 Following the determination of the applications listed above, several approvals of details applications have also been granted permission.

Planning History of Surrounding Sites

3.24 The following section provides a summary of the most recently approved developments which are in the immediate vicinity of the application site.

BBC Television Centre

3.25 The Television Centre development is to the west of Block C, separated by the

Westfield Phase 2 retail extension, Westfield Square and Wood Lane. The current Extant scheme (ref: 2016/04585/VAR) was granted permission on the 22nd of August 2017, and varied conditions 3 and 8 of planning permission ref 2016/01373/VAR (dated 06.09.16) for comprehensive phased redevelopment of site to provide up to 943 residential units (Class C3) with range of land uses. The extant consent grants detailed permission for works to the main building comprising erection of new 10 storey building (Plot A) incorporating offices (Class B1), private members club(sui generis), cinema(Class D2) & restaurants (Class A3), extensions at roof level, ground & basement levels, refurbishment of facades & change of use of parts of the retained building (Plot B) to provide gym & spa (Class D2), hotel (Class C1), residential(C3), shops(A1) financial & professional services(A2) & cafe/restaurants (A3), erection of new 8-10 storey outer ring building (Plot C) to provide residential(C3) & up to 941sqm TV studio offices(B1), erection of new 7-10 storey building (Plot D) to provide offices (B1) & café (A3), erection of new 3-9 storey building (Plot E) to provide residential (Class C3) & erection of new 25-storey building following demolition of East Tower (Plot G1 internal layouts reserved) to provide residential use (C3) & 3 storey pavilion building (Plot G2) including provision of up to 1843 sqm flexible ground floor uses(Classes A1/A3/A4 or B1), provision of car, cycle & motorcycle parking, hard & soft landscaping within new public forecourt & Helios courtyard, new shared pedestrian & vehicular routes, installation of new plant machinery & other structures. Outline permission was granted (all matters reserved) for 2-4 storey (Class C3) dwellings including basement (Plot F) and two x 4-9 storey buildings to provide residential use & up to 860 sqm flexible A1/A3/A4/B1 floorspace (Plot H), with associated public routes & spaces, landscaping, car & cycle parking & demolitions.

3.26 Reserved matters consent has been granted for Plot H (ref. 2018/02907/RES). The extant consent has been subject to a number of non-material amendment applications and approval of details applications. The consent has been partially implemented, with construction works ongoing.

White City Living

3,27 White City Living is to the north of Block C, separated by the Hammersmith & City and Circle lines viaduct. On the 20th of April 2022, the Planning Committee resolved to grant permission, subject to a s106 agreement, for a s73 variation to the extant consent for White City Living (ref. 2021/02896/VAR). The s106 legal agreement has not yet been completed and as such a decision is yet to be issued.

3.28 The extant consent, as amended by ref. 2021/02896/VAR, comprises the demolition of all existing buildings and structures and redevelopment of the site for residential and mixed uses comprising the erection of new buildings ranging from 11-35 storeys to provide up to 2,030 residential units (Class C3) and use classes E, F1, F2 and sui generis (drinking establishment and takeaway), the provision of a new publicly accessible open space, new pedestrian and vehicle routes, accesses and amenity areas, basement level car park with integral servicing areas and other associated works. The consent has been partially implemented, with works ongoing to construct the remaining phases.

Centre House

3.29 Centre House is to the north-west of the site, separated by the Hammersmith & City and Circle lines viaduct. Full planning permission was granted on 23 March 2020

(ref. 2018/03058/FUL) for demolition of all buildings on site, and erection of two buildings with basement level, comprising 1 x part 11/ part 22 storey building and 1 x part 11/part 32 storey building to provide 527 residential units with ancillary residential facilities (C3); 1,350 sqm (GEA) of flexible commercial, community and leisure floorspace (A1-A3, B1, D1-D2); means of access, public realm, amenity space, landscaping, and other associated infrastructure works including creation of basement level access to the adjoining White City Living site and works to the site's western boundary.

4. DESCRIPTION OF DEVELOPMENT

4.1 The current application seeks outline planning permission (all matters reserved) for a mixed-use redevelopment comprising the erection of new buildings ranging from 30m - 122m AOD above podium plus basement level, providing up to 1,700 residential units (up to 164,974 sqm (GIA) residential (Class C3) floorspace) with associated private and communal garden areas and amenity spaces; up to 2,510 sqm (GIA) of Class E/F.2 floorspace; provision of basement level car park and associated development, including new and enhanced public realm across the site with new open spaces, vehicular access and servicing facilities.

4.2 This application seeks outline planning permission for the erection of up to 9 buildings with the following mix of uses and maximum quantum of development:

- Residential Accommodation (Use Class C3) – up to 1,700 units or 164,978sqm of residential floorspace

- Commercial Floorspace (Use Class E/F.2) - up to 2,510 sqm of floorspace (Maximum of 168 sqm Use Class F.2 (GEA))

4.3 The 9 buildings proposed would be set around a publicly accessible central park (at podium level). The maximum proposed AOD (building height) of each block is set out in the below table. The parameter plans set out the maximum building height in metres rather than storeys. Notwithstanding this, the tallest building proposed, Block 6, would have a maximum height of 32-storeys above podium level.

Block No.	**Maximum AOD (Building Height)**
Block 1a	102m
Block 1b	28m
Block 2a	81m
Block 3a	81m
Block 3b	28m
Block 4	113m
Block 5	81m
Block 6	121.7m
Block 7a	46m
Block 7b	76.2m
Block 7c	46m
Block 8	60.7m
Block 9	52.4m

4.4 The buildings have been designed in four typologies: towers, park buildings feature building and infill buildings. Building 5 is the proposed feature building, buildings

4 and 6 are towers, 1b, 2b and 3b are infill buildings and the remaining blocks are park buildings.

Figure 2 - Proposed Block Layout and Numbering

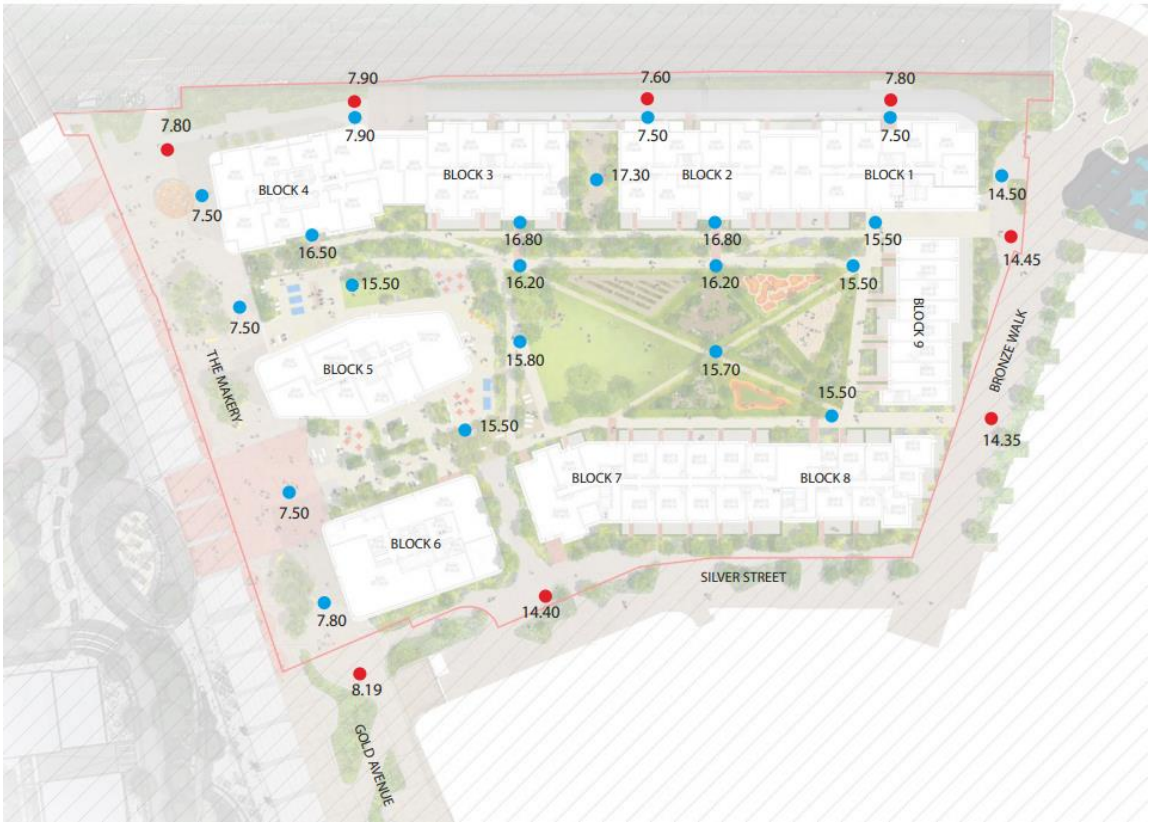
Public Amenity Space

4.5 A total of 8,730sqm of public amenity space is proposed to be delivered as part of the development. This will comprise of four areas – The Park, The Makery, Silver Street and Bronze Walk. The Park would be to the centre of the proposed blocks, providing a publicly accessible space with active and passive play, landscaping and garden rooms. The Makery is a pedestrianised area of public realm described within the design code as a 'community destination space'.

Figure 3 - Indicative illustrative view of the Makery

4.6 The Makery would connect to the existing public realm to the west and provide the north-south link from the adjacent White City Living development. Silver Street and Bronze Walk would provide landscaped pedestrian links. Additionally, Marathon Way

would provide a pedestrian and vehicular access along the eastern boundary of the site, including access to the car park and servicing areas.



Residential Accommodation

4.7 The proposed development would deliver a maximum of 1,700 new homes or 164,978sqm of residential floorspace across the nine blocks. The units will primarily be accessed via the central park, with the exception of blocks 4 and 6 which are to be accessed via the Makery. Some units would also be directly accessible via Marathon Way, Silver Street and Bronze Walk.

4.8 The indicative unit mix is as follows:

- 10-15% studio units.
- 35-45% one-bedroom units.
- 30-40% two-bedroom units; and
- 5-10% three-bedroom units.

4.9 The proposed development would deliver 340 affordable homes, comprising 84 affordable rented units and 256 intermediate units. This is in addition to the 89 affordable homes that have been delivered in Block K and £2.25m payment in lieu secured as part of the Masterplan consent.

Commercial Uses

4.10 The development proposes 2,510sqm of class E (commercial) and F.2 (community) floorspace. A maximum of 193sqm of class F.2 floorspace would be delivered, likely to the ground floor of Block 7. The remaining class E floorspace would

be delivered at the below podium levels of blocks 4 and 5, adjacent to the Makery.

Highways & Access

4.11 Cycle parking will be provided throughout the development with a total of 2,956 spaces. Provision will be made for oversized bicycles. Additionally, a residents' car park is proposed at basement level which would include provision for wheelchair accessible, motorbike and car club spaces along with (40%) electric vehicle charging points (EVCP).

4.12 Full details of access would be submitted within the reserved matters application. However, the proposed vehicular access, including to the residential car park, is via Marathon Way. Pedestrian access to the site will be via four points to the central park and step free access will be provided.

Phasing of Development

4.13 The development is proposed to come forward in nine phases, with sub-structure and podium works carved out as an initial phase. The indicative order of phasing and timings are as follows:

- Block 6 (Q4 2023 – Q1 2027)
- Block 5 (Q4 2025 – Q4 2028)
- Block 7 (Q3 2027 – Q4 2029)
- Block 4 (Q1 2028 – Q4 2031)
- Block 8 (Q1 2031 – Q2 2033)
- Blocks 1 & 9 (Q4 2031 – Q1 2035)
- Block 3 (Q2 2034 – Q1 2037)
- Block 2 (Q1 2036 – Q4 2038)

Application Format

4.14 This is an application for what is commonly referred to as a 'drop-in' planning permission. If granted and implemented, the permission would effectively 'drop-in' to the consented Westfield Phase 2 Masterplan scheme (ref. 2016/03944/VAR). The drop-in would apply to the Block C site only and the masterplan would apply to the remainder of the Westfield Phase 2 Masterplan development. The Masterplan consent remains extant, and the Developer would retain the option to implement either the Block C development permitted under ref. 2016/03944/VAR or that proposed in this current application, if approved.

4.15 The application seeks outline consent with all matters reserved. The Design Code and the Design and Access Statement provide further guidance on the framework established by the Parameter Plans. Together, the Design Code and the Parameter Plans inform how the future detailed design will evolve, whilst providing a degree of flexibility but ensuring that high quality will be maintained. An applicant must seek reserved matters consent if they wish to implement an outline planning permission and the details must be in accordance with the approved parameter plans.

Parameter Plans

4.16 The proposed application is subject to a comprehensive set of parameter plans

which are accompanied by a Parameters Report. The following parameter plans are under consideration, for approval as part of this outline planning application:

- 2123-GHA-XX-ZZ-DR-001 – Site Context.
- 2123-GHA-XX-ZZ-DR-002 – Planning Application Area.
- 2123-GHA-XX-ZZ-DR-003 – Existing Site Levels.
- 2123-GHA-XX-ZZ-DR-004 Rev 02 – Development Plots Ground.
- 2123-GHA-XX-ZZ-DR-005 Rev 02 – Development Plots Park Level.
- 2123-GHA-XX-ZZ-DR-006 Rev 06 – Proposed Site Levels.
- 2123-GHA-XX-ZZ-DR-007 Rev 02 – Horizontal Levels of Deviations.
- 2123-GHA-XX-ZZ-DR-008 Rev 02 – Maximum Building Heights.
- 2123-GHA-XX-ZZ-DR-009 Rev 02 – Ground Floor Uses and Frontages.
- 2123-GHA-XX-ZZ-DR-010 Rev 02– Park Level Uses and Frontages.
- 2123-GHA-XX-ZZ-DR-011 Rev 02– Typical Upper Floor Uses.
- 2123-GHA-XX-ZZ-DR-012 Rev 02 – Public Realm at Ground and Park Level.
- 2123-GHA-XX-ZZ-DR-013 Rev 02– Basements.
- 2123-GHA-XX-ZZ-DR-014 Rev 04 – Access and Routes Ground Level.
- 2123-GHA-XX-ZZ-DR-015 Rev 02– Access and Routes Park Level; and
- 2123-GHA-XX-ZZ-DR-016 Rev 02 – Extensive Bio-Diverse Roof.

4.17 The following comprises a summary of the parameter plans:

Site Context – Plan Ref: 2123-GHA-XX-ZZ-DR-001

4.18 This plan shows the Site in the context of the White City Opportunity Area. The Plan also identifies a number of consented developments within the vicinity of the Site alongside the proposed pedestrian bridge within the Opportunity Area.

Planning Application Area – Plan Ref: 2123-GHA-XX-ZZ-DR-002

4.19 This plan shows the planning application boundary based on Ordnance Survey Mapping. The total site area delineated by the red line application boundary is 2.06 ha. It should also be noted that Westfield Europe Limited's ownership in neighbouring land is also identified on the Plan by a blue line boundary.

Existing Site Levels – Plan Ref: 2123-GHA-XX-ZZ-DR-003

4.20 This plan shows the Site ground levels in metres AOD at the edges of the Red Line and within the centre of the Site. The AOD measurements are in accordance with a detailed survey undertaken of the Site in January 2020.

Development Plots Ground – Plan Ref: 2123-GHA-XX-ZZ-DR-004 Rev 02

4.21 This plan identifies the development plots at ground floor level and the boundaries within which new buildings and structure will be developed. The total development floorspace set out in Table 1 within the Parameters Report will be divided and allocated within the development plots. The parameters themselves do not set a quantum of floorspace to be allocated for each Block. The plan also establishes a maximum parameter envelope at ground level alongside a maximum parameter envelop for the levels above ground. The plan also identifies the existing Bus Depot and Energy Centre.

Development Plots Park Level – Plan Ref: 2123-GHA-XX-ZZ-DR-005 Rev 02

4.22 This plan identifies the development plots at Park Level and the maximum parameter envelopes. This in turn identifies the extent of The Park within the development. The Parameter Plan further identifies that between Blocks 1a and 9 there is a potential gap above ground between the Blocks. The illustrative scheme identifies that these buildings may be required to be joined above park level, as a result of the structural and access constraints of the development.

Proposed Site Levels – Plan Ref: 2123-GHA-XX-ZZ-DR-006 Rev 02

4.23 This plan shows the proposed maximum finished levels in metres AOD at the edges of the red line boundary to the Site and at various locations within the application Site. The levels represent finished surfaces and adjacent lobbies, private residential entrances, commercial space and amenities will have floor surfaces flush to the adjacent proposed site levels.

Horizontal Levels of Deviations – Plan Ref: 2123-GHA-XX-ZZ-DR-007 Rev 02

4.24 This Plan identifies the maximum parameter of the development envelope and sets the boundaries for the maximum buildable areas of each Block. The Plan identifies the horizontal levels of deviation designated for external amenity or illustratively located. This includes area in which built form is permitted and where external private amenity is not proposed.

4.25 For the Courtyard/Park Buildings, the level of deviation is fixed from building line. For the Tower Blocks, this is fixed from the building line to allow for residential private amenity.

4.26 The Design Code defines the sizes and qualities which constitute private amenity. For the shared amenity, levels of deviation are set at a maximum of 2m beyond the building line for external shared amenity projecting balcony.

4.47 The Parameter Plan sets the minimum separation distances between the buildings, which are identified by the pink lines annotated on the Key as Secondary Set-Out LOD to minimum distances between buildings line. In addition, the Plan identifies the minimum dimensions for The Park. This is a minimum of 45m (width) by 86m (length). With the exception to the minor projections which are identified on the plans and within the Design Code, the building line must be on or inside the maximum parameter envelope.

4.28 Maximum Building Heights – Plan Ref: 2123-GHA-XX-ZZ-DR-008 Rev 02
This plan sets out the maximum heights of the built form within each of the development plots. All levels are shown in metres Above Ordnance Survey Datum Levels (AOD). The maximum heights allowed for roof enclosures have been calculated to include lift overruns, stair to roof, small mechanical equipment and BMU for select buildings.

4.29 The Parameter Plan identifies an ‘alternative lift over run zone’ for Block 9. This is a direct result of the flexibility afforded within the Park Level Parameter Plan (Plan Ref: 2123-GHA-XX-ZZ-DR-005 Rev 02) where it is identified that Block 1a and 9 may come forward conjoined above the park level or separated.

Ground Floor Uses and Frontages – Plan Ref: 2123-GHA-XX-ZZ-DR-009 Rev 02

4.30 This plan identifies predominant ground floor uses along each of the principal street elevations. The plan illustrates the mixed-use character of the Site and sets the principles for ensuring active street frontages are achieved.

4.31 The plan identifies that Commercial / Community uses (Use Class E and F.2) will be located at ground floor level of Block 4 and 5 activating the full length of the Makery. The plan also identifies that Block 4 and 6 will accommodate residential amenity uses (Use Class C3) and as such, subsequent Residential Amenity frontages will be located at fronting both the Makery and Marathon Way.

4.32 The accompanying Design Code identifies that the frontages located along the Makery will be activated through glazing panels and doors with signage designed into the architecture. The plan also identifies that residential frontages will be prominent along the elevations fronting Marathon Way. The duplex units located along Marathon Way will be accessible from a private outdoor terrace surrounding by defensible planting. As set out in the accompanying Design Code, the proposed residential frontage at this location is proposed to be continuous and uninterrupted. Block 4 and 3B will accommodate plant and servicing and as such affords a ‘service or plant frontage’ alongside residential frontages along Marathon Way. The amount of floorspace by each use is controlled by the maximum floor areas set out in the area schedule contained within Table 1 of this report.

Park Level Uses and Frontages – Plan Ref: 2123-GHA-XX-ZZ-DR-010 Rev 02

4.33 This plan identifies the uses and frontages which will be located at the Park Level. This will sit above the Ground Floor Level. The plan identifies that residential uses will be accommodated within Blocks 1A,1B,2A,3A,3B,4,7,8 and 9 at this level. The Design Code sets out the principles for the residential accommodation proposed within this development. It should also be noted that at this level, residential frontages are proposed between Block 4 and 5.

4.34 At the park level, Block 5 and 6 will also be dedicated to shared amenity which opens to the lower park level. This scheme may deliver up to 193 sqm (GEA) of F.2 Use Class floorspace which is likely to be located on the ground floor of Block 7 and could come forward as either ancillary residential or commercial / community floorspace. The Parameter Plan identifies further this provision, which will deliver an active frontage on the corner of Silver Street.

Typical Upper Floor Uses – Plan Ref: 2123-GHA-XX-ZZ-DR-011 Rev 02

4.35 The plan identifies the proposed uses of the upper floors of the development. The plan demonstrates that apart from Block 5 all blocks will be in residential use at the upper floors. With regard to Block 5, as demonstrated on the submitted Parameter Plan, there is flexibility for there to be a range of functions on this floor including, all residential units, a balance of residential units and external amenity or resident only internal/external shared amenity.

Public Realm at Ground and Park Level – Plan Ref: 2123-GHA-XX-ZZ-DR-012 Rev 02

4.36 This plan identifies the proposed Public Realm at both Ground and Park Level. The Park is located within the centre of the Site with the built development framing this area of open space.

4.37 The Plan further identifies the areas of proposed public realm as part of this application. This includes The Makery, a new destination space which connects the existing public realm to the west and extending to the Beacon at the east, Marathon Way, a new residential street, Bronze Walk / Ariel Square, an area of public realm connecting Silver Street to Ariel Square, and Silver Street, an area of public realm which contexts the Makery to both the new residential buildings and the northern shopping centre entrance.

4.38 The Design Code sets out the principles for the Park and the new areas of public realm: The Makery, Silver Street, Marathon Way and Bronze Walk / Ariel Square.

4.39 An area of Residential communal space is proposed around Block 5.

Basement – Plan Ref: 2123-GHA-XX-ZZ-DR-013 Rev 02

4.40 This plan identifies the areas within the Site where basements can be constructed and identifies the maximum depth of construction for basements. The plan does not include localised area of piling which may exceed these levels (piling, lift pits, etc). An approximate 2.9 AOD level of excavation is outlined.

4.41 The plan identifies that one level of basement is proposed. The extent of the basement will not extend under the bus depot. The plan identifies both the location of the basement and its relationship to the existing bus depot and energy centre. The plan also identifies the finished floor levels of the basement and provides details of the proposed maximum excavation.

Access and Routes Ground Level – Plan Ref: 2123-GHA-XX-ZZ-DR-014 Rev 02

4.42 This plan also shows the proposed pedestrian, vehicular and TFL Bus Layover (existing) at routes into and within the Site at Ground Level. The principle vehicular entrance to the Site is located off Arial Way. As demonstrated on the plan the main vehicular route to the Site will be obtained from Marathon Way with an access for emergency and servicing vehicles also provided from The Makery. The points of access into the Site are fixed and are not subject to deviation.

4.43 The plan identifies that the proposed primary pedestrian route into the Site at Ground level is from The Makery to the north of the Site. The secondary pedestrian route will be fixed from Marathon Way. The position of the pedestrian routes into and within the Site have been informed by the position of the building as set out by the Building Plot Parameter Plan.

4.44 The plan also identifies indicative residential and commercial entrances. Whilst these are indicative and therefore not subject to approval, the proposed location of the entrances has been informed by the development plots.

Access and Routes Park Level – Plan Ref: 2123-GHA-XX-ZZ-DR-015 Rev 02

4.45 This plan identifies the pedestrian access and routes through the Site at Park

Level. The plan identifies that the primary pedestrian route into the Site at Park Level will be obtained from The Makery and from Silver Street. Secondary pedestrian routes are proposed along both Silver Street and Bronze Walk. Dedicated secondary pedestrian access routes into the Park Level will be obtained from Bronze Walk. The plan also identifies a number of secondary pedestrian access routes within the Site. This includes around the perimeter of The Park and two dedicated secondary pedestrian routes through The Park, running northeast to southwest and northwest to southeast.

4.46 The Plan also identifies the private residential entrances and the residential lobby entrances. Whilst these are noted as indicative and therefore not subject to approval, this provides an indication of potential location of the main entrances to the residential accommodation.

Extensive Bio-diverse Roof – Plan Ref: 2123-GHA-XX-ZZ-DR-016 Rev 02

4.47 This plan shows the location and the extent of the proposed biodiversity roofs. As identified on the Parameter Plan the roofs of Block 1a, 2a, 3a, 4,5,6,7,8 and 9 will provide extensive bio-diverse roof and/or bio-solar roof. In addition to this, further extensive bio-diverse roofs will be located on Blocks 1b, 3b and 7b & c. The accompanying Design Code provides further principles for the roofs. This includes the use of wildlife features and adopt a minimum substrate of 150mm should be used. A minimum area of 3,600 sqm will be provided.

Application Contents

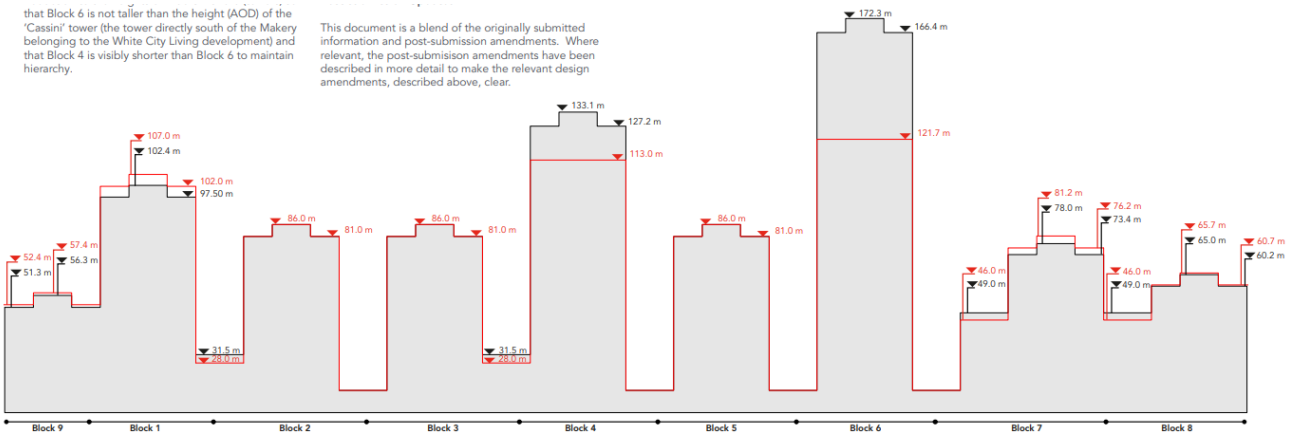
4.48 The following documentation has been submitted in support of the application as amended:

- Completed outline application form
- CIL form
- Parameter Plans, prepared by Glenn Howells Architects.
- Planning Parameters Report, prepared by Montagu Evans.
- Design Code, prepared by Glenn Howells Architects and Spacehub.
- Planning Statement, prepared by Montagu Evans.
- Cultural Placemaking Report, prepared by FutureCity.
- Environmental Statement and addendum, prepared by Ramboll.
- Sustainability Statement, prepared by Whitecode Design Associates.
- Energy Strategy, prepared by Whitecode Design Associates.
- Sample Overheating Assessment, prepared by Whitecode Design Associates.
- Whole Life Carbon Assessment, prepared by Ramboll Environ & Whitecode Design Associates.
- Circular Economy Statement, prepared by Ramboll Environ.
- Biodiversity Net Gain Assessment, prepared by Ramboll Environ.
- Framework Residential Travel Plan, prepared by Vectos.
- Draft Deliveries and Servicing Plan, prepared by Unibail Rodamco Westfield.
- Draft Construction Environment Management Plan, prepared by Unibail Rodamco Westfield.
- Draft Construction Logistics Plan, prepared by Unibail Rodamco Westfield.
- Internal Daylight and Sunlight Assessment, prepared by GIA.
- Solar Glare Assessment, prepared by GIA.
- Outline Operational Waste Management Plan, prepared by Ramboll Environ.

- Statement of Community Involvement, prepared by BECG.
- Fire Statement, prepared by IFC.
- Affordable Housing Statement, prepared by Gerald Eve; and
- Financial Viability Assessment, prepared by Gerald Eve.

Post-submission amendments to the scheme

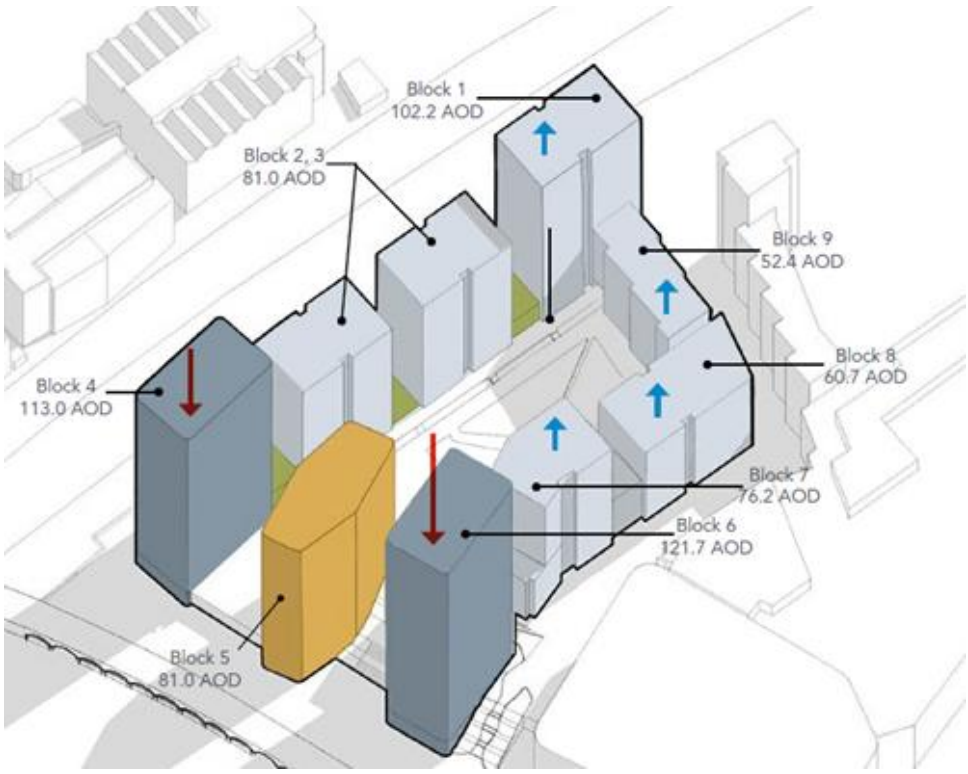
4.49 The outline planning application was submitted in April 2021. Following the first round of consultations, the local planning authority requested further review of the building heights and additional detail on the facade design of the buildings including the controls set out in the Design Code. In addition, further detailed supporting information and clarifications were sought. As a result, the application was amended and revisions were made to the proposals, in collaboration with the local planning authority and GLA.



Summary of Changes

4.50 The main changes to the masterplan can be summarised as follows:

- Reduction to the heights of Blocks 4 and 6 (towers) so that Block 6 is not taller than the height (AOD) of the 'Cassini' tower (the tower directly south of the Makery belonging to the White City Living development) and that Block 4 is visibly shorter than Block 6 to maintain hierarchy.
- Modest increases in height to the following: Blocks 1, 7, 8, 9
- Modest reduction to the 'infill buildings'.
- Additional sections to the Design Code for typologies 'towers', 'park buildings' and 'feature building' to record key architectural facade details.
- Additional detail in the Design Code to secure principles around residential quality.
- Additional photo-realistic visualisations of the agreed design details and building typology characteristics.



5. CONSULTATIONS

5.1 The Applicant has undertaken a comprehensive programme of community and stakeholder engagement. It is noted that this initial consultation was carried out during a period of national lockdown due to the Covid-19 pandemic, meaning that face-to-face engagement was not possible. However, through the implementation of an effective 'digital first' engagement plan, the Applicant has had detailed conversations and engagement with members of the public and community groups surrounding the Site.

Referral to the Mayor of London

5.2 Under the terms of the Town & Country Planning (Mayor of London) Order 2008, the Greater London Authority (GLA) has been notified.

5.3 The Mayor of London formally considered the original proposal on 1 June 2021 and issued a Stage 1 report, a summary of which is set out in paragraph 5.18 of this report. A second updated report was issued in May 2022 and further comments were provided in June 2022 to reflect the amendments made to the proposals and summarised in paragraph 5.33.

5.4 Should committee resolve to grant planning permission the application would need to be referred to the Mayor of London again (Stage 2) prior to the issue of any decision notice. The Mayor has a period of 14 days from the date of notification to consider the council's resolution before issuing a decision as to the call-in of the application for the Mayor to act as the local planning authority, or to allow the application to proceed.

Pre-Application Public Engagement

5.5 In accordance with the National Planning Policy Framework (NPPF), the

Applicant has undertaken a detailed programme of pre-application engagement with the Council's Planning, Urban Design Officers, and other officers since 2019.

5.6 The Applicants has submitted a Statement of Community Involvement (SCI) prepared by BECG dated March 2021 which sets out the overview of engagement undertaken with local stakeholders, local groups, and residents between the pre-application period, initial submission of the proposal and preparation/submission of the revised scheme. Further engagement was undertaken following revisions to the scheme in May 2022 and details are included in submitted SCI prepared by BECG dated November 2022.

5.7 It is noted that initial consultation was carried out during a period of national lockdown due to the Covid-19 pandemic, meaning that face-to-face engagement was not possible. Therefore, majority of the consultation was carried out in virtual format through a website, webinars, web chats and virtual meetings in addition to a newsletter distributed to approximately 6,500 homes on 15 December 2020. The Applicants note that this period of engagement received limited interest with 21 feedback responses and minimal interest from residents of Newall Court and White City Living.

5.8 Overall, the Applicant has engaged with residents and the site's immediate neighbours through a series of consultation events between December 2020 and March 2021. This has allowed the applicant to take into account the views of Council, GLA, key shareholders and the local community when developing the final revised plans submitted in May 2022. Further engagement and consultations continued following submission of revised proposal. The consultation has been undertaken in accordance with the adopted Statement of Community Involvement for the borough, as well as being in line with principles of the Localism Act and the National Planning Policy Framework.

Pre-application Design Review Panel (DRP)

5.9 The proposal was presented to DRP twice at pre-app stage, on 26 November 2019 and 18 March 2020. The proposals have been subject to review by the Hammersmith and Fulham Design Review Panel, where the panel supported the approach of massing and height presented within the pre-application scheme, (this was based upon a more significant scale of development than currently proposal); the panel suggested that further review of the microclimate and environmental impacts should support any future planning application. The panel supported the relationship of the taller buildings to northern extent of the site and the relationship between the towers and 'marker' building. Introduction of the generous stepped terrace, linking The Makery to the new podium public space was also supported. The panel also suggested that the architectural approaches, active grounding of buildings and residential quality should be refined ahead of planning submission.

Application stage

5.10 The planning application has been the subject of two separate publicity and consultation stages by the Council as local planning authority, in accordance with statutory requirements.

5.11 The application has been advertised on the following basis:

- The proposed development comprises a Major Development.
- The proposed development may affect the setting or context of a listed building.

First Public Consultation (13 April 2021 – 12 May 2021)

5.12 The application was publicised by way of statutory site notices and press adverts, and over 3,600 individual notification letters were sent to the occupiers of surrounding properties on 13 April 2021.

5.13 10 representations were received in response to the first consultation (9 objections, and 1 representation in support) the contents of which are summarised below, together with the responses from the statutory consultees.

Second Public Consultation (31 May 2022 – 29 June 2022)

5.14 The application was revised at the end of May 2022. The revisions included amendments and changes to both the planning application material, a revised Environmental Statement (ES) and to include Outline Fire Statement. The revised application was the subject of a second round of consultation in June 2022.

5.15 The second round of consultation (relating to the revised proposals currently before the committee) mirrored the procedures and scope of the original consultation in April 2021, by way of statutory site notices and press adverts (June 2022) and over 3,600 individual notification letters (including all residents previously notified and any who had made representation at the time of the first consultation on the original (taller) redevelopment proposals in 2021.

5.16 3 representations were received in response, all objecting to the revised proposals. 2 of these representations are from residents who had previously objected to the original proposals. The third representation includes no address.

5.17 The grounds of objection are also summarised below, together with the consultee representations received.

Consultation Responses - First Public Consultation (13 April 2021 – 12 May 2021)

Greater London Authority (GLA)

5.18 The Mayor of London issued his stage 1 response to the original proposals on 1 June 2021. In short, his view was that the original application did not fully comply with London Plan policies at that time, but that the proposals may be acceptable subject to addressing various concerns, namely:

- London Plan policies on Opportunity Areas; town centre uses; social infrastructure; public space; housing and affordable housing; historic environment; urban design; transport; and climate change and environmental issues are relevant to this application. The application does not yet comply with these policies, as summarised below:

- **Land use principles:** The uses proposed for this brownfield site in a highly accessible Metropolitan town centre within an Opportunity Area, providing a considerable number of new homes, town centre uses, and public open space are

strongly supported; however, general parking should be removed from the proposals.

- **Housing and affordable housing:** 23% affordable housing (habitable room), or approximately 45% of the uplift compared to the extant scheme, comprised of 29% London Affordable Rent and 71% Discount Market Rent. While the proposed increase in affordable housing, with improved affordability, is welcomed; the proposals as they currently stand would not qualify for the fast-track route and have not yet been confirmed as the maximum. The viability of the proposal is currently being assessed by the GLA Viability Team.

- **Urban design and historic environment:** The proposed tall buildings would not be fully in accordance with London Plan Policy D9; however, they would be in a context of existing and emerging tall buildings, within a Metropolitan town centre, Opportunity Area, and regeneration area. The layout and massing of the very high-density proposals requires further consideration, and potentially amendment, in order to improve residential amenity, daylight, sunlight, overshadowing, privacy and outlook. The Design Code requires amendment. The proposals are not in accordance with Policy HC1 due to the 'less than substantial' harm caused to the significance of heritage assets. This harm could potentially be outweighed by the public benefits proposed; however, these are not yet confirmed to be maximised, including affordable housing; the level of car parking currently proposed amounts to a public disbenefit; and other concerns stated in this report require resolution.

- **Transport:** The assessment of highway and London Underground impacts must be completed; however, a financial contribution towards White City station step free access and capacity improvements is required. The scheme should be car-free except for disabled persons parking. Additional information and conditions are required concerning protection of TfL infrastructure and assets. A full structural impact assessment and stage 1 road safety audit are required to assess the feasibility of the proposed construction vehicle access.

- **Climate change:** Further information is required on energy, whole life-cycle carbon, circular economy, water, and urban greening.

Transport for London (TfL)

5.19 TfL raised a number of concerns in response to the first consultation in May 2021. These can be summarised as follows:

- Completion of highway and LU impact assessment and any subsequent mitigation identified and agreed.
- A financial contribution towards White City Underground Station step free access and capacity scheme required.
- Protection of TfL's infrastructure and assets surrounding the site must be dealt with via submission of additional technical information and planning conditions. Including a full structural assessment and stage 1 road safety audit to assess the feasibility of the proposed construction vehicle access.
- The proposed 350 residential car parking spaces should be reduced to 176 spaces for use by disabled persons only, in line with London Plan policy T6.
- Concerns about potential impact on bus operation, both during construction and end state.

Royal Borough of Kensington and Chelsea

5.20 No response received.

British Airport Authority

5.21 Heathrow Airport Limited would object to the application in the absence of an appropriate condition(s) relating to H10 Radar Mitigation and the submission of a construction management strategy.

Civil Aviation Authority (CAA)

5.22 CAA confirmed they have no comment to make on the original proposals, subject to relevant general regulatory advice.

Thames Water

5.23 Confirmed that the development is within 15 metres of an underground wastewater asset, asked for further information regarding wastewater and surface drainage, and recommended appropriate conditions and informatives in the event of planning permission being granted.

National Air Traffic Services (NATS)

5,24 Any adverse impact on NATS's infrastructure would be required to be mitigated appropriately and this should be captured in a condition attached to any planning permission. The NATS would be supportive of a conditional consent and strongly recommend further engagement with NATS Safeguarding should the development progress.

Metropolitan Police (Designing Out Crime Officer)

5.25 No objection subject to the appropriate best practice design guidance and Secured by Design (SBD) principles being incorporate into the layout and design of the development.

Environment Agency

5.26 No response received.

Historic England

5.27 No response received.

Network Rail

5.28 No objection in principle, subject to informatives and further engagement to ensure that works can be completed without risk to the operational railway.

London Fire Brigade

5.29 Even though not a statutory consultee at this stage, London Fire Brigade

reviewed the proposal and raised concerns over design in terms of single stair approach, fire and rescue service access, evacuation lift and lack of detail on amenity space and fire suppression system.

Objections from Individual Residents

5.30 9 representations were received in response to the original 2021 consultation objecting to the original redevelopment proposals, and 1 representation was received in support of the proposals (from West London Business). These various representations can be summarised as follows:

- Buildings over 13-floors are risky in terms of fire safety and rescue. Safety measures may fail (sprinkler, fire riser, etc.)
- Social housing tenants should not be forced into high rise blocks.
- Mixture of houses including low level blocks should be considered.
- Proposed development is very invasive and would overlook homes of Poynter House.
- Additional development will cause more traffic, noise, anti-social behaviour around residential estates.
- More residential developments being made without the impact on existing residential areas being evaluated in terms of lack of cycle infrastructure and lack of parking restrictions.
- Increased population would add to increased use of neighbouring areas such as Caxton Village through/ additional food delivery couriers & pollution/ taxi / family drop off and collection.
- Inadequate infrastructure in the area to support the proposed development.
- Local schools and GPs are already at capacity. Private builds should not go ahead without investing in the infrastructure to support them.
- Harm to existing residents as a result of additional noise and traffic.
- Shepherds Bush Green is a traffic hotspot and pollution is an issue
- The increase in tower height from 8-23 storeys to 19-46 storeys represents a completely new development in the area.
- Question over economic analysis to justify the increase at a time when there is such concern about the fire risks in high rise blocks and living and commuter habits.
- Question over how many social housing - not "affordable housing" - homes will be part of the development.
- The doubling in height of the 23-storey tower to 46-storeys will create the tallest tower in West London.
- The increased size is completely out of keeping with the area and will cast a shadow over the other blocks flats and especially the small houses in White City, Shepherd's Bush and along the Uxbridge Road.
- A 46-storey building will block out daylight.
- Departure from the London Plan car parking policy standards.
- Trip generation inconsistencies in submitted Transport Assessment.
- The height of the towers in this latest proposal should be reduced as they will block afternoon light. The Cassini tower and the other tower blocks on the site already overwhelm the surrounding areas and Stoneleigh Street neighbourhood.

Representation in support

5.31 1 representation of support was received from West London Business, business-led, non-profit organisation, on the following grounds:

- The delivery of homes is of vital importance to the business community.
- The developer is key economic driver in West London.
- New homes would boost footfall and spend locally.
- New cultural hub will make the area more attractive to innovative businesses.
- Development would deliver improvements to public realm, pedestrian connectivity and publicly accessible park.
- The development commits to cut carbon emissions in half by 2030 and promotes healthier and more responsible consumption, modes of transport and biodiversity gain.
- It is vital to continue to support investment and development in our communities.

Consultation Responses - Second Public Consultation (May 2022-June 2022)

Greater London Authority (GLA)

5.32 In response to the current revised proposals the GLA revised their original comments as follows:

- The design changes are welcome, no further comments.
- The revised fire statement is acceptable.
- The scheme is now compliant with policy G5 of the London Plan in terms of green infrastructure.
- Flood Risk assessment is provided, supported and should be secured by the condition.
- Air quality addendum adequately demonstrates that scheme would be compliant with the London Plan air quality policies.
- Further detail is required in terms of energy, heating network and proposals for decarbonisation.
- Circular economy: Further commitments are required in terms of waste streams, capacity of destination landfill and commercial waste recycling.

Transport for London (TfL)

5.33 TfL provided comments on the current revised proposals on 14 July 2022 and updated these again on 27 September 2022. TfL's comments are summarised below:

Car parking - TfL acknowledges that, although 350 spaces proposed exceeds the London Plan standards (car-free), it is a reduction from 600 and this a is a material planning consideration. Subject to the list of mitigation measures proposed being secured as part of any permission, TfL is content for the parking to remain as proposed.

Similarly, proposed quantum of **cycle parking** meets London Plan standards, but the proposed list of conditions should be attached to any permission to ensure the cycle parking is well designed and managed and can be accessible to the full range of potential users.

Trip generation – no additional comments.

Cycle hire – considered that this could form part of the general infrastructure improvement works contribution works if required in the future.

LU assessment – TfL is progressing a scheme at White City LU station to deliver step

free access (SFA) and capacity improvements; and developer contributions are being sought from sites such as this in the vicinity which will directly increase passenger numbers at the station. Based on the increase in trips, a contribution of £678,090 from this scheme has been requested. Similarly, this can be captured within the wider OA infrastructure fund, but the scheme should be specifically referenced in a similar way to the s106 for the Dairy Crest site just to the north – with the above amount being earmarked for TfL.

Cycling routes – TfL welcomes the Council's intention to secure developer funding towards ped and cycle enhancements to Wood Lane and surrounds, this is being done in conjunction with TfL. It is noted that LBHF is seeking developer contributions for phase 2 (Shepherd's Bush) of the scheme. TfL requests that the contribution is either extended to cover implementation of phase 1, which is far more advanced than phase 2, or a separate contribution for phase 1 which will directly benefit the site, is secured.

Healthy streets – TfL supports the Council's requirements for mitigation on routes to key destinations including wayfinding. Additionally, TfL full supports the requirements for a night-time audit to be undertaken.

Travel planning – no further comments.

Delivery and servicing – no further comments. Detailed delivery and servicing strategies should be secured for each phase of development taking into consideration implications for buses.

Construction impacts – TfL is not yet satisfied that some of the concerns raised have been fully addressed at this time:

a. Use of the H junction for construction access has not been agreed in principle. In simple terms, the area concerned was built for pedestrian use, and a full structural assessment will be needed to demonstrate it is safe for use by construction vehicles for 5-6 years.
b. A raft of traffic management measures would be needed to support this, including covering seasonal demand fluctuations at Westfield.
c. If this construction access cannot be used, they developer may need to use Wood Lane.
d. Construction impacts on buses – various operational and asset protection assurances are required including the potential need for financial mitigation if delays are incurred.

- Based on the above issues, TfL requests that a construction logistics plan is secured for each phase and that joint sign off by the Council and TfL is required prior to commencement of any works.

- **LU Infrastructure Protection** – planning conditions for construction and end state are required (as per their previous correspondence).

- To summarise, as set out above, TfL's outstanding points can be dealt with via the appropriate planning conditions and obligations to ensure that the necessary mitigation is funded and delivered to coincide with the occupation of development.

Health and Safety Executive (Gateway One – Fire Safety)

5.34 HSE has confirmed that the “scheme is out of scope” and that they do not need to be consulted as a consequence and have no comments to make.

London Fire Brigade

5.35 Updated comments received on 18 November 2022 raising concerns over the remaining development blocks where the indicative scheme did not accommodate multiple stair cores. Technical advice was given in respect of elements of the fire statement which requires further detail and amendment.

5.36 A further updated comment was received from LFB on 25 November 2022 following a meeting with the applicant and receipt of as letter from the applicant’s Fire Safety Advisors, which identifies a range of revised measures to be accommodated within the Fire Statement, including multiple cores within all buildings within the development, and further details of how the specific advice given in the LFB letter was capable of being addressed. These matters will be secured via an appropriate planning condition (condition 71) and through clauses in the legal agreement, in the case of the requirement to design and implement two stair cores within each development block (item “Y” in the list of proposed Heads of Terms at section 9.10 of this report). Subject to securing these measures LFB raise **no objections** to the proposals.

5.37 Officer Comment: Although LFB are satisfied at this outline stage that the proposed development is capable of demonstrating compliance with and is going over-and-above the minimum required Fire Safety standards, it is recommended a specific planning condition and planning obligation is necessary to provide the Local Planning Authority with assurances and the certainty that the detailed design will be carried out strictly in accordance with the standards set out in the outline application and will address the detailed issues raised by the London Fire Brigade who will remain a consultee on the forthcoming detailed reserved matters submissions.

Royal Borough of Kensington and Chelsea

5,38 No comments received.

British Airport Authority

5.39 Have reaffirmed their request that any planning permission is subject to appropriate condition relating to H10 Radar Mitigation and the submission of a construction management strategy.

Thames Water

5.40 Reaffirmed their previous comments namely that the development is within 15 metres of an underground wastewater asset and have recommended appropriate conditions and informatives in the event of planning permission being granted.

National Air Traffic Services (NATS)

5.41 NATS’s are concerned about the development’s potential impact on its H10 radar at Heathrow Airport. However, they consider that the impact could be resolved through a modification to the radar and NATS would be supportive of planning conditions attached to any planning permission.

Metropolitan Police (Designing Out Crime Officer)

5.42 Confirm their previous comments and have no objection to the proposal, subject to Secured by Design (SBD) principles being incorporate into the layout and design of this development. In addition, further recommendations have been provided as follows:

Site layout (planting/street furniture/clear sight lines/mitigation for anti-social riders/appropriate CCTV (with lighting strategy) linked up with H&F control room / robust management of public amenity space against ASB, vagrancy and crime, especially at night.

Building Envelope (no linkage between residential and commercial areas /compartmentalisation of the floors of the residential blocks / main communal entrance doors to be a security rated / Airlocks in the residential lobbies / audio/visual (colour) access control system with fob control for the residential communal entrances / postal strategy / direct access to flats, external doors cycle and refuse store doors to be security rated / introduce data logging through fob system to record activation / lighting to be carefully co-ordinated.

5.43 Further consultation is encouraged once the detailed design stage is reached and planning permission is granted, to discuss any aspect of the SBD accreditation.

Environment Agency

5.44 No objection to the proposals, subject to recommendations that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken.

Network Rail

5.45 No objection subject to informatives and further engagement to ensure that works can be completed without risk to the operational railway.

Historic England

5.46 Historic England have confirmed they will not be commenting on the current proposals.

LBHF Action on Disability Forum

5.47 The Action on Disability Group has submitted the below detailed queries and does not support the proposals in their outline form.

5.48 (Officer Comment) However, after reviewing the comments and queries with the Applicant, it is considered that the majority of the queries relate to detailed design matters that cannot be confirmed at the outline application stage. These details are not required under planning policies or under guidance within the NPPF given detailed design, landscaping, access, layout or siting are not subject to approval at this outline stage. Officers cannot require further details to be developed at this stage. However, it is recommended that a range of conditions will ensure that some accessibility provisions can be made (as set out in the below table) which will enable compliance with the relevant planning policies at reserved matters stage. These conditions will cover level

access to public spaces, public realm and buildings, street furniture, lighting, landscaping and the areas with ramps/steps or level changes. Further conditions will secure accessible car parking for blue badge holders and Wheelchair Accessible Housing (M4(3) units). The applicant has demonstrated in the design and access statement and parameter plans that some detailed internal space standards are capable of being accommodated spatially within the masterplan illustrative layout.

Action on Disability Action on Disability Comment	Officer Response
Housing	
Whether space is available on each floor within each block for both compliant 1,530 (90%) M4(2) accessible and adaptable units and 170 (10%) M4(3) wheelchair units.	The illustrative scheme indicates that the design has made allowances for the 10% of units. The distribution/location of the 170 (10%) M4(3) wheelchair units has not yet been finalised and will be as part of Stage 2/3 design at reserved matters phase.
Location of wheelchair units in either private or affordable housing. We would expect LBHF housing allocation to require wheelchair accessible units in affordable rent or DMR on completion. Private wheelchair units should be adaptable on completion.	Confirmed that these will be available within the LAR and DMR and private units. The distribution/location has not yet been finalised given the outline nature of the application. Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application.
Location of wheelchair units on available floor plans. Drawings may not show if there is space for 1500x1500 circulation space outside each lift or outside each wheelchair unit; whether corridor widths are compliant; space available for the refuge at each lift lobby with access to an evacuation lift.	This is an outline application and therefore the distribution/location has not yet been finalised, given the outline nature of the application. Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application. The applicant has confirmed that the required measurements and distances have been adopted as part of the illustrative scheme demonstrating compliance on circulation space, corridor widths and refuge at each lobby is possible.
Location of affordable housing units. Savills residential market report mentioned possible locations for affordable housing in different blocks.	The final location of the affordable housing will be finalised in the reserved matters submissions but the applicant has confirmed the affordable could be delivered in Blocks 1, 2, 4, 8 or 9. The current intention is for the affordable housing (LAR) to be accommodated within Block 8 as this will be managed by a registered provider and potentially Block 9 (if the viability review indicates a sufficient surplus).. The DMR is to be pepper potted across the other specified blocks.
Location of duplex units. Clarify whether M4(2) or M4(3) duplexes proposed	The illustrative scheme indicates that duplex units can be located in Blocks 2, 3, and 9. The distribution/location of M4(2) or M4(3) will be finalised as part of Stage 2/3 design and further Reserved Matters Applications.
Confirm all private amenities at top of buildings accessible and inclusive with compliant step free access	This will be secured by condition
Details of step free access from the Park and surrounding roads to individual housing units.	This will be secured by condition
Space available for compliant step free access and circulation space at all balconies or private space.	This will be secured by condition

Ensure all drawings show entrances to housing units from both the Park and surrounding roads.	The illustrative drawings and illustrations show this can be achieved but the detail will be included in the reserved matters submissions.
Marketing Strategy	
Provide marketing strategy for the 136 private wheelchair units in Savills residential market report.	If the scheme is approved URW will then develop the marketing strategy for these units. LBHF will consult with the Access Forum when these are submitted as required under the s106 agreement.
Flexible commercial and community floor space	
Clarify whether Changing Places facility provided and space for potential Shopmobility station.	The detailed design of this facility will be further considered at the Reserved Matters Application stage. Whilst this is not a requirement under policy, URW have confirmed that they are going to review the provision and amenity for this use which is provided within the neighbouring centre to assess if this meets the needs for the Block C visitors.
Public realm	
Details of alternative step free route from Silver Street to Park	Lift access from The Makery level to Silver St provided by already constructed lifts. Users can then access the public courtyard via the ramped access between Blocks 6 and 7. Full details will be provided as part of the RM application.
Details of step free route from Bronze Walk to the Park on either side of Block 9	Low gradient ramped access between Block 9 & 8, and underneath Block 1-9. Information is included with the Design and Access Statement. Full details will be provided as part of the RM application.
Location of compliant ramps and gentle slopes; terms may not be used consistently	Reference to ramps and the location of these are found within the Design Code within the outline application. The detailed design of the ramps will be subject to consideration at the reserved matters design stage.
Handrails and highlighted nosings, compliant tactile paving and landings provided at all steps (Grand stair; adjacent to Super Lobby and between Block 6 and 7	The applicant has confirmed that this will be provided and will be secured by way of condition.
Issue with Block 9 that needs further investigation to provide equitable access to the Park.	There is two public access points to the park on either side of Block 9. Residents within Block 9 will have step free access to the park from the lobby of the block.
Confirm wayfinding will be intuitive, accessible and inclusive for both step free and stepped routes.	Signage and wayfinding are conditioned.
Confirm hard surface treatment provides compliant colour contrast and smooth surfaces	Ground Surface External materials will be conditioned.
Clarify reason for tactile paving and hazard warning strips to be in same material as adjacent paving.	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application. Chosen materials will confirm with standards and regulations for accessibility.
Confirm street furniture and seating will be compliant. Not just compliant height; back and arm rests but also hard surface for wheelchair	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application.

users. Proposals for informal seating and wooden loungers do not seem inclusive. Bleacher seating?	Street furniture will be conditioned, and the wording will require reference to inclusive design planning policies to ensure compliance.
Clarify how the outside management and maintenance strategy will create a welcoming and inclusive public realm for everyone including Disabled people.	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application. The vision is established as part of the Design and Access Statement and public realm report.
Clarify compliant outdoor lighting meets the needs of everyone including Disabled people and people with neurodiversity. PAS On the Mind coming out this summer.	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application. Lighting details will be conditioned, and the policy reasoning can include reference to the need to consider the needs of everyone.
Access Routes	
Clarify reason for single taxi drop off point at Marathon Way/Makery junction	Residents will also have the ability to be dropped off in the carpark and access their unit securely via lifts.
Reduced parking provision needs mitigation to provide drop off points close to destination for people with limited mobility.	Residents will also have the ability to be dropped off in the carpark and access their unit securely via lifts.
Confirm compliant height for taxi drop off point	This is a detail which can be set out and assessed at detailed reserved matters stage.
Confirm footway with kerb provided on all roads	This is a detail which can be set out and assessed at detailed reserved matters stage.
Justify reason for shared vehicle/pedestrian area on Marathon Way	The outline parameter plans demonstrate that there is a separate walkway with kerb as illustrated by figure 84 within the Design and Access Statement where the footpath is identified.
Clarify how differentiation in material and demarcation between car and pedestrian zone benefits pedestrians and drivers	This detail will be included in reserved matters as well as a condition which requires the detailed design if it is needed.
Parking	
Confirm location of oversized cycle spaces;	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application.
Confirm space available for compliant access zones at each blue badge parking bay.	The applicant suggests the space is provided to achieve this, but the detail is required by condition.
Location for future compliant 7% blue badge bays	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application. The applicant confirms it is the intention is for these spaces to be provided in the appropriate locations and unincumbered by structures.
confirm swept path analysis completed for both 3% blue badge bays and 7% potential blue badge bays.	The applicant has carried out initial testing which verifies that these provisions could be achieved. The details will come forward for approval at reserved matters stage.
Clarify route from car park to individual blocks with seating areas at regular intervals	Additional detail will be provided as part of Stage 2/3 design and further Reserved Matters Application.
Confirm blue badge bays will be retained by applicant and not sold.	Blue badge user will have first of refusal on parking bay. The spaces would not be sold but would be leased by the applicant.

	The applicant confirms that a Clause to be included in the lease which would provide the ability to terminate the lease to allow the space to be allocated to an accessible person.
Deliveries	
Clarify process for online grocery deliveries	There is an outline delivery and servicing plan included within the application. The intended process is for all deliveries to be dropped within the service yard and given to the concierge within the super lobby at the base of Block 6. From here the resident will be able to collect their delivery securely. A Delivery and Servicing Plan is required as a planning condition.
Waste storage	
Clarify whether waste management chutes in the dedicated room on every floor will be accessible and inclusive.	The applicant confirms this could be provided but is not a matter covered by planning policies. The details of waste management are conditioned.
Fire Strategy	
Confirm space available for a refuge point and a two-way communication system beside each lift lobby with access to an evacuation lift.	This is a detailed design requirement which will only be known and considered at the detailed design stage. The Fire Statement for each detailed reserved matters application will clarify these provisions.
Clarify number of stairs at Block 9	2

Objections from Individual Residents

5.49 3 representations have been received from residents in response to the consultation on the current revised proposals in May 2022. Two of these are from residents who objected to the original (taller) buildings as part of the first consultation in April 2021, and the third objector does not provide an address. The main grounds of objection can be summarised as follows:

- Too many car parking spaces (does not accord with the London Plan) and would set an undesirable precedent.
- The TAA suggests that the cars would "primarily be used by future residents for trips outside of London and not for day-to-day travel purposes". There is no evidence provided to support this.
- Development is too high, out of keeping and oppressive, and will harm the amenities of residents across the boundary in North Kensington.
- Harmful to the townscape views and the skyline
- Site is close to Grenfell Tower site and concerned about fire safety/evacuation risks, particularly if there is only one stair core.
- incredibly important to design buildings for means of egress in case of fire

6. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

6.1 The proposed development is not a Schedule 1 development, for which Environmental Impact Assessment (EIA) would be mandatory. It is however of a type listed within the descriptions of development contained within Schedule 2 of The Town and County Planning (Environmental Impact) Regulations 2017 (as amended in 2018 and 2020) (the ‘EIA Regulations 2017’), falling under category 10(b) ‘urban

development projects' (including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas). Under the regulations, EIA is required for Schedule 2 development where the development is "likely to have significant effects on the environment by virtue of factors such as its nature, size or location". For completeness, the applicant accepts that the application should be treated as an application for EIA development and has submitted an Environmental Statement without the need for a formal screening opinion from the Council.

6.2 The proposed development does not lie within a sensitive area, as defined in the EIA Regulations; however, on the basis that the proposal exceeds the 150 dwellings threshold, the proposals fall within the scope of the regulations.

6.3 The outline planning application was accompanied by an Environmental Statement (the 'March 2021 ES') prepared by Ramboll UK Limited ('Ramboll') which comprises the following documents:

- Non-Technical Summary (March 2021) – the revised NTS (May 2022) is dealt with below.
- ES Volume 1: Main Environmental Statement
- ES Volume 2: Townscape, Visual and Built Heritage Impact Assessment
- ES Volume 3A: Technical Appendices; and
- ES Volume 3B: Transport Assessment.
- ES Volume 4 Environmental Statement Addendum (May 2022)

6.4 Major amendments have been made to the proposed development to address the consultation feedback to the submission scheme and the ES has been updated to accompany the revised planning application and documentation (submitted in May 2022). The updated ES includes further assessment to assess the potential impacts and likely effects of the amended proposed development as a whole, accounting for the proposed amendments to the proposed development. The outcomes of the updated EIA are presented in a single addendum document, ES Volume 4: Environmental Statement Addendum (the 'March 2022 ES Addendum'), for ease of reference. ES Volume 4: Environmental Statement Addendum (the "May 2022 ES Addendum") comprises the following constituent documents:

- ES Volume 1A: Main Environmental Statement Addendum
- ES Volume 2R: Townscape, Visual and Built Heritage Assessment Replacement
- ES Volume 3AA: Technical Appendices Addendum; and
- ES Volume 3AB: Transport Assessment Addendum.

6.5 In addition, a NTS Replacement has been prepared which replaces the March 2021 NTS. The updated EIA presented in the constituent documents of the May 2022 ES Addendum build on the analysis and environmental impact assessments presented in the March 2021 ES to provide information necessary to assess the likely significant environmental effects of the amended proposed development. The updated EIA examines whether the amended proposed development would result in new or amended significant effects to those presented in the March 2021 ES.

6.6 Where March 2021 ES documents remain valid it is because following review of the proposed amendments, the amended proposed development as a whole, the baseline conditions, the policy and assessment guidance and the impact assessments, it has been concluded by technical specialists that the March 2021 ES conclusions remain valid for the amended proposed development and do not require update.

6.7 Where large sections of March 2021 ES documents remain valid without the need for any updating, only those elements within the document that are subject to change have been presented in the May 2022 ES Addendum in the form of Addendum documents.

6.8 The Addendum documents are supplementary and additive to the March 2021 ES and therefore, should be read alongside (side-by-side) the March 2021 ES. Where updated impact assessments are presented in Addendum documents, replacement tables and figures are presented where relevant.

6.9 An 'Environmental Statement Navigations Matrix' has been submitted to indicate the validity of each document. The NTS Replacement, the March 2021 ES and the May 2022 ES Addendum have been prepared in accordance with the statutory procedures set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). Given the complexity of the application site and its history officers are satisfied that this was a sensible way of proceeding with the Environmental Statement for the application.

EIA Process

6.10 EIA is a process that identifies the likely significant environmental effects (both beneficial and adverse) of a development. The process aims to prevent and, where prevention is not possible, to reduce and/or mitigate any significant adverse environmental effects, where these are identified, and to enhance any beneficial effects. It is an iterative process which proactively seeks to integrate mitigation within the development proposals so as to avoid significant effects from arising.

6.11 The EIA process adopted for the amended proposed development has followed best practice guidelines, as set out by the Institute of Environmental Management and Assessment (IEMA) Quality Mark scheme. The process involved the following key steps:

- Consultation with key stakeholders such as the LBHF, Transport for London (TfL), Environment Agency (EA), Thames Water and National Air Traffic Services (NATS) on the issues to be considered within the EIA.

- Collection, use and assessment of the most up-to-date baseline information and likely evolution of that baseline without the amended proposed development or in the future.

- Interpretation of the amended proposed development plans, schedule, parameters and commitments presented in the design code, as well as the formulation of assumptions in the absence of information, as the basis for the individual technical assessments.

- Use of relevant guidance and good practice methods to predict the likely nature, scale and significance of any environmental change; and

- Reporting of the results of the EIA process in the ES in a transparent way, to provide the information required to inform the decision-making process

EIA Scoping

6.12 An EIA Scoping Report was submitted to the LBHF on 27 March 2020 in support of a request for a formal EIA Scoping Opinion pursuant to Regulation 15(1) of the EIA Regulations. The EIA Scoping Report set out a description of the then emerging proposed development; the potential key environmental impacts and likely effects to be considered as part of the EIA; the proposed technical assessment chapters; as well as the proposed assessment methodologies.

6.13 LBHF issued an EIA Scoping Opinion on 6 May 2020 confirming the scope of the EIA as proposed in the EIA Scoping Report, with no requests for additional technical assessment chapters to be included in the ES. However, the EIA Scoping Opinion did request consideration of additional matters in the scoped-in technical assessments and various additional free-standing assessments. On 22 January 2021 a Scoping Update Letter was issued to the LBHF to present updates to the proposed development description and provide responses on the EIA Scoping Opinion.

6.14 The EIA of the proposed development and the updated EIA of the amended proposed development have been undertaken in accordance with the EIA Scoping Report as amended by the EIA Scoping Update Letter and additional post-submission consultation with LBHF.

6.15 The following topics were scoped into the ES and ES Addendum as technical assessment chapters:

- Socioeconomics.
- Transport and Accessibility.
- Air Quality.
- Noise and Vibration.
- Wind Microclimate.
- Daylight, Sunlight and Overshadowing.
- Climate Change; and
- Townscape, Visual and Built Heritage.
- Climate Change
- Cumulative Effect

6.16 The following topics were scoped out of the ES as technical assessment chapters:

- Ground Contamination.
- Water Resources and Flood Risk.
- Archaeology.
- Ecology.
- Aviation.
- Solar Glare.
- Light Spillage.
- Telecommunication Interference.
- Waste.
- Major Accidents and Disasters; and
- Human Health.

6.17 LBHF has required submission of technical reports for these topics, as appropriate, to accompany the application or are presented as technical appendices to

the ES. Reports have been updated as appropriate for the amended proposed development.

6.18 The ES provides assessments of potential significant environmental effects during demolition and construction and once the amended proposed development is complete and operational. Each technical assessment considers different types of effects including direct, indirect, secondary and cumulative; short-, medium- and long-term; temporary and permanent; beneficial, neutral and adverse effects. Given the outline nature of the application, where detailed information has not been available at this stage of the design and planning process, technical specialists have made assumptions based on experience, judgement or approaches agreed during consultations. In order to assess a worst-case scenario, maximum/minimum parameters have been assessed as required.

6.19 Each of the above scoped-in environmental topics have been addressed in a separate technical assessment chapter in ES Volumes 1, 1A and 2R. In each chapter, a description of the assessment methodology is given together with the existing site conditions.

6.20 This is followed by an assessment of the likely effects of the amended proposed development taking into account mitigation measures that are embedded in the development proposals; the consideration of the need for additional mitigation or any recommendations for enhancement measures to reduce or offset any significant adverse effects identified during the assessment; and a concluding assessment on the residual effects that would remain after these measures have been implemented.

6.21 The technical assessment chapters report upon the likely scale (Negligible, Minor, Moderate or Major), nature (beneficial, neutral and adverse) and significance of environmental effects. Consideration is also given to the cumulative effects of the proposed development. Intra-Project (different impacts within the development combining) and Inter-Project (combined effect with other developments/projects) cumulative effects have been assessed:

Demolition and construction stage

6.22 For the demolition and construction stage, no significant beneficial environmental effects have been identified. The following significant adverse environmental effects have been identified and are highlighted

- Noise and Vibration: On-site demolition and construction plant and activity noise at existing off-site residential receptors at Block K and St James' White City Living and future on-site residential receptors at Block 5.
- Wind Microclimate: Change in wind conditions at off-site thoroughfares to the north and south of the site and amenity spaces to the south; and
- Daylight, Sunlight and Overshadowing: Change in daylight and sunlight levels at St James' White City Living; St James' Block E1, E2, E3; Block K and Cian House, as well as overshadowing to off-site St James' White City Living amenity spaces Area 2 and Area 3 as the massing of the amended proposed development reaches completion.

Completed development stage

6.23 For the completed development stage, the following significant beneficial

environmental effects have been identified:

- Socioeconomics:
  - Housing delivery at the borough level from the amended proposed development.
  - Additional spending at the local level as a result of the amended proposed development.

- Transport and Accessibility:
  - Alterations to the pedestrian network to improve pedestrian amenity and decrease pedestrian delay.

- Wind Microclimate:
  - Measured wind conditions at 24 potential on-site thoroughfare locations.

- Townscape, Visual and Built Heritage:
  - New uses and development in the setting of the townscape character receptor at White City Living and Westfield London.
  - The appearance of the amended proposed development in the views and subsequent changes to visual amenity receptors at Wood Lane near White City London Underground Station; Olaf Street; Wood Lane; Courtyard of former BBC TV Centre; Bard Road; and Latimer Road Station (East Platform).

6.24 The following significant neutral environmental effects have been identified:

- Townscape, Visual and Built Heritage:
  - Amended proposed development appearing in the setting of Dimco Machine Tools; Harrow Club and Building adjoining to West of Harrow Club; 189 Freston Road; Thomas Jones Primary School.

6.25 The following significant adverse environmental effects have been identified:

- Wind Microclimate:
  - Measured wind conditions at one potential on-site thoroughfare location with strong winds.
  - Measured wind conditions at one potential on-site private amenity space with strong winds.
  - Measured wind conditions at five potential on-site entrance locations.
  - Measured wind conditions at three potential on-site ground level amenity spaces.
  - Measured wind conditions at two proposed on-site private podium level amenity space.
  - Measured wind conditions at two proposed on-site podium level amenity spaces.
  - Measured wind conditions at two proposed on-site balcony private spaces.
  - Measured wind conditions at one proposed off-site thoroughfare use.
  - Measured wind conditions at four proposed off-site podium level amenity spaces.

- Daylight, Sunlight and Overshadowing:
  - Changes in daylight to Westfield Block K, White City Living St James', St James' Block E1 to E3, Cian House.
  - Changes in sunlight to White City Living – St James', St James' Blocks E1 to E2, Cian House.
  - Changes in overshadowing at St James' White City Amenity Spaces 2 and 3; and

- Townscape, Built Heritage and Visual:
  - The appearance of the amended proposed development in the view and subsequent changes to visual amenity receptors at Elgin Crescent at Kensington Park Road.

EIA Summary

6.26 The ES concludes that the proposed development would deliver a high-quality residential-led development which would tie into the wider White City Opportunity Area. The ES considers that the proposed development would give rise to significant beneficial urban design and townscape improvements to the area, including its character and function. It would help deliver transformative change to the site and wider area, in accordance with the aspirations of the Development Plan. Furthermore, through conforming to the principles of the Design Code, the ES concludes that the proposed development would demonstrably improve the appearance of the townscape.

6.27 An increased number of residential units would be delivered, addressing local need. When compared to the consented masterplan Block C scheme, the proposed development would deliver improvements in respect of housing delivery, employment opportunities, open space provisioning and accessibility.

6.28 The taller buildings would introduce additional adverse effects in respect of daylight, sunlight and overshadowing but these are considered by the ES to be commensurate with the level of effects expected of dense urban development. The environmental considerations are addressed in Section 8 of this report. Each topic contains a factual summary of the findings contained within the Environmental Statement (ES) and ES Addendum. Officers are satisfied that the ES and ES Addendum complies with the 2017 Regulations and that sufficient information has been provided for the assessment of the environmental impact of the proposal.

6.29 The ES has been reviewed by the Council's officers who accept the conclusions, subject to the imposition of appropriate planning conditions and planning obligations. The planning assessment in this committee report identifies the relevant planning issues and where conditions and obligations are considered necessary to mitigate the effect of the development.

7.0 PLANNING POLICY & GUIDANCE

7.1 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.

7.2 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).

7.3 In this instance the statutory development plan comprises the London Plan (2021), the Local Plan 2018 and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD). 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 (NPPF)

7.4 The NPPF (2021) 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.

7.5 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.

The London Plan

7.6 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The Plan provides the strategic planning policies for London, setting out an integrated economic, environmental, transport and social framework for growth over the next 20-25 years. The proposal has been assessed in line with the updated policies set out in the Plan. The key policies of the London Plan which apply to the site are summarised below:

- Policy GG1: Building strong and inclusive communities
- Policy GG2: Making the best use of land
- Policy GG3: Creating a healthy city
- Policy GG4: Delivering the homes Londoners need
- Policy GG5: Growing a good economy
- Policy GG6: Increasing efficiency and resilience
- Policy D1: London's form, character, and capacity for growth
- Policy D2: Infrastructure requirements for sustainable densities
- Policy D3: Optimising site capacity through the design-led approach
- Policy D4: Delivering good design
- Policy D5: Inclusive design
- Policy D6: Housing quality and standards
- Policy D7: Accessible housing
- Policy D8: Public realm
- Policy D9: Tall buildings
- Policy D11: Safety, security, and resilience to emergency
- Policy D12: Fire safety
- Policy D13: Agent of Change
- Policy D14: Noise
- Policy H1: Increasing housing supply
- Policy H4: Delivering affordable housing
- Policy H6: Affordable housing tenure
- Policy H10: Housing size mix
- Policy E1: Offices
- Policy G1: Green Infrastructure
- Policy G5: Urban Greening
- Policy G6: Biodiversity and Access to Nature
- Policy G7: Trees and Woodlands
- Policy SI1: Improving air quality
- Policy SI2: Minimising greenhouse gas emissions

- Policy SI3: Energy infrastructure
- Policy SI5: Water infrastructure
- Policy SI6: Digital connectivity infrastructure
- Policy SI7: Reducing waste and supporting the circular economy
- Policy SI8: Waste capacity and net waste self-sufficiency
- Policy SI12: Flood risk management
- Policy SI13: Sustainable drainage
- Policy T1: Strategic approach to transport
- Policy T2: Healthy Streets
- Policy T3: Transport capacity, connectivity and safeguarding
- Policy T4: Assessing and mitigating transport impacts
- Policy T5: Cycling
- Policy T6: Car parking
- Policy T6.1: Residential parking
- Policy T6.2: Office Parking
- Policy T7: Deliveries, servicing, and construction

7.7 In addition to the London Plan, the Mayor of London has adopted several supplementary planning guidance (SPG) documents which are material considerations in planning decisions. The Mayoral SPG's considered relevant to the proposal are listed below:

- Accessible London SPG
- Character and Context SPG
- Good Quality Homes for all Londoners
- Housing SPG
- Circular Economy Statements LPG
- Energy Planning Guidance
- The Control of Dust and Emissions in Construction

7.8 Due consideration has also been given to:

- Fire Safety LPG
- Housing Design Standards LPG
- Optimising Site Capacity: A Design-led Approach LPG
- Urban Greening Factor LPG
- Air Quality Positive LPG
- Sustainable Transport, Walking and Cycling

The Local Plan

7.9 The Council adopted the 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.

7.10 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan (2021), Local Plan (2018), and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and

Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in Officers' assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

7.11 The policies within the Local Plan aim to ensure development within the borough accords with the spatial vision of the borough. The key policies relevant to the proposals are:

• Policy HO1: Housing Supply
• Policy HO3: Affordable Housing
• Policy HO4: Housing Quality and Density
• Policy HO5: Housing Mix
• Policy HO6: Accessible Housing
• Policy HO11: Detailed Residential Standards
• Policy E1 - Range of Employment Uses
• Policy E2 - Land and Premises for Employment Uses
• Policy E4 - Local Employment, Training and Skill Development Initiatives
• Policy DC1 - Built Environment
• Policy DC2 - Design of New Build
• Policy DC3 - Tall Buildings
• Policy DC7 - Views and Landmarks
• Policy DC8 - Heritage and Conservation
• Policy OS4: Nature Conservation
• Policy OS5 - Greening the Borough
• Policy T1 - Transport
• Policy T2 - Transport Assessments and Travel plans
• Policy T3 - Increasing and promoting Opportunities for Cycling & Walking
• Policy T4 - Vehicle Parking Standards
• Policy T5 - Blue Badge Parking
• Policy T7 - Construction and Demolition Logistics
• Policy CC1 - Reducing Carbon Dioxide Emissions
• Policy CC2 - Ensuring Sustainable Design and Construction
• Policy CC3 - Minimising Flood Risk and Reducing Water Use
• Policy CC4 - Minimising Surface Water Run-off with Sustainable Drainage Systems
• Policy CC7 - On-Site Waste Management
• Policy CC9 - Contaminated Land
• Policy CC10 - Air Quality
• Policy CC11 - Noise
• Policy CC12 - Lighting Pollution
• Policy CC13 - Control of Potentially Polluting Uses
• Policy INFRA1: Planning Contributions and Infrastructure Planning

Written Ministerial Statement (2021) on First Homes

7.12 The WMS (2021) states that First Homes should account for at least 25 per cent of affordable housing units delivered through planning obligations, which is a material consideration for decision making from 28th June 2021. First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of ‘affordable housing’ for planning purposes.

7.13 Specifically, First Homes are discounted market sale units which:

a) must be discounted by a minimum of 30% against the market value.

b) are sold to a person or persons meeting the First Homes eligibility criteria.

c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and

d) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).

7.14 First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.

7.15 The transitional arrangements set out in the Written Material Statement and Planning Practice Guidance confirm that the First Homes requirement will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 or applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022.

7.16 In the case of this submission, the site benefits from an outline planning permission which is in place and the statutory date for the current application expired on 28th July 2021 and a right to appeal has arisen. Therefore, for both reasons, the First Homes policy does not apply to this planning application.

Fire Safety National Planning Guidance

7.17 The Planning Policy Guidance was revised in August 2021 to require outline applications submitted after 1st August 2021 for relevant buildings, such as the proposed buildings, to submit an Outline Fire Statement and for HSE to be consulted.

8.0 PLANNING CONSIDERATIONS

8.1 Principle of Development

Extant Planning Permission

8.1.1 This application relates to a site within part of the wider Westfield Phase 2 Masterplan area. The site is referred to as 'Block C' in the Masterplan. The Phase 2 Masterplan was granted outline consent in 2012 (ref. 2011/02940/OUT) and subsequently varied in 2014 and 2017. The 2017 Masterplan consent, ref. 2016/03944/VAR, remains extant.

8.1.2 Under the 2017 consent, Block C is capable of delivering approximately 1,093 residential units and a small retail offering. The extant permission is important material planning consideration when assessing the current stand-alone application as it provides a valid fall-back position whereby a residential led scheme could be delivered. The current application would represent an intensification of the proposed uses when compared to the Masterplan consent. However, regard must be had to the principle that has been set by previously granting permission for the development of the site.

8.1.3 At present, the site comprises a concrete structure containing an energy centre and a TfL bus layover. The energy centre serves the wider Westfield development, and both uses would be retained and remain unaffected by the current application.

White City Opportunity Area

8.1.4 The application site falls within the White City Opportunity Area as designated by the London Plan and the White City Regeneration Area as designated by **Policy WCRA of the Local Plan**. The Opportunity Area was designated in 2004 and is part of the Heathrow/Elizabeth Line West Growth Corridor.

8.1.5 **Policy SD1 of the London Plan** outlines a target of 7,000 homes across the White City Opportunity Area. This supersedes the previous target of 6,000 homes set in **Policy WCRA of the Local Plan**. Approximately 1,900 homes have been completed since the Opportunity Area was designated. The proposal would deliver up to a further 1,700 homes therefore making a sizable contribution to the relevant targets set in Policy SD1.

8.1.6 **Local Plan Policy WCRA1** provides site specific policies for White City East, which includes the application site. The policy states that proposals for development within White City East should be mixed use, including community uses and small-scale retail. The policy further states that proposals should provide large amounts of housing.

8.1.7 **Policy GG2 (Making the best use of land) of the London Plan** states that to create successful sustainable mixed-use places that make the best use of land development must enable the development of brownfield land, particularly in Opportunity Areas. The Policy further requires developments to proactively explore the potential to intensify the use of land to support additional homes and workspaces.

8.1.8 **London Plan Policy SD6** identifies that the vitality and viability of London's Town Centres, one of which this Site lies within, will be achieved through the identification of locations suitable for mixed-use or housing-led intensification.

8.1.9 The proposed development would deliver a maximum of 2,510sqm of non-residential floorspace, with up to 193sqm of that floorspace being provided for community uses falling within use class F.2. The remaining non-residential floorspace would fall within a flexible Class E use which includes retail, food and drink, offices, medical/health services and creches/nurseries. This mix of uses would complement the wider commercial, leisure and community uses consented within the Phase 2 Westfield Masterplan and would accord with the requirements of Policy WCRA1. The Block C development would be residential led, delivering a substantial uplift in homes across a mix of unit sizes and tenures. Officers are therefore satisfied that the land uses proposed within the development accord with Policy WCRA1.

8.1.10 The proposals are in general conformity with the policies set out above by delivering a mixed-use scheme with a substantial uplift in residential units. The principle of development is therefore acceptable in this regard.

Commercial Uses

8.1.11 The proposal seeks a flexible Class E use across a maximum of 2,510sqm of

floorspace. The commercial uses would be located at the ground floor of Blocks 4 and 5 along The Makery, creating an active frontage.

8.1.12 Use Class E was introduced by the Government in September 2020 through the Town and Country Planning (Use Classes) (Amendment) Regulations 2020. The introduction of the use was intended to allow for greater flexibility to move between town centre compatible uses such as retail, offices and professional services. Although consent is sought for the full range of Class E uses, the planning statement advises that at this stage it is anticipated that the uses would likely be retail (including food and drink) or office.

8.1.13 The application site is within the Shepherds Bush Town Centre as defined by **Policy TLC1 of the Local Plan**. Policy TLC1 (a) supports the regeneration of sites within the Borough's town centres for a mix of town centre uses. The proposal would deliver an uplift in commercial floorspace, within a town centre compatible use class and is therefore in accordance with the aims of this policy. **Local Plan Policy TLC2** relates to changes of use within a town centre and so is not strictly relevant to the proposal. However, the policy does encourage active frontages and resists residential uses within the ground floor frontage. The proposal would create a new commercial frontage along The Makery which would further support the function of the Shepherds Bush Town Centre.

8.1.14 With regard to the acceptability of office uses, this is broadly supported by **Policy E1 of the Local Plan** which seeks to support mixed-use developments for employment uses. Policy E1 of the London Plan similarly supports office development within town centres, with an emphasis placed on flexible and adaptable spaces being delivered for businesses of varied sizes. Furthermore, the delivery of employment generating floorspace would be in line with the aims of Policy WCRA1 of the Local Plan and Policy SD1 of the London Plan which aims to deliver 2,000 additional jobs within the WCOA. The delivery of office floorspace is therefore supported in principle, subject to compliance with all other relevant policies and the provision of affordable workspace.

Community Use

8.1.15 The development would deliver a maximum of 193sqm of community floorspace, falling within use class F.2. Class F.2 incorporates uses including community halls/meeting places, outdoor sport and recreation and indoor swimming pools. The use can also include small shops selling essential goods where no other such facility is available within 1,000m of the site, however, that would not be applicable to this development plot.

8.1.16 **Policy CF1 of the Local Plan** seeks to ensure the delivery of high quality accessible and inclusive facilities and services for the community. The applicant has proposed that the community floorspace be made available to local community groups at a peppercorn rent and this would be secured by way of a s106 obligation. This would allow for the provision of a high-quality space for use by the community and further enhance the benefits of the scheme locally. The proposed community floorspace would therefore be supported in principle.

Residential Use

8.1.17 The scheme would be residential led, delivering a maximum of 1,700 homes or

164,978sqm of residential floorspace. **London Plan Policy H1** (Increasing Housing supply) sets ten-year targets for net housing completions that each local planning authority should plan for. To ensure that ten-year housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. **Local Plan Policy HO1 (Housing Supply)** supports the delivery of new housing but is predicated on the housing target derived from the previous version of the London Plan. The housing target outlined in Policy HO1 is therefore superseded by the more up to date requirements of Policy H1 of the London Plan. The proposed development would provide a substantial uplift in residential units within an opportunity area, making a meaningful contribution to the Borough's housing targets as set in Policy H1 of the London Plan. The proposal would further provide an uplift in residential units when compared to the extant Masterplan consent. As such, the principle of residential development at the site is supported subject to compliance with all other relevant policies.

8.2 Housing Mix & Affordable Housing

8.2.1 The NPPF attaches significant importance to significantly increasing the supply of new housing. At both a London-wide and local level, the strategic objective is to increase the housing land supply and choice of high-quality homes and ensure that new housing meets local needs and aspirations through a range of tenures and sizes.

8.2.2 **Policy GG4 (Delivering the homes Londoners need)** seeks to create a housing market that works better for all Londoners and create mixed and inclusive communities that meet high standards of design and provide for identified housing needs. **Policy H1 (Increasing Housing supply)** recognises the pressing unmet need for housing across London and sets out the strategic approach for significantly increasing housing supply. In Hammersmith and Fulham, Table 4.1 of the London Plan specifies a minimum ten-year housing target of 16,090 homes, which is equivalent to 1,609 homes per annum. This target has increased if compared to the previous version of the London Plan (2016) at the time of the submission of the original planning application.

8.2.3 **London Plan Policy H10 (Housing Size Mix)** states that schemes should consist of a range of unit sizes. The Policy states that to determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision makers should have regard to:

(1) Robust local evidence of need where available, or where this is not available, the range of housing need and demand identified by the 2017 London Strategic Housing Market Assessment.

(2) The requirement to deliver mixed and inclusive neighbourhoods.

(3) The need to deliver a range of unit types at different price points across London.

(4) The mix of uses in the scheme.

(5) The range of tenures in the scheme.

(6) The nature and location of the site, with higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

(7) The aim to optimise housing potential on sites.

(8) The ability of new development to reduce pressure on conversion, sub-division and amalgamation of existing stock; and

(9) The need for additional family housing and the role of one and two bed units in freeing up existing family housing.

8.2.4 **Policy HO1 of the Local Plan** supports the delivery of new housing but is predicated on the housing target derived from the previous version of the London Plan. The housing target outlined in Policy HO1 is therefore superseded by the more up to date requirements of Policy H1 of the London Plan.

8.2.5 At a local level, **Policy HO5 (Housing Mix)** of LBHF's Local Plan states that the Council will work with Registered Providers and other house builders to increase the supply and choice of high-quality residential accommodation that meets local residents' needs and aspirations and demand for housing. To deliver this, the Policy states that there should be a mix of housing types and sizes in development schemes, including family accommodation. **Policy HO5** requires the following unit mix, subject to viability, locational characteristics and site constraints which are to be considered on a site-by-site basis. For social and affordable rented housing, the Policy requires approximately:

• 1 bedroom – 10% of units.
• 2 bedrooms – 40% of units.
• 3 bedrooms – 35% of units;
• 4 bedrooms – 15% of units.

8.2.6 With regard to intermediate housing, the Policy requires the following:

• 1 bedroom – 50% of units.
• 2 bedrooms – 35% of units;
• 3 or more bedrooms – 15% of units.

8.2.7 It should be noted that for market housing, schemes should include a mix of unit sizes including larger family accommodation.

8.2.8 Approval is not sought at this stage for a specific mix of units for the private units, this will be resolved during the reserved matters stage. The outline application is proposed on the basis of the following range of dwelling sizes.

• 10-15% Studio Units.
• 35-45% one-bedroom units.
• 30-40% two-bedroom units; and
• 5-10% three-bedroom units.

8.2.9 Outline permission is sought for a fixed percentage, tenure split, and unit mix of the affordable homes.

8.2.10 The illustrative/indicative development scheme has been prepared on the basis of the following overall housing mix, noting flexibility of unit mix is not submitted for approval (with the exception of the affordable housing).

Table 4: Illustrative Development Residential Unit and Tenure Mix					
Tenure	**Studio**	**1 Bed**	**2 Bed**	**3 Bed**	**Total**
Affordable Rent	0	25	27	32	**89**
Intermediate	0	128	128	0	**256**
Private	252	598	434	76	**1,380**
Total by unit	252	751	589	108	**1,700**
% by unit	**15%**	**44%**	**35%**	**6%**	**100%**

8.2.11 Officers consider that the proposed 'illustrative' mix is appropriate having regard to the sustainable location of the Site and the character of the. The indicative unit mix seeks to deliver predominately studios, one-bedroom and two-bedroom units which would align with part 6 of London Plan Policy H10 (Housing Size Mix) which encourages a higher proportion of one and two bed units to be delivered in locations which are in proximity to town centres or stations or in areas with higher public transport access and connectivity. In light of the site being located adjacent to the town centre (Shepherd's Bush) and the Site's PTAL rating of predominately 6a, the mix is considered to respond to the accessible nature of the Site whilst including a proportion of larger units (5-10%) three-bedroom units which could support family accommodation.

8.2.12 With regard to the affordable rent and intermediate DMR units, the proposed unit mix broadly reflects the requirements of Policy HO5 of LBHF Local Plan. The affordable housing provision seeks to deliver a greater number of 2 and 3 beds in response to the policy requirements and the intermediate units are predominately 1 and 2-bedroom units as per the policy requirements.

8.2.13 Whilst planning permission is not sought in this application for the specific mix of the private units, the indicative unit mix demonstrates that the development is capable of providing a suitable mix of unit types which respond to the policy requirements, market demand and the accessibility and characteristics of the development. Furthermore, the fixed housing mix of the affordable homes, demonstrates that the development would provide a mix of unit sizes, in particular larger family homes for which there is a pressing need locally. When considered cumulatively with Block K, which has already delivered 89 affordable homes, including 11 x 3 bed units, the wider development will as a whole make a significant contribution to the delivery of a varied mix of homes in this location.

8.2.14 The proposal would contribute to the overall housing delivery targets for the borough and wider area with the provision of 1700 dwellings, increasing the choice of housing. The provision of 340 affordable homes also goes towards meeting the borough's affordable housing provision and the mix and sizes of the housing proposed is considered acceptable in principle in compliance with London Plan Policy H1 and Local Plan Policy HO1.

Affordable Housing

8.2.15 **Paragraph 63 of the NPPF** requires Planning Policies to specify the type of affordable housing required and set policies for meeting this need on site, unless off-site provision or an appropriate financial contribution in lieu can be robustly justified and it can be agreed that this approach contributes to the objective of creative mixed and balanced communities.

8.2.16 **Policy H4 (Delivering affordable housing)** of the London Plan sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable. **Policy HO3 of the Local Plan** states that affordable housing will be sought on all developments capable of providing 11 or more self-contained dwellings and will be negotiated based on a borough wide target of 50% provision.

8.2.17 **Policy H6 (Affordable housing tenure) of the London Plan** describes the preferred affordable housing tenure arrangements across London, which comprises 30% low-cost rented homes, 30% intermediate products and 40% to be determined by the borough. All affordable homes are expected to meet the Mayor's definition of 'genuinely affordable homes.**' Policy HO3 of the Local Plan** defines the Council's preferred affordable tenure split as 60% social/affordable rented accommodation and 40% intermediate tenure homes.

8.2.18 The Proposed Development includes the provision of 340 new affordable homes within Block C which comprise 84 affordable rented homes and 256 intermediate homes provided on a Discounted Market Rent (DMR) basis. The Block C development will comprise a tenure split of 75/25 (on a unit basis) in favour of intermediate affordable housing.

8.2.19 The proposed Affordable Rent Dwelling Mix comprises 25 [30%] x 1 Bed, 27 [32%] x 2 Bed and 32 [38%] x 3 Beds. The affordable rents will be set based on London Affordable Rent benchmark levels. Currently these are set at a weekly level of £168.34 for 1 bed units, £178.23 for 2 bed units and £188.13 for 3 bed units.

8.2.20 The proposed DMR Units are to be secured on the following mix/affordability levels:

Table 6: Rent and Income Affordability Requirements for Discounted Market Rent One Bed Units

Unit Size (Income)	Annual Household Income Cap (£)	Percentage of Units	Total Number of Units
1 Bed Units	£47,500	25%	32
	£52,500	25%	32
	£55,000	25%	32
	£60,000	25%	32
		100%	**128**

Source: Applicant

Table 7: Rent and Income Affordability Requirements for Discounted Market Rent Two Bed Units

Unit Size (Income)	Annual Household Income Cap (£)	Percentage of Units	Total Number of Units
2 Bed Units	£55,000	40%	51
	£60,000	60%	77
		100%	**128**

8.2.21 The above annual household income levels are proposed in line with the GLA Guidance.

8.2.22 It is proposed that 133 (39%) intermediate (discount market rent) units are to be delivered and to be made available for occupation within the first Delivery Phase before occupation of the 510th private unit (i.e.: before 37.5% private units are occupied). It is proposed that a further 24 (7%) intermediate (discount market rent) units and 84 (25%) affordable rented units are delivered and to be made available for occupation within the second Delivery Phase before occupation of the 782nd private unit (before 57.5% of the private units are occupied). It is then proposed that a further 99 (29%) intermediate (discount market rent) units are to be delivered and to be made available for occupation within the third and final Delivery Phase before occupation of the 1,186th private unit (before 87% of the private units are occupied). At this time discussions on the linkages between the mid-stage review triggers are still under review and the final wording will be resolved as part of the detailed discussions and drafting of the proposed legal agreement.

8.2.23 The proposals contribute towards the strategic target of 50% of all new homes delivered across London to be genuinely affordable as set out in Policy H4 (Delivering affordable housing) but fall short of the threshold approach to applications which is set at 35% in Policy H5 of the London Plan. The proposals also fall short of the borough wide target of 50% provision set out in Policy HO3 of the Local Plan. The affordable housing provisions also deviate from the tenure requirements set out in Policy H6 (Affordable housing tenure) of the London Plan and Policy HO3 of the Local Plan due to the intermediate provision comprising 75% (Local Plan requirement is 40% with London Plan requirement being 30%).

8.2.24 Notwithstanding the shortfall of affordable housing and the resulting tenure, officers have given consideration to the viability of the development alongside the provisions set out in the extant planning permission which also secures sub-policy affordable housing provisions. The applicant has submitted a Financial Viability Appraisal which has been reviewed by the Council's Technical Advisors BPS to justify the levels of affordable housing along with the proposed tenure and mix of affordable accommodation.

Financial Viability

8.2.25 The NPPF considers the relevance of viability testing in determine appropriate planning conditions and obligation. **Para 57 of the NPPF** states:

"Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether 'particular circumstances' justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available"

8.2.26 The NPPF makes specific reference to the recommendation that all viability assessments should reflect National Planning Guidance (NPG).

8.2.27 For this site, the **London Plan Policy H5 (Threshold approach to applications)** requirement sets the threshold level of affordable housing on gross residential development at a **minimum of 35 per cent.**

8.2.28 Further Guidance on Financial Viability Appraisals are set out in the **Local Plan (Appendix 9 – Viability Protocol)** and the **GLA's Supplementary Planning Guidance (Affordable Housing).**

8.2.29 Appendix 9 of the Local Plan identifies that the Council will assess the viability of a scheme as follows:

a. In line with PPG, based on costs and values at the time the application is being determined. The council will seek to apply the 'growth model' approach on phased delivery or schemes to be built out over two or more years.

b. Viability review mechanisms through Section 106 agreements will be required for all major (non-policy compliant) residential applications

c. The frequency, trigger point and nature of the viability review mechanisms to be agreed will be considered on the individual circumstances of each major application and may include prior to substantial implementation review; mid-point stage in development review(s); and advanced stage of development review

8.2.30 The proposed development comprises 340 affordable homes within Block C of the on-going expansion of Westfield London in Shepherd's Bush. This equates to 20% of the 1700 homes provided in this Block (as proposed within the outline application). The wider site benefits from a comprehensive mixed retail, leisure and residential development for up to 1347 homes (including Blocks C, D and K). Taking account of the 'as built' 89 x affordable homes and £2.25million Payment in Lieu (P.I.L) financial contribution paid to date, the wider site (including Block C) would deliver 429 affordable homes (plus contributions) which amount to an affordable housing provision on a unit basis of approx. 25% of the total of Blocks C and K or 26% (on a habitable room basis).

8.2.31 The Applicant has submitted a Financial Viability Appraisal with two scenarios tested. Scenario 1 has been carried out including an affordable housing provision of 12% affordable housing within the Block C development (including Block K). Scenario 2 has been carried out including an affordable housing provision of 24% affordable homes (plus P.I.L). The Applicant considers that the Appraisal for both affordable housing scenarios demonstrates an IRR of below the target return and this shows that at 12% and 25% affordable housing, the development (in both cases) would be providing in excess of the maximum reasonable amount of affordable housing and planning obligations.

8.2.32 The Appraisals and supporting evidence have been reviewed by LBHF and our advisors BPS having regard to the Local Plan Appendix 9 Viability Protocol and the GLA's SPG. The Council's advisor concludes that the Appraisal demonstrates that the proposed scheme (affordable housing comprising 20% of Block C) represents the maximum reasonable amount of affordable housing, albeit the BPS's position differs from the Applicant's on a number of appraisal inputs, notably the unit pricing (for private

and affordable), the commercial rents and yield, private marketing, legal and agent fees and benchmark land value.

8.2.33 The Financial Viability Assessment prepared by Gerald Eve on behalf of the applicant concludes that the proposed scheme generates an IRR of 8.5% which is below their target IRR of 13.7%. On this basis, the applicant considers the scheme cannot provide any additional affordable housing contribution. Inputting BPS's proposed BLV as the land value within this appraisal BPS calculate that the scheme produces an IRR of 9.09% which sits below the calculated target IRR of 13.69%. BPS therefore agrees that the scheme cannot provide any additional affordable housing at the current day. This represents a profit on GDV of 10.95%. As a crosscheck, this profit target is below what the developer would reasonably seek to achieve from the development with NPPG promoting a range from 15% 20% on GDV. It should be noted that the GLA have carried out an appraisal reflecting the above appraisal. The GLA considers that the proposed scheme produces an IRR of 9.76% or 15.45% on GDV, marginally higher than BPS's results. All three appraisals conclude that the proposal cannot support additional affordable housing, or amendments to the tenure mix to favour affordable or social rent housing over DMR.

8.2.34 Both LBHF's advisors and the GLA FVA Team note that the ability of the proposed scheme to provide a policy compliant level of affordable housing is constrained by the lower level of affordable housing in the consented scheme (at 12%) along with the historic costs associated with the substantial works involved with the construction of the retail extension, podium structure and physical enabling and infrastructure works (including realignment of Ariel Way).

8.2.35 Given that the proposed scheme is failing to provide a policy compliant level of affordable housing, the detailed principles of the review mechanisms has been subject to discussions with the applicant along with the GLA officers so that the prospect of the provision of additional affordable housing across the lifetime of the scheme is maximised, up to a policy compliant provision including any additional Payments in Lieu.

8.2.36 LBHF and the GLA have agreed some overarching principles in relation to the viability review mechanisms with the Applicant that will apply in the Section 106 Agreement for the application. The parties have agreed that the review mechanisms will not be based on the GLA's standard review formulas, but instead an open book appraisal for the whole scheme should be carried out at each review, with certain inputs fixed within the Section 106 Agreement.

8.2.37 An Overview of the Proposed Approach

- It is proposed that the target Internal Rate of Return and Benchmark Land Value and historic costs/Block K costs are fixed in the S106 Agreement.

- Each review would constitute a reappraisal of the entire scheme. The premise of the reviews would be that if the achieved IRR in the review appraisals exceeded the target IRR, then market tenure housing would be reverted to affordable housing or DMR converted to affordable rent in the appraisal until the achieved IRR was reduced to the target IRR.

- With respect to the late-stage review, a financial contribution would apply.

- Any surplus profit identified through the late-stage review or following the mid-stage review where 35% affordable housing threshold has been met can be split between the Local Authority and Developer (usually 60/40 in favour of the Local Planning Authority).

8.2.38 Three separate reviews are proposed:

- Review 1 - Early-Stage Review: This review would take place if the proposed scheme had not been substantially implemented within two/three years. Any surplus identified through the review would be used to deliver additional affordable housing on site. The surplus would not be split with the developer, the entire surplus would need to be dedicated to the provision of additional affordable housing on-site, or additional housing on site plus a payment in lieu (P.I.L).

- Review 2 – Mid-Stage Review: This review would take place at an agreed juncture which could follow occupation of circa 50% of the market tenure units (or another trigger point based on construction and occupational progress). Any surplus identified through the review would be used to deliver additional affordable housing on site up to a policy compliant level of 50% inclusive of Block K. The surplus would not be split with the developer (unless 35% of affordable housing has/can be provided upon which, a split of 60/40% of any surplus in favour of the local authority would be applied). The surplus (or Council's share of the surplus) would be dedicated to the provision of additional affordable housing on-site, or additional housing on site plus a P.I.L.

- Review 3 – Late-Stage Review: This review would take place at an agreed juncture which would be following occupation of 85% of the market tenure units. Any surplus identified through the review would be paid as a financial contribution. The surplus would be split with the developer in line with the GLA's Affordable Housing guidance set out in the SPG for late-stage review mechanisms.

- LBHF and the GLA are seeking to ensure there is scope to deliver additional low costs affordable homes with a range of tenures as part of any additional affordable housing provided on-site as a result of reviews 1 and 2. However, it is acknowledged there are practical challenges to delivering affordable rent/social rent or DMS within private blocks and the S106 agreement will be drafted to confirm the private blocks whereby additional DMR (only) units could be delivered subject to review. Blocks 8 and 9 will have flexibility to deliver additional Social or Affordable rent properties, subject to review.

- The s106 will need to fix the location of additional affordable housing within floorspace/floors within specified Development Blocks which will be safeguarded by way of occupational restrictions at each delivery phase. The Applicant has identified additional affordable housing could be delivered in Buildings 1, 2, 3, 8 or 9. Additional London Affordable Rent/Social Rent/London Living Rent units delivered through the review mechanism process could be delivered in Blocks 8 or 9. The s106 Agreement will be drafted to ensure flexibility of affordable tenures within blocks 8 and 9 with preference for Affordable or Social Rent units. The s106 will be drafted to permit additional DMR units (provided by way of the review) to be located within Buildings 1, 2, 3 or in 8 or 9 if agreed by the Local Authority.

- The Reviews will seek to deliver a policy compliant affordable housing provision comprising on-site affordable homes and P.I.L towards off-site affordable provision. On-site provision per delivery phase can be capped at 50% and any remaining surplus can be a payment in lieu up to the equivalent of 50% (equivalent to 895 homes including Block K). across the site.

8.2.39 The approach outlined above to review mechanisms is considered to follow the guidance on reviews set out in the Viability Protocol outlined in the Local Plan Appendix 9 (para c). The approach to the FVA has been verified by the Council's valuers BPS and whilst there are differing views on the assumptions, appraisal inputs and outputs the FVA submitted by the Applicant has been supported with evidence in line with the recommendations in the Viability Protocol and SPG.

Comparison with Extant Phase 2 Development Affordable Housing Provisions

8.2.40 *Extant Affordable Provision:* The extant consent for the wider Phase 2 development (including Blocks C, D and K) permitted 1,347 units of which 89 units have been brought forward within Block K. Of the 89 units, 82 comprise affordable rented tenure and comprise 7 social rented units. The extant consent requires the delivery of up to 162 affordable units (12% if the total number of units). As Block K comprises 100% affordable housing, there remains a requirement to deliver the remaining 73 affordable homes (out of a possible 1,258 units) if this planning permission was to be implemented.

8.2.41 The s106 Agreement relating to the extant permission for the wider site required a further financial appraisal of the development to determine whether the development could viably deliver additional affordable housing (up to a cap of 250 homes, equivalent to 18% of the total number of units). The Local Planning Authority resolved that rather than carry out this review, a payment in lieu of providing affordable housing of £2.25m was secured under the First Section 73 consent (to amend the 2014 planning permission).

8.2.42 It was anticipated that the majority of the remaining affordable housing could be accommodated within Block C comprising of approx. 55 Discount Market Sale homes (the remaining 18 affordable homes would be accommodated within Block D of the wider masterplan scheme). The outline permission indicates that circa 1,093 units could be accommodated within Block C under the extant consent, if reserved matters consent were pursued under the extant consent (up to this quantum), the applicant suggests that the level of affordable housing within this Block would have only amounted to 5% of the block.

8.2.43 Under the extant consent, the s106 Agreement includes the requirement to undertake a further viability review seeking to demonstrate whether additional affordable housing could be secured up to a cap of 250 units across the Phase 2 Masterplan. The Financial Viability Assessment submitted alongside this application suggests that no additional affordable housing above the baseline 12% would have been realised when assessed against the review mechanism. The Council's advisors have verified this conclusion on the basis of their own review.

8.2.44 The proposed development increases the quantum of development within Block C by 607 homes. 340 of these additional homes will be secured as affordable accommodation which equates to 56% of the uplift when compared with the remaining consented residential quantum (approx. 73 units) which could be built out in Blocks C

and D. Officers consider the affordable housing proposals represent a considerable betterment above the previous approved development and therefore additional weight needs to be given to the proposals on this basis.

8.2.45 As set out above, the context established by the wider Phase 2 masterplan is a material consideration and when factoring in the Block K affordable housing now delivered, the masterplan would provide 173 affordable/social rented units and 256 intermediate units which equates to a tenure split of 60/40 (on a unit basis) in favour of intermediate affordable housing. When compared to the extant consent relevant to Block C, the Proposed Development will deliver an additional 84 affordable rented dwellings of which 32 are family sized (3 bed+) and 201 intermediate (DMR) affordable homes. Compared to the extant consent, the change from Discounted Market Sale homes to Discounted Market Rent homes allows additional homes to be provided for LBHF residents looking to rent at lower rental levels subject to the nominations processes prioritising local residents (at lower and mid income ranges).

8.2.46 Officers acknowledge the extant consent is a material consideration which should be weighed in the planning balance. In this context, whilst Block K falls outside of the red line boundary for this application, it is reasonable to both consider the quantum of affordable housing already delivered under the extant consent and the balance of affordable housing to be delivered under the extant consent, in addition to consideration of this Block C proposal in isolation. It should also be recognised that the delivery of affordable homes within Block K came earlier than the trigger for affordable housing delivery as required by the extant consent.

8.2.47 It is not commonplace for such a large quantum of affordable homes to be delivered up front particularly where a scheme requires significant early investment in infrastructure. Whilst this was the developer's decision, officers consider the affordable housing provision in Block K plus PIL should be a material consideration as part of the Block C proposals. Were it not for the implementation of previous phases of the extant consent, and the associated delivery of key infrastructure allowing for regeneration of the area, it would not be possible to realise the development potential of Block C and therefore the historic context of the wider masterplan is inextricably linked to this proposal.

8.2.48 Discussions with LBHF Housing Officers have taken place to ensure the affordable housing (particularly the DMR units) in Block C is affordable to a range of incomes including lower and mid income ranges. LBHF Housing Officers have indicated that whilst the preference would be for affordable rented homes over DMR affordable homes, the level of affordability for both tenures in the baseline affordable housing provision is good and the s106 agreement includes provision to convert or provide additional affordable rented housing within Blocks 8 and 9 thereby improving the overall affordable housing provision on the site. LBHF Housing also welcome the proposals to secure additional DMR housing delivered through review at lower income ranges (circa £30K per annum) with nomination rights for LBHF for residents on the housing lists.

Conclusions on Affordable Housing

8.2.49 As the threshold approach to affordable housing is not satisfied by this application, a Financial Viability Appraisal has been undertaken in respect of the proposed Block C development of 1,700 units, including the 89 units already delivered within Block K (which equates to a total of 1,789 homes) and the £2.25m PiL. The

Appraisal concludes that by applying 12% affordable housing, as per the extant consent, to the Proposed Development, or the revised 25% affordable housing offer as part of the Block C application, the proposals would be beyond the maximum reasonable amount of affordable housing which the Proposed Development could deliver.

8.2.50 The Council's advisors and the GLA's Viability Team have acknowledged that further affordable housing cannot be required at the current time and recommend that subject to review mechanisms being carried out in accordance with the principles outlined in this report, the proposals will provide further opportunities to secure up to a policy compliant affordable housing provision within the site. The approach taken in is in accordance with the Viability Protocol in the Local Plan, Housing Policies HO3 of the Local Plan and Policies H4, H5 and H6 of the London Plan in respect of affordable housing and viability.

8.3 Design, Heritage, and Townscape

Design

8.3.1 **The NPPF** seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also requires that proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

8.3.2 **The NPPF** states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Part 12 of the NPPF outlines the requirement for good design and Paragraph 127 sets out that planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8.3.3 **Chapter 3 (Design) of the London Plan 2021** seeks to secure the delivery of good design through a variety of ways. **Policies D3 (Optimising Site Capacity through the Design-Led Approach), D4 (Delivering Good Design), D6 (Housing Quality and Standards), D8 (Public Realm) and D9 (Tall Buildings)** are particularly relevant to the consideration of this application. Policy D3 highlights that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, through careful consideration of issues such as form and layout, experience, alongside consideration of quality and character. Policy D4 highlights that where appropriate, visual, environmental and movement

modelling/assessments should be undertaken to analyse potential design options for an area, site, or development proposal. These models, particularly 3D virtual reality and other interactive digital models alongside use of design review should, where possible, be used to inform decision-taking, and to engage Londoners in the planning process. Policy D6, promotes a series of quality and standards new housing development should aim to achieve. Policy D8 sets a series of criteria to ensure that ensure the public realm is well-designed, safe, accessible, inclusive, attractive and well-connected. Policy D9 promotes a plan-led approach to tall buildings and a framework to assess the impacts of such developments.

8.3.4 **Local Plan Policies DC1, DC2 and DC3** are particularly relevant to the assessment of design. Policy DC1 (Built Environment) states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. Policy DC2 (Design of New Build) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. Policy DC3 (Tall Buildings) identifies four areas within which tall building may be appropriate, including White City Regeneration Area; the policy also sets a framework to assess proposals for tall buildings in those areas.

Outline Application and approach to design

8.3.5 The current application is for outline consent only, with details in relation to appearance, siting, access, scale and landscaping (all matters) confirmed as reserved matters. (This follows a similar approach to the extant consent for the Block C site as part of the wider Westfield masterplan). Consequently, the only details of the scheme which are to be approved at this stage relate the parameter plans of each block of the development, which illustrate the overall massing and extents of horizontal and vertical deviations of these blocks.

8.3.6 All matters including the final design and appearance of the scheme would be subject of reserved matters approvals; reflective within the draft conditions included with this report. Conditions would include the submission of the following details:

- Full details of the appearance of the scheme through submission of fully detailed elevation drawings and relevant 1:20 details

- Submission of schedules of external materials and sample panels for consideration of officers.

- Full details of the hard/soft landscaping of the scheme including details of public/private spaces across the development

- Full details of all ground surface external materials within the public realm, streets and spaces

8.3.7 Given the scale of the proposed development, particularly the tall/large buildings proposed across Block C, officers have worked extensively with the applicant team to provide additional detail in relation to illustrative details of final design and appearance of the scheme. These elements are referenced in the Design and Access Statement

and Design Codes accompanying the application. Future reserved matters applications will need to show compliance with these documents, particularly the Design Codes.

Architectural Character

8.3.8 As described above, the architectural character of the scheme is not subject to formal approval as part of the consideration of this application. However, the Design and Access Statement and corresponding Design Codes serve to highlight the suggested approach to the architectural design and detailing of each individual block within the Block C development.

8.3.9 These details include coding principles to typical condition of the base, middle and top of each of the proposed buildings; including indications of the materiality and maximum/minimum extents of reveals to break-up massing of each block. At this stage, these details are considered to provide a high-level of understanding of the quality and character which the scheme would deliver in future. The treatment of the proposed development aims to create a positive response to the existing character of the Westfield campus, the emerging character of the White City Living development to the north, whilst also giving the scheme, and particularly the taller elements of the development their own distinctive appearance.

Building Typologies – Illustrative Appearance

8.3.10 The Design and Access Statement, alongside corresponding Design Codes accompanying the application detail four different building typologies throughout the Block C development. As suggested above, whilst the details of appearance in relation to each of the buildings would be approved through subsequent reserved matters applications, the codes serve to provide a high level of detail to illustrate the appearance of each typology.

<u>Type 1 – Towers</u>

8.3.11 The towers represent the tallest elements of the proposal scheme. Whilst these buildings would have a vertical expression overall, the details within the coding show how the building form would have a strong horizontal detailing. Use of banded elements of metal cladding would form the main architectural treatment of the building with alternating fenestration set within reveals to give the metal bands a strong and unifying appearance within the main form of the building. The top of the building would be capped by a recessed ‘halo’ feature, which would, subject to detailing provide a strong crown the building form.

8.3.12 The coding of the towers would serve to respond positively and complementary to the character of neighbouring developments, namely the Cassini Tower development as part of the White City Living development.

<u>Type 3 – Feature Building</u>

8.3.13 The Design Coding of the feature building, which is situated between the two towers of the scheme, is coded to have a complementary, yet contrasting treatment to its neighbouring buildings. The coding supports a strong grid frame to the building form which would give the building a vertical language overall. The coding supports

development of a more playful approach to elevation appearance and material tones to reinforce the feature quality of building at reserved matters stage.

Type 2 – Park Buildings /Type 4 – Infill Buildings

8.3.14 The park buildings and infill buildings are designed to have a highly detailed approach to façade design and appearance. The Design Codes show these blocks will have a complementary character to the other elements of the scheme particularly in terms of materials and building layering. Suggested features within the coding, including treatment of private amenity areas and topping-off of each building are welcomed at this stage

Design Review Panel (DRP)

8.3.15 The proposals have been subject to review by the Hammersmith and Fulham Design Review Panel, where the panel supported the approach of massing and height presented within the pre-application scheme, (this was based upon a more significant scale of development than currently proposal); the panel suggested that further review of the microclimate and environmental impacts should support any future planning application. The panel supported the relationship of the taller buildings to northern extent of the site and the relationship between the towers and 'marker' building. Introduction of the generous stepped terrace, linking The Makery to the new podium public space was also supported. The panel also suggested that the architectural approaches, active grounding of buildings and residential quality should be refined ahead of planning submission.

8.3.16 Following the panel review, significant revisions have been made to the scheme, including a reduction in the overall scale of the development, alongside refinement to the architectural design/coding of the scheme and landscaping strategy.

8.3.17 Overall, it is considered that the proposal scheme would provide a high quality of design which would both improve and complement the quality of other tall/large buildings within the White City Regeneration Area and the wider area.

Tall Building Assessment

8.3.18 Local Plan Policy DC3 (Tall Buildings) highlights, tall buildings, which are significantly higher than the general prevailing height of the surrounding townscape and which have a disruptive and harmful impact on the skyline, will be resisted by the council. The policy also highlights several areas within which development of tall buildings would be appropriate.

8.3.19 The application site is situated in the White City regeneration area, an area within which tall/large buildings would be considered appropriate following the plan-led approach of Local Plan Policy DC3.

8.3.20 London Plan Policy D9 (Tall Buildings) is split into three elements, Part A provides a London wide definition of a tall building, Part B, highlights the need for boroughs to take a plan-led approach to the development of tall buildings within Local Plans, and Part C provides an impact framework to assess proposals for tall buildings.

8.3.21 The following section provides a detailed assessment of the application against

the impact framework of Policy D9 as required based on part C of the policy.

IMPACT ASSESSMENT

Visual Impacts

a) the views of buildings from different distances:

I. long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views

II. mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality

III. Immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.

8.3.22 The proposed development, given the scale of the tall buildings proposed within the Block C development up to a maximum of 121.7m (equivalent to 35-storeys), would impact upon immediate, long/mid-range views. The application is support by a detailed Heritage Townscape, Visual and Built Heritage Impact Assessment. (TVBHIA). The outcomes of this assessment are considered in later sections of this report. The area surrounding the application site currently features several other large/tall buildings, mainly through the ongoing development of the White City Regeneration Area, and more locally the White City Living Development.

8.3.23 In summary, the existing and consented large/tall buildings within the surrounding area serve to significantly screen views and visibility of the proposal scheme in long and mid-range views. Based upon the parameter plans submitted, the new buildings would successfully coalesce with the existing buildings to avoid a harmful and disruptive impact upon the skyline. The main extent of visibility and impact would mainly be within north-facing views of the site, from the adjoining borough of Kensington and Chelsea and Shepherds Bush. The proposals would serve to create a primary cluster of tall buildings when the group of tall buildings are appreciated in these views.

b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding

8.3.24 The proposed development would serve to reinforce and complement an emerging cluster of tall buildings within White City; particularly focussed upon the White City Living development currently under-construction. The development of the two taller towers to the north of the site, at a similar scale to Cassini Tower would create a primary focus of tall buildings, aiding wayfinding to the site and the range of uses/public spaces within this area.

c) architectural quality and materials should be of an exemplary standard to ensure that

the appearance and architectural integrity of the building is maintained through its lifespan.

8.3.25 Whilst the current application is in outline form, the Design and Assess Statement and Design Codes supporting the application serve to provide detail of the architectural quality of the development, which would come forward through subsequent reserved matters applications. The coding and illustrative design material is considered to provide a sufficient level of detail to enable and inform future phases of the development to achieve a high-quality of design. The details of appearance in relation to materials, elevation appearance and bay studies will be provided through condition.

d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area

8.3.26 The proposal site is not located in a Conservation Area and does not include any heritage assets. Following careful consideration of the impacts of the development, (as discussed in the section below), the proposals are considerate of the setting and significance of adjacent heritage assets which are on the whole preserved. There are considered to be some instances in views from within conservation areas (within RBKC) whereby the upper levels of the development (in the background) will be viewed against the lower rise context in the immediate foreground which will result in some difference in the appreciation of the local context. It is considered that some adverse impact on the townscape and historic character would occur, but officers consider this to be of a less than substantial level of harm in townscape and heritage terms. The development would result in less than substantial harm to the setting of both the Avondale Park Gardens Conservation Area and Grade II Listed DIMCO building. The development would not result in harm to other heritage assets. Officers consider this again results in a low level of harm to the setting of the Conservation Area and listed building, but at the lowest end of the less than substantial harm range in NPPF terms.

e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it

8.3.27 The proposal site is not within the setting of any World Heritage Site.

f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river.

8.3.28 The proposal is not located close to the River Thames. Therefore, there would be no impact in this regard.

g) buildings should not cause adverse reflected glare

8.3.29 The design principles of the scheme include provision of fenestration set into deep reveals and the scale of fenestration in limited to achieve thermal efficiency of individual units. As such, these measures should avoid adverse reflected glare from the development upon the surrounding environment.

h) buildings should be designed to minimise light pollution from internal and external lighting

8.3.30 The existing part vacant, part constructed site will be replaced with a mixed-use development above the existing retained bus layover facility. A condition would ensure that external illumination from all external artificial lighting relating to the development shall be in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/21 for the reduction of obtrusive light 2021'.

Functional Impacts

8.3.31 The second set of impacts to be assessed under Policy D9 are the functional impacts. As evidenced in the submitted Design and Access Statement, there are dedicated access, entry, postal, maintenance, and cleaning strategies that show these concerns have been thought about during the design process. Incorporating these domains into the design from an early stage has resulted in a proposal that would function in a safe and efficient manner while preserving the amenity of neighbours and residents. Additionally, a Fire Statement and additional letter noting revisions to the Fire Statement, produced by IFC Consultants, details the safety measures utilised in this design and authenticates the fire safety level of the proposed building. This is in line with part C2(a), (b), and (c) of Policy D9.

8.3.32 Transport impacts are dealt with by part C2(d) of Policy D9 and it must be demonstrated that the transport network has capacity to accommodate the development. The submitted Transport Assessment has found that there are no sound transport objections to the proposal and so it is clear that the local transport network has sufficient capacity. As the transport assessment shows, the proposal is located near London Underground and several bus routes two and the local street and cycle network is flat, and usable so that residents of this development would have plentiful transport options, despite not having access to a car.

Environmental Impacts

8.3.33 The third set of impacts to be assessed under Policy D9 are the environmental impacts of the development. The proposed development is seeking to achieve an `Excellent' BREEAM rating which ensure that this proposal would meet the highest environmental and sustainability standards.

8.3.34 A Daylight, Sunlight, and Overshadowing Assessment has been prepared which shows that there would be a range of minor, moderate and major reductions in terms of daylight and sunlight amenity to existing housing and emerging developments within the surrounding area. The Assessment however states the majority of windows adversely affected are within emerging developments which would expect lower levels of light given the high-density urban location and the resulting levels of retained light would be appropriate to an area designated for intensification and densification in both London Plan and Local Plans.

8.3.35 The assessment of daylight and sunlight impacts have been compared against the extant massing for Block C and it is considered that the level of change is not substantial in terms of the additional properties affected or due to the levels of daylight

or sunlight loss.

8.3.36 Overall, it is considered, on balance, that these reductions are acceptable and that the retained levels of sunlight and daylight amenity are appropriate for an urban location such as this, with there being relatively few examples of established existing properties adversely affected and the significant changes recorded to immediately facing blocks with the masterplan site or White City Living which was designed in full knowledge of the emerging development at Block C. Consequently, this proposal would not have an unacceptable impact on surrounding daylight and sunlight levels.

Local Plan DC3 – Tall Buildings

8.3.37 Given that the proposal site is located in the White City regeneration area, proposals for tall buildings need to demonstrate they accord with impact framework considerations of Local Plan Policy DC3 and also do not result in a disruptive or harmful impact upon the skyline. Full assessment against this framework is detailed below.

a). has a positive relationship to the surrounding townscape context in terms of scale, streetscape and built form

8.3.38 The scale of the proposals is well considered within their context and serve to complement the scale of existing tall/large buildings within the local area; particularly the White City Living development. The development of the two taller towers to the north of the site, at a similar scale to Cassini Tower would create a primary focus of tall buildings, aiding wayfinding to the site and the range of uses/public spaces within this area.

b). is of the highest quality of architectural design and materials with an appropriate form and silhouette which contributes positively to the built heritage and image of the borough

8.3.39 The architectural approach of the scheme would be subject of future reserved matters applications, however the Design and Access Statement and detail within Design Codes accompanying the current application would assist in securing a high-quality development with its own sense of character; whilst also respecting the character of neighbouring developments.

8.3.40 Whilst the codes are illustrative at this stage, the proposals could provide buildings with a strong character and expression. Each of the codes for the tall/large buildings include variety in their detailing to create expression and character in the base, middle and top conditions.

c). has an acceptable impact on the skyline, and views from and to open spaces, the riverside and waterways and other locally important views and prospects

8.3.41 As discussed above, the architectural quality of the scheme, would be subject of future reserved matters applications. However, the scale of the proposed development in terms of the proposed parameter plans would complement the form and group value of other tall/large buildings within the local area, namely those tall/large buildings within the White City Living development. As such the scheme is considered to have a beneficial impact to the skyline overall.

d). has had full regard to the significance of heritage assets including the setting of, and views to and from, such assets, has no unacceptable harmful impacts, and should comply with Historic England guidance on tall buildings

8.3.42 The application is supported by a fully detailed Heritage, Townscape, Visual and Built Heritage Impact Assessment, which appraises the impacts of the development upon surrounding heritage assets. The outcome of this assessment and officer consideration of the scheme is that the development would result in less than substantial harm to the setting of both the Avondale Park Gardens Conservation Area and Grade II Listed DIMCO building. The development would not result in harm to other heritage assets. Officers consider this again results in a low level of harm to the setting of the Conservation Area and listed building, but at the lowest end of the less than substantial harm range in NPPF terms.

e). is supported by appropriate transport infrastructure

8.3.43 As assessed in the relevant section above, the proposal is a car free development with a focus on cycle provision. A transport Assessment has been submitted and it is considered that the appropriate infrastructure is in place to support the proposal

f). has an appropriate design at the base of the tall building and provides ground floor activity

8.3.44 The ground floor of each of the buildings are proposed to incorporate a variety of activities which will activate and provide passive surveillance of Marathon Way and Aerial Way; alongside supporting the ongoing regeneration of the railway arches situated due north of the proposal site. At podium level, the development would support provision of active frontages to new areas of public realm.

g). interacts positively to the public realm and contributes to the permeability of the area

8.3.45 The principles of the public realm provided within the landscape strategy and design coding are considered to be well designed and serves to offer new and improved public spaces/routes integrating the Block C development to the wider Westfield campus and other emerging developments as part of the regeneration of White City.

h). is of a sustainable design and construction, including minimising energy use and the risk of overheating through passive design measures, and the design allows for adaptation of the space

8.3.46 The proposed development is seeking to achieve an `Excellent' BREEAM rating which ensure that this proposal would meet the highest environmental and sustainability standards.

i). does not have a detrimental impact on the local environment in terms of microclimate, overshadowing, light spillage and vehicle movements

8.3.47 As assessed in the environmental consideration sections of this report the impacts from microclimate are acceptable and appropriately mitigated by the secured condition. A Daylight, Sunlight, and Overshadowing Assessment has been prepared which shows that there would be some reductions in terms of daylight amenity for the

surrounding area as noted in the paragraphs above. The Assessment states the neighbouring properties receive an acceptable retained level of amenity, appropriate for a high-density urban location within London which is required by the strategic London Plan and Local Plan policies to significantly increase housing supply (7,000 home in White City), and therefore some reductions are inevitable and are justified on balance.

8.3.48 Overall, it is considered that these reductions are acceptable and that the retained levels of sunlight and daylight amenity are appropriate for an urban location such as this. Consequently, this proposal would not have an unacceptable impact on surrounding daylight and sunlight levels. Light spillage will be commensurate with residential buildings and is not considered to result in unacceptable impacts on the wider area. The scheme has a low level of car parking and as such car ownership will be low, further restrictions are in place by way of permit restrictions in the wider area secured by legal agreement.

j). respects the principles of accessible and inclusive design.

8.3.49 10% (approx. 170) of the proposed units will be wheelchair accessible and level access is provided at entrance level as well as lifts (which will be conditioned).

8.3.50 The above analysis demonstrates that the proposal would accord with the impact frameworks of both Local Plan Policy DC3 and London Plan Policy D9. Based upon the outcome of this assessment, the proposal is not considered to result in a disruptive and harmful impact on the skyline of Hammersmith and Fulham.

Tall Building conclusion

8.3.51 Considering the development of tall buildings at this location, given the site is located in an area where tall buildings are considered appropriate, and having due regard for the surrounding townscape context, (namely the emerging White City Living development and existing Westfield Campus), the current proposals are not considered to have a disruptive or harmful impact on the skyline for the purposes of Policy DC3,

8.3.52 Furthermore, the scheme is considered to provide a positive addition to the skyline and the surrounding townscape; particularly the development of the two taller towers to the north of the site, at a similar scale to Cassini Tower would create a primary focus or cluster of tall buildings, aiding wayfinding to the site and the range of uses/public spaces within this area.

8.3.53 The scheme is considered to provide a positive addition to the skyline and the townscape of the borough and overall to comply with London Plan Policy D9, and Local Plan Policy DC3.

Heritage and Townscape

8.3.54 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.

8.3.55 It is key to the assessment of these applications that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the s.66 duties

of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.

8.3.56 **S66 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.

8.3.57 **Paragraph 184 of the NPPF** states: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

8.3.58 **Paragraph 190 of the NPPF** states: Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

8.3.59 **Paragraph 192 of the NPPF** states: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

8.3.60 **Paragraph 193 of the NPPF** states: When considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.3.61 **Paragraph 194 of the NPPF** 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: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

8.3.62 **Paragraph 195 of the NPPF** states that where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset

itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

8.3.62 **Paragraph 196 of the NPPF** states: Page 68 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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

8.3.64 **The NPPF** makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).

8.3.65 **The NPPF** also makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would result in 'substantial' harm and where it would result in 'less than substantial' harm.

8.3.66 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 195 and 196, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.

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

8.3.68 The scheme would impact indirectly on heritage assets. These impacts are considered separately in the following sections.

8.3.69 Impacts are mainly focussed upon the setting of several heritage assets, including statutory Listed Buildings, Conservation Areas and non-designated Locally Listed, (Buildings of Merit). In order to fully assess the proposal scheme, officers have agreed the scope of supporting documents with the applicant. The applicant's statements submitted with the application, identifies the significance of designated/non-designated heritage assets within a study area surrounding the application site, within Hammersmith & Fulham.

8.3.70 In the first instance, the assessment to be made is whether the development within the setting of a designated heritage asset will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 195 and 196

of the NPPF as appropriate.

8.3.71 **Local Plan Policy DC8 (Heritage and Conservation)** states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include listed buildings, conservation areas historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications affecting heritage assets, the council will apply the following principles:

a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long-term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation.

b. applications affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced.

c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting.

d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 135 of the National planning Policy Framework.

e. particular regard will be given to matters of scale, height, massing, alignment, materials and use.
f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's significance, including securing its optimum viable use.

g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposal upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation.

h. proposals which involve substantial harm, or less than substantial harm to the significance of a heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 and 134 of the National Planning Policy Framework.

i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance.

j. the proposal respects the principles of accessible and inclusive design.

k. where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly.

l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and

m. securing the future of heritage assets at risk identified on Historic England's national register, as part of a positive strategy for the historic environment.

8.3.72 The Council's Supplementary Planning Guidance SPD is relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets); AH2 (Protection of Heritage Assets); CAG1 (Land Use in Conservation Areas); CAG2 (Urban Design in Conservation Areas) and CAG3 (New Development in Conservation Areas). These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.

Application site – Heritage constraints

8.3.73 The application site is not located within a Conservation Area and does not feature any designated/non-designated heritage assets.

Approach to assessment of heritage and townscape

8.3.74 The assessment deals with heritage and townscape issues in two ways. Firstly, there is a review of the wider of wider townscape implications of the development; focussed in-part upon consideration of key heritage receptors. Secondly, the assessment reviews the impact of the development upon the character, significance and setting of heritage assets.

8.3.75 Given that the application site is not located in a Conservation Area and does not contain any statutory or non-statutory listed buildings, the main considerations of the scheme relate to the impact of the development upon the setting of surrounding heritage assets. To support the assessment of these impacts, as discussed above, the applicant has submitted a fully detailed Townscape, Visual and Built Heritage Impact Assessment, (TVBHIA) and a Planning Statement.

8.3.76 Details of the outcome of these assessments are considered below.

Townscape Assessment – Views

8.3.77 To assess the impact of the Proposed Development, the application includes a Townscape, Visual and Built Heritage Impact Assessment which assesses 34 views from an agreed selection of locations around the site. Within many of the images, given the outline nature of proposals, wirelines have been used, where the degree of visibility or impact on the skyline is the most important part of the assessment.

8.3.78 Given the scale of recent developments both existing and consented as part of the regeneration of White City, the townscape impacts of the proposed development would be significantly reduced. The development would in many views be either

screened or coalesce with existing large/tall buildings in the local area.

Westward facing Views

8.3.79 The development is highly prominent in a number of westward facing views, (particularly views within RBKC), from Latimer Road Underground Station, and the Avondale Park Gardens Conservation Area. In many of these views the visibility of the proposal scheme would be limited owing to presence of existing/consented tall buildings within the White City regeneration area; notably the White City Living Development. The main view which would be impacted would be the westbound view from the northern platform of the Latimer Road Underground Station. In this view the presence of the tall buildings would aid legibility and wayfinding to the uses and public spaces at White City. The impact of visibility would be similar to that of existing tall buildings within the White City Living campus when viewed from the southern platform.

8.3.80 The scope of change would be varied from negligible to high, and the impact of change would be neutral/beneficial.

Northward facing Views

8.3.81 Within northward facing views, the development would have some visibility particularly within those views along Wood Lane, (adjacent the Westfield development and bus interchange), in these views the presence of other tall/large buildings would limit the extent of townscape impacts and reinforcing a cluster of buildings providing legibility to new/existing uses and public spaces within this area.

8.3.82 The scope of change would vary between moderate to high and the impact of change neutral/beneficial.

Southward facing views

8.3.83 Within southward facing views, the development would generally be screened by the emerging White City Living development.

8.3.84 The scope of change would be moderate and the impact of change neutral/beneficial.

Eastward facing views

8.3.85 In many eastward facing views of the development the proposal scheme would be viewed in the background of views and would generally coalesce with the existing tall buildings of White City Living. The proposals would balance with these developments and provide a transition between these buildings and the existing Westfield Block K development.

8.3.86 The scope of change would vary between moderate to high and the impact of change neutral/beneficial.

8.3.87 Townscape impacts of views within the local area have been considered, and it is considered that the impact upon views would largely be neutral/beneficial.

Impacts on Heritage Assets

8.3.88 The proposal site is not situated within a Conservation Area and does not feature any designated/non designated heritage assets. Given the scale and massing of the Proposed Development, there is a need to consider wider impacts upon the setting, character and significance of surrounding Conservation Areas and heritage assets.

Heritage Assets - Conservation areas

8.3.89 Based upon consideration of the Planning Statement, Heritage, Townscape and Visual Impact Assessment (HTVIA) submitted in support of the application, assessment of the impact upon the following Conservation Areas is required:

- Wood Lane CA
- Shepherds Bush CA
- Avondale CA RBKC
- Avondale Park Gardens CA - RBKC
- Kensal Green Cemetery – RBKC

Wood Lane CA

8.3.90 Wood Lane Conservation Area was designated in March 1991. This was in recognition of the special interest and significant contribution to the evolution of the character of the area mainly focussed upon the BBC Television Centre, (Grade II Listed). Recently the Conservation Area has been subject of notable change through ongoing development and intensification as part of the regeneration of White City, a designated regeneration area. As such, several large and tall buildings now occupy the eastern potions of the Conservation Area. Recent redevelopment of the Television Centre site has followed a carefully considered approach which retains the significance and special character of the asset and its forecourt.

8.3.91The setting of this Conservation Area varies significantly, featuring a mixture of post-war developments including the White City Estate and several modern developments including the Westfield, White City Living and Gateway campuses. Within this setting large/tall buildings occupy several mid-range/background views of the area.

8.3.92 The contribution of setting to the significance of the asset is also varied. The area around Television Centre and its forecourt is well preserved overall. However, the wider setting of the Conservation Area has been subject to notable change and impacts as part of recent developments have been considered as part of the assessments of individual planning applications.

Assessment of Impact

8.3.93 As discussed above, the contribution of the surroundings to the significance of the Conservation Area is limited following recent developments within the setting of this asset. The proposed development would follow this approach with the proposal scheme intervisible within the background of views of the Conservation Area. In many of these views' other developments, both existing and consented would limit the extent of visibility of the proposal. In views and vistas where the proposal is visible, this would not result any detriment impact upon the setting of the heritage asset overall.

8.3.94 In conclusion, it is considered that the development would not result in any harm to the setting and significance of the Wood Lane Conservation Area.

Shepherds Bush CA

8.3.95 The Shepherds Bush Conservation Area was designated in October 1984. The significance of the Conservation Area is largely focused upon the Common and the buildings which enclose this space. Developments flanking the Common serve to illustrate the evolution of the area, and the town centre particularly during the Victorian era.

8.3.96 Generally, the setting of the Conservation Area varies significantly, featuring Victorian terraces, a variety of post-war developments, including the W12 centre, Westfield Shopping Centre and the new Shepherds Bush Stations. Consequently, the contribution of setting to the significance of the asset is also varied. However, the character and appearance of the Common and its surrounding developments remains clearly legible overall.

Assessment of Impact

8.3.97 The proposal scheme would have some intervisibility in several background views of the Conservation Area, mainly from the south of the common, in these views the development would generally be situated in the foreground of existing tall buildings occupying White City, namely the White City Living development, as such the building form would coalesce with the existing buildings. Although visible within these background views, given that these elements of setting already clearly contrast with the well-preserved character of the Conservation Area, the development is not considered to result in any harmful impact upon the setting of the Conservation Area.

Avondale CA - RBKC

8.3.98 The Avondale Conservation Area was designated by RBKC in 2013. The special character and significance of the Conservation Area is focussed upon the layout, form and character of residential terraces of the area, predominantly within the Victorian period. The boundary of the Conservation Area is modest in scale and includes community buildings, St Clements Church and Avondale Park Primary School.

Assessment of Impact

8.3.99 Based upon consideration of the TVBHIA submitted with the application, the proposal scheme would have limited visibility from the setting of this Conservation Area, overall, although there will be some instances from selected viewpoints where the development would appear above the roof-scape or along direct westward streets. Officers consider the development would have a similar impact of visibility within background views of the area; to existing/consented developments which would have negligible impact upon the setting and significance of this Conservation Area overall. Consequently, it is considered that the development would not result in any harm to the setting and significance of the Avondale Conservation Area.

Avondale Park Gardens CA - RBKC

8.3.100 The Avondale Park Gardens Conservation Area was as designated by RBKC in 1987. The boundary of the Conservation Area is tightly focussed to includes a number of artisan cottages dating from the 1920s, enclosing a centralised garden square. The layout of the cottages and their architectural character, designed in an Arts and Craft style form a key element of the significance of Conservation Area overall.

8.3.101 The setting of the Conservation Area varies in dynamic views of the area when walking around the square. Given the scale of this space, the perspective of views allows for further consideration of background features. Most recently, the ongoing development of the White City Living scheme has resulted in some harm to the setting of the Conservation Area, introducing a visual distraction in key views. The extent of harm is limited to some extent as the key features of the cottages remain visually prominent and legible overall.

8.3.102 The current proposal would introduce additional tall buildings, within these background views. As such, the development would result in some additional harm to

the setting of the Conservation Area. However, the extent of this harm would be significantly reduced given the existing context of the site. As such, officers consider that the development would result in less than substantial harm to the setting of this asset. The harm is considered to be at the lowest end of the less than substantial harm range in NPPF terms.

Kensal Green Cemetery CA – RBKC

8.3.103 Kensal Green Cemetery Conservation Area was designated by RBKC in October 1984. This was in recognition of the special interest and significant contribution as an influential example of a cemetery laid out in the garden or pleasure ground style (1833) and is a Registered Historic Park and Garden (grade I). The cemetery was London's first commercial garden cemetery, established by Act of Parliament in July 1832 and has an extensive and complex layout that survives largely intact. The setting of this Conservation Area varies significantly, with a number of clusters of large/tall buildings occupying background views of the area. However, the character and appearance of the Conservation Area is well preserved overall.

Assessment of Impact

8.3.104 Based upon consideration of the TVBHIA submitted with the application, the proposal scheme would have some visibility from the setting of this Conservation Area. In many views the development would appear as a background feature in a comparable manner to other developments, (both existing and consented), across the White City area. In many views the development would be partially screened by these developments. In this setting, the immediate and foreground setting of the Conservation Area would remain preserved.

8.3.105 Consequently, it is considered that the development would not result in any harm to the setting and significance of the Kensal Green Cemetery Conservation Area.

Heritage Assets – Statutory Listed buildings and Locally Listed (Buildings of Merit)

8.3.106 There are several listed buildings and Locally Listed, Buildings of Merit in the vicinity of the site, the setting of which may be affected due to a potential inter-visibility with the Proposed Development.

8.3.107 The heritage assets which require assessment are as follows:

- The Grade II Listed DIMCO building
- The Grade II Listed BBC Television Centre
- White City London Underground Station – a Locally Listed, Building of Merit

Grade II Listed – DIMCO Building

8.3.108 The DIMCO building is a former electricity generating station, developed between 1898-9 to serve the Central London Railway. The significance of the asset is mainly focussed upon its original function as the earliest extant example of an electricity generating station built for the London Underground Railway system; alongside its architectural character both externally and internally. The interior of the eastern shed is of particular interest given the high-quality glazed brick interior.

8.3.109 The setting of the DIMCO building has been subject to significant change in recent years following of the ongoing development of the Westfield campus and BBC Television Centre sites. As a result, the DIMCO building is significantly enveloped by

the Westfield shopping centre. Despite this change to the setting of the site, the prominent external features of the building, including the detailed gable elevations remain unimpaired from a number of key viewpoints.

8.3.110 The proposed development would introduce a series of additional background features within the setting of the DIMCO building. Whilst this would result in some harm to the setting of the heritage asset, given the presence of the existing Westfield development within this setting, the extent of additional harm would be significantly limited. The architectural significance of the building in terms of its form and detailing would remain clearly legible, however a series of taller background features would cause some visual distraction within this setting. As such, officers consider that the development would result in less than substantial harm to the setting of this asset overall. The harm is considered to be at the lowest end of the less than substantial harm range in NPPF terms.

Assessment of Impact – BBC Television Centre and White City Underground Station

8.3.111 As discussed above, the application is supported by a Townscape, Visual and Built Heritage Impact Assessment, (HTVIA) which fully reviews the significance and contribution of the setting of each of the assets identified above. The assessment also describes the potential level of harm to each of these assets. The setting of each of these assets has been subject to notable change as part of the ongoing regeneration of White City. Nonetheless, the character and special interest of these assets and their setting remain preserved overall.

8.3.112 Officers have reviewed and considered this assessment in detail. Given the distances between these assets and the application site, coupled with the scale and nature of intermittent developments, officers would agree with the conclusions of the TVBHIA. Whilst the tall building proposed would be visible within the within the setting of adjacent heritage assets, the character and appearance of these assets and their setting would be preserved overall. Given the distances between the proposed development and these assets, (alongside intervening developments), the impact of visibility upon the setting of each asset would be limited and as such, officers do not consider that the development would result in any harm to the setting or significance of these heritage assets.

8.3.113 Overall, the development would result in less than substantial harm to the setting of both the Avondale Park Gardens Conservation Area and Grade II Listed DIMCO building. The development would not result in harm to other heritage assets having regard to and applying the statutory provisions in Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Design, Heritage, and Townscape Conclusions

8.3.114 The proposed scheme represents an opportunity to optimise development of a partially developed site in accordance with the London Plan and Council's Local Plan policies. The site currently fails to contribute positively to the permeability, legibility, and identity of the local area overall and the proposed scheme provides considerable potential to address these issues.

8.3.115 Urban Design and Heritage Balance:

- The application site is located within White City an area identified for the development of tall buildings. Following detailed assessment against the impact

frameworks of London Plan Policy D9 and Local Plan Policy DC3, officers conclude that the Proposed Development would not result in a disruptive and harmful impact on the skyline

- The proposal scheme would result in less than substantial harm to the setting of both the Avondale Park Gardens Conservation Area and Grade II Listed DIMCO building. The development would not result in harm to other heritage assets. The harm identified, is considered to be a low level of harm to the setting of the Conservation Area and listed building, at the lowest end of the less than substantial harm range in NPPF terms.

- The development would have some intervisibility in localised townscape views however the impact upon these views would be neutral to beneficial overall.

- Whilst the application is for outline consent only, the Design and Access Statement and Design Codes accompanying the application illustrate a scheme of a configuration, design and materiality that is thought to be well considered and would provide a high-quality development which would enhance the appearance of the local area, complementing the character of other tall buildings in the local area.

- The proposed buildings would provide substantial environmental benefits to future occupiers and the wider locality by way of providing enhanced pedestrian routes and public spaces, protected by the built form, and by substantial urban greening and landscaping.

8.3.116 Officers have assessed the impact of the proposal on the heritage assets and consider that for the reasons summarised above it is appropriate to grant planning permission having regard to and applying the statutory provisions in Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. In summary, it is considered that by optimising the use of the site to provide a development of this scale it is possible to provide the number of significant important benefits outlined above. Although some elements of conflict with policy have been identified above, overall, the Proposed Development is considered acceptable having regard to the NPPF, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan (2018).

8.4 Play space

8.4.1 Policy S4 (Play and Informal Recreation) of the London Plan states that development proposals for schemes that are likely to be used by children and young adults should increase opportunities for play and informal recreation and enable children and young people to be independently mobile. The Policy further states that for residential development proposals should incorporate good-quality accessible play provision for all ages. At least 10 square metres of play space should be provided per child that provides a stimulating environment, is accessible to all safely from the street and forms an integral part of the surrounding neighbourhood. These spaces should also incorporate trees, be overlooked to enable passive surveillance and not be segregated by tenure.

8.4.2 The play space requirements for the development are as follows, this has been

calculated based upon the illustrative mix and tenure split and therefore may be subject to change through reserved matters once this is fixed:

- Under 5 years – 1,230 sqm.
- 5-11 years – 866 sqm; and
- 12+ years – 445 sqm.

8.4.3 The Proposed Development could be designed to provide 0–11-year-old play space requirements on site with a minimum commitment of 1,310 sqm for under 5-year-olds and 930 sqm for 5–11-year-olds (2,240 sqm). In terms of the minimum requirements for 12+ year olds it is assumed as a worst-case scenario this will be delivered off site.

8.4.4 Officers also note the proximity of other play spaces for older children 12+ years within the area at Hammersmith Park and emerging areas on White City Green (both north and southern sides of the railway arches) which are being delivered as part of emerging developments. Whilst the various play spaces address the needs within the respective developments, it is considered that there are and will be a range of facilities available in the area.

8.4.5 The illustrative scheme demonstrates that the Proposed Development is capable of delivering a total of 3059 sqm of children's play space by providing 1809 sqm for under 5-year-olds and 1250 sqm for 5–11-year-olds, which exceeds the London Plan requirements. The open lawn area shown in the illustrative scheme could incorporate play space and therefore could be considered an amenity and play space, therefore meeting the 12+ years requirements on site.

8.4.6 All required play space for children ages 0-11 years will be provided on Site. Whilst the illustrative scheme demonstrates that a number of the open lawns could also be used to accommodate children play space, there are also a number of play space within the vicinity of the Site which could cater for those children aged 12 years and over.

8.4.7 The exact quantum of children's play space is to be determined through future Reserved Matters Applications, on a phased basis. However, officers acknowledge that the illustrative scheme demonstrates that the Development is capable of exceeding the required 65 play space provision and can provide at a minimum both doorstep playable spaces (0–5-year-olds) and local playable spaces (5–11-year-olds). The Development is capable of meeting the requirements of S4 set out above and sufficient detail has been provided in the outline submission to demonstrate this.

Private and Communal Residential Amenity Space

8.4.8 The Mayor's Housing SPG (November 2012) sets out a requirement for a minimum of 5sqm of private outdoor space that should be provided for 1-2 person dwellings and an additional 1sqm for each additional occupant (Standard 4.10.1). This guidance is retained under Policy D6 (Housing quality and Standards) of the London Plan. Policy HO4 (Housing Quality and Density) of the LBHF Local Plan requires ground level family housing to have access to private gardens/ amenity spaces. Family accommodation on upper floors is required to have access to shared amenity space, children's play space and/or a balcony terrace subject to acceptable amenity and design considerations.

8.4.9 All residential units within the proposed development will have access to private amenity in line with the standards set out above. For those units located at Park level, this can be provided as private terraces (equating to an area of 1,080 sqm). At upper levels all residential units will benefit from private amenity space in the form of balconies or terraces, sized in accordance with the relevant standards.

8.4.10 There might be instances where amenity space needs to be internalised in response to design (such as Block 5) or environmental considerations, such as where their close proximity to noise sources or as a requirement of wind microclimatic factors. The requirement for all private amenity spaces to meet the required statutory minimum dimensions and sizes is established within the Design Code comprises an approved document. The design code will ensure and enable the private amenity spaces proposed in the outline application will achieve and where possible exceed the required standards set out in the policy.

8.4.11 In addition to the private amenity spaces proposed as part of the Development, the outline parameter plans demonstrate the provision of private internal and external communal amenity for future residents. The parameter plans allow for the main private shared amenity spaces to be primarily located in Blocks 5 and 6, with other residential lobbies serving each of the blocks. Within Block 6, provision for a potential Super lobby is made which is capable of being a central hub of the development accessible to residents and employees. The main access point to this space will be located from the Makery at ground level south of the arches opposite to the Central Square in the White City Living development. Further provision of shared residential amenity space could also be delivered at the southern portion of the top occupied level of Block 5 which could be designed to include an outdoor terrace subject to detailed design/wind microclimatic testing.

8.4.12 The parameter plans have been designed at this outline stage to demonstrate how the provision of good quality and well-sized shared private amenity for the future residential users could be achieved subject to detailed design coming forward at reserved matters stage. Therefore, the proposals are considered to be in accordance with the relevant policies and design guidelines noted above with respect to provision of amenity space for residents.

Open Space, Public Realm & Landscaping

8.4.13 Policy D8 of the London Plan requires development proposals to explore opportunities for the delivery of well-design, safe, accessible and inclusive public realm. The Public London Charter LPG provides further guidance on the application of Policy D8.

8.4.14 Policy OS1 (Parks and Open Spaces) requires the council will protect, enhance and increase provision of parks, open spaces and biodiversity in the borough and this policy requires a mix of new public and private open space in the White City Regeneration Area. Policy OS2 (Access to Parks and Open Spaces) states that the council will seek to reduce open space deficiency and to improve will protect and enhance the quality of, and access to, existing open space by (but not limited to) requiring provision of accessible and inclusive new open space in major development, particularly within the council's regeneration areas.

8.4.15 Local Plan Policy DC1 seeks to ensure that new publicly accessible open spaces are inclusive and accessible, contributing to improving quality of life and reducing the incidence of crime and anti-social behaviour.

8.4.16 Policy WCRA1 (White City East) sets out specific expectations for the public realm to come forward as part of this scheme. It requires improved permeability and access between Westfield and areas north in the WCRA, particularly through areas of public open space including opening up arches underneath the Hammersmith and City Line railway viaduct, where appropriate.

8.4.17 A total of 8,730sqm of public amenity space is proposed to be delivered as part of the development. This will comprise of four areas – The Park, The Makery, Silver Street and Bronze Walk.

"The Makery"

8.4.18 The Makery is proposed as a pedestrianised area of public realm at ground floor level that would provide the key north-south link from the adjacent White City Living development. The link would be provided via the three opened TfL railway arches, enhancing connectivity between the two developments and meeting a key objective of Policy WCRA1. The area would be activated by the commercial uses to the ground floor of Blocks 4 and 5. An east-west link would also be facilitated by The Makery, as well as an entrance to The Park via multi-functional stairs that would incorporate bleacher style seating and soft landscaping. The design objectives for The Makery are to create a 'community destination space'.

The Park

8.4.19 The Park would be to the centre of the proposed blocks, providing a publicly accessible space with active and passive play, landscaping and garden rooms. The Park is proposed to be open to the public during daytime hours with resident only access available at all other times. The indicative proposals set out in the design and access statement

8.4.20 The indicative materials palette demonstrates that a high-quality scheme of hard landscaping would be delivered to all areas of public realm, with full details being secured by way of condition. Similarly, a considered approach will be taken to the design and layout of street furniture and lighting to ensure that the spaces are both functional and of a high-quality design.

8.4.21 The submission has demonstrated that the development is capable of delivering a high-quality and comprehensive scheme of public realm that would be in line with the aims of the WCOA/WCRA policies. Full details of the public realm will be forthcoming in future reserved matters submissions and where appropriate will be secured by condition. Public access to The Park will be secured by way of s106 obligation.

8.5 Housing Standards

8.5.1 **Local Plan Policy HO4 (Housing Quality and Density)** and **London Plan Policy D6** require all housing development to respect the local setting and context, provide a high-quality residential environment, be well-designed and provide a good range of housing types and sizes. The policy designation, development of neighbouring

sites, and the extant permission all result in a change to the local context. The Opportunity Area designation anticipates high quality, high-density development to develop much needed housing and jobs.

8.5.2 London Plan Policy D6 requires that the number of dual aspect units should be maximised. Full details of layouts and compliance with this requirement will be forthcoming in a future reserved matters application if outline consent is granted.

8.5.3 The detailed layout of the residential units will be sought at reserved matters stage which is an acceptable approach at this outline stage in respect of this application. The illustrative scheme assumes all residential units will meet or exceed minimum space standards set out both within the **Nationally Described Space Standards (2015), the Mayor of London Housing Supplementary Planning Guidance, and as per Table 3.1 of the London Plan – Minimum Space Standards for New Dwellings.**

8.5.4 With regard to single aspect units, the illustrative scheme has been carefully designed to ensure that these are minimised and that all units provide high quality residential accommodation. The applicant contends that the Amended Proposed Development presents a reduction in single aspect north units (100% from 30 units to 0 units) on a typical level and an increase in dual aspect units on a typical level in comparison to the extant outline consent and therefore provides an improvement on a baseline position. The amended masterplan is considered to provide further opportunities to optimise dual aspect apartments than the consented outline scheme. Therefore, the outline masterplan is considered to be acceptable by the LBHF in this regard.

8.5.5 It should also be noted that following the submission of application ref: 2021/01101/OUT further design parameters have been included within the revised Design Code to secure improved residential amenity for the Blocks evidenced by the illustrative scheme. This includes revisions to the outline layout of Block 9 to secure an improved residential layout and quality than previously proposed, ensuring 100% of the units are dual aspect and removal of single aspect north facing units.

8.5.6 **London Plan Policy D7 (Accessible Housing)** states that at least 10 per cent of dwellings should meet Building Regulation required M4 (3) 'wheelchair user dwellings and all other dwellings should meet M4 (2) 'accessible and adaptable dwellings. **Policy HO6 (Accessible Housing) of the LBHF Local Plan** outlines that the Council will seek to ensure the highest quality of accessible homes in all developments. The Council will require 90% of new housing to meet Building Regulations requirement M4 (2) 'accessible and adaptable dwelling' and 10% of new housing should also meet Building Regulation requirement M4 (3) 'wheelchair user dwellings. The Development will be conditioned to ensure the detailed scheme accords with the above requirements with further details of the specific mix of M4 (2) and M4 (3) units to be brought forward at reserved matters stages.

8.6 Transport & Highways

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

people. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

8.6.2 In determining this application, consideration has been given to the requirements of **Policies GG2, GG3, T1, T2, T4, T5, T6, T6.1, T6.5 and T7 of the London Plan**, as well as the Healthy Streets for London strategy, published by TfL, in assessing the effects on the local highway network along with the proposed car parking, cycling parking and servicing requirements. London Plan Policy T6 sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards in relation to blue badge parking at Policies T6.4 and T6.5. London Plan Policy T5 sets out the requirements for cycle parking in accordance with the proposed use.

8.6.3 **Policies T1, T2, T3, T4, T5 and T7 of the Local Plan** which relate to traffic impact/transport assessments, car parking standards, cycle parking, encouraging walking have been considered. **Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste. **Planning SPD (2018) Key Principles WM1, WM2, WM7 and WM11** are also applicable which seek off-street servicing for all new developments.

8.6.4 Transport and Accessibility are assessed in Chapter 7 of Environmental Statement Volume 1 and in Volume 3B (March 2021) which provide a full review of the existing factors and the impact of the proposal on the local highway and public transport networks. A draft Deliveries and Servicing Management Plan (March 2021), a draft Construction Environment Management Plan, a draft Construction Logistics Plan (CLP) March 2021, Outline Operational Waste Management Strategy (March 2021) and Framework Residential travel Plan (March 2021) accompany the application.
8.6.5 Cycling/pedestrian access and refuse strategy are provided within the Design and Access statement. Following revisions to the proposal, all above mentioned documents were updated and ES Addendum May 2022 was issued.

Site Accessibility

8.6.6 The application site is located at Westfield London, within the Metropolitan Town Centre. Vehicular/pedestrian/cycle access to the site is currently achieved via Silver Road to the east which connects with Ariel Way to the south. As part of the development proposals Silver Road will be renamed Marathon Way. Ariel Way is an internal Westfield access road and provides a connection to Wood Lane to the west and West Cross Route to the east. There is currently no existing access to the centre of the site with Silver Road bordering the site to the east and north. The site is currently predominantly hoarded with access to construction crew only. The proposed development will provide new pedestrian routes through the site, from north to south and east to west, providing a link between Ariel Way and Shepherd's Bush that will be traffic free. Due to its location and proximity to Westfield Shopping Mall, it is considered that the site is readily accessible by non-car modes of transport and is suitable for high density residential development.

8.6.7 The site is located within proximity of several public transport facilities and therefore benefits from a good - excellent public transport accessibility rating (PTAL 4-6a). To the west is Wood Lane Underground Station, the Circle and Hammersmith and City Line, and the south is the London Underground and Rail Station of Shepherd's Bush. Shepherd's Bush connects with Clapham Junction which has services running across London, Surrey, Hampshire and the south coast whilst also providing connections further into the wider London Underground network.

8.6.8 In addition, there are several bus services located within the vicinity of the site at both White City Bus Station and Shepherd's Bush Bus Station. There is good provision of walking and cycling routes to and from the site. This would allow for future residents and employees of the site to walk, cycle or use public transport and complete their journey by foot.

8.6.9 The site is within Controlled Parking Zone (CPZ) 'O', which operates restricted parking Monday to Saturday 9:00am – 5:00pm. Parking provision for the residential element is significantly reduced (approx. 50%) from the previously consented scheme and reflects the accessibility of the site by non-car modes of transport. Currently the closest Enterprise Car Club space to the site is located on Rockley Road, approximately 1.2 km south of the site.

8.6.10 Proposals for TfL's Improvement Scheme between Wood Lane and Notting Hill Gate has undergone consultation, but no set proposals are in place or have been consented. The potential scheme includes a two-way cycle route on Wood Lane.

8.6.11 In line with the above, subject to conditions and planning obligations, overall site accessibility is considered acceptable and would allow future occupiers of the site to benefit from a particularly good range of opportunities to undertake journeys by methods other than by private car.

Trip Generation

8.6.12 The proposal will result in a change in trip generation when compared to the extant consent. Due to the reduction in car parking, and the high PTAL of the application site, it is anticipated that the majority of trips to / from the site would be by sustainable modes of travel A trip generation assessment for the proposed development was provided in the Transport Assessment submitted with the application.

8.6.13 The assessment concluded that the proposed residential element of the development is predicted to generate 838 two-way person trips within the AM peak hour, 593 two-way movements in the PM peak hour, 695 during the Saturday peak hour and a total of 7,373 daily. The office aspect of the proposed development would be expected to generate 64 two-way person trips within the AM peak hour, 64 two-way movements in the PM peak hour and 622 daily two-way movements. It is proposed that the development is to provide circa 193m2 (GEA) of flexible community / commercial uses. These uses will be ancillary to the proposed office and residential units. As a result, it is expected that the majority of trips to and from them will be made by people already living in the area, immediately surrounding the site or future residents of the proposed units and therefore these trips haven't been included in the trip assessment.

8.6.14 The combined trip generation of the residential, office, and community aspects of the proposed development is expected to generate 7995 daily two-way movements.

Of these, it is predicted that 702 would be driving a car or van (approximately 10 percent) with the remaining trips by sustainable modes. When compared to the 2017 extant consent, the proposed development results in an increase the number of residential units from 1,093 units to 1,700 units. Consequently, the proposed development will result in a significant increase in daily trips to the site. However, the majority of the trips would be by sustainable modes.

8.6.15 Given the increase in trips that will be generated by sustainable modes, (when compared to the consented scheme), it would be justified to seek mitigation and contributions towards walking and cycling infrastructure. However, it is noted that the transport mitigation previously secured under the extant permission has been paid in full (£2.5m payment). Considering that current proposal is for Block C are predominantly residential and with car parking reduced by half, it is concluded that overall impact would not be materially greater than the former scheme, acknowledging that the baseline has changed.

Car Parking

8.6.16 In recognition of the recent strategic London Plan policy towards reduced car parking in highly accessible locations, the applicant has significantly reduced the number of residential car parking spaces from 608 to 350 spaces, comprising nearly a 50% reduction. It should also be noted that whilst permission is sought for up to 350 parking spaces, this is predicated on the delivery of 3% blue badge spaces from the outset. In the event up to 10% of blue badge spaces are required, which must be demonstrated in accordance with Policy T6.1 of the London Plan, then the overall number of spaces allocated for blue badge would increase further from 53 spaces (3% plus 2 spaces for Block K) to 172 spaces (10%).

8.6.17 The London Plan also states that 20% of all spaces must be for active electric vehicles with the remaining spaces providing passive provision for electric vehicles in the future. The proposed development will improve on this requirement by providing active charging spaces for 40% of all spaces with the remaining spaces providing passive provision for electric vehicles in the future.

8.6.19 The application proposes the provision 2 on-site car club spaces, or funding for 2 off-site spaces from the outset as an alternative to car ownership. The provision of car club membership would also be offered to each future resident. The provision of car share facilities is supported in principle subject to conditions/obligations.

8.6.20 The proposal includes the provision of 50 motorcycle parking spaces, which is not consistent with the parking standards in the London Plan, however, are considered acceptable subject to condition to secure that some of these spaces are made available for use by motorbike/moped deliveries to the site.

8.6.21 The proposal has the potential to impact on on-street parking capacity in the vicinity of the site, so mitigation measures such as preventing future occupiers from obtaining parking permits in the surrounding CPZ, except blue badge holders and a planning obligation is required to secure a review or amendments to the existing parking controls in the vicinity of the site.

8.6.22 It is acknowledged that the level of car parking would not be compliant with London Plan policies. However, considering the historic context of previous

applications, which is a material consideration that must be weighed in the planning balance, and subject to conditions and planning obligations promoting sustainable travel, the level of car parking proposed would be acceptable given a substantial reduction compared to the consented scheme, as well as other sustainable transport measures to be offered above the consented scheme.

Cycling

8.6.23 The London Plan indicates that a total of 2,841 cycle parking spaces are required as part of the development. Of these, 2,794 are required to be extended stay spaces and a further 47 are required to be short stay spaces. Cycle parking will be provided throughout the site, allowing for convenient access to bike storage locations from building cores. The largest cycle storage rooms will be accessed directly from the superhub, where ramps allow cyclists to navigate the level changes. Cycle parking can also be accessed from Marathon Way, adjacent to the vehicular access point.

8.6.24 To further encourage and support the Mayor's target for 80% of all trips in London to be made by foot, bicycle or public transport by 2041, a total of 2,956 cycle parking spaces are to be provided as part of the development. These will be designed to the London Cycle Design Standards. A total of 2,870 extended stay cycle spaces and 45 short stay cycle parking spaces will provided for the residential element of the scheme. A total of 35 long stay cycle spaces and 6 short stay cycle parking spaces will provided for the B1 element of the scheme. It should also be noted that there are a number of Santander Cycle Docking Stations within close proximity to the site which can be utilised by residents without access to a private bicycle.

8.6.25 This level of provision is in line with the cycle parking standards set out in the London Plan. Further details of the cycle parking and management would be secured by condition.

Active Travel Zones & Healthy Streets

8.6.26 The Transport Assessment submitted with the application undertook a Healthy Streets style review / assessment of the pedestrian and cycle environment (between the application site and nearby amenities/facilities, including public transport facilities.

8.6.27 The assessment undertook an audit of the key routes that would be used to access facilities (including education, leisure/sports, health/medical facilities, or places of worship) in the vicinity of the site. The healthy streets assessment identified a number of issues in the pedestrian/cycle environment that would be a barrier or impact on pedestrian and cycle access to/from the site (such as impact from tree roots along footpath, bollards affecting the alignment of the cycleway and lack of signage/wayfinding).

8.6.28 The proposed development will lead to an increase in pedestrian and cycle trips to and from the site. The cost of delivering healthy streets improvements identified in the ATZ assessment would be secured through highways works obligations.

Construction Logistics

8.6.29 The construction phase of the development has the potential to have significant impacts in the vicinity of the site. Further details of the proposed construction logistics

and construction management would be submitted with a future reserved matter application to ensure the impacts / disruption to the surrounding highway network, local residents, businesses, local schools, public transport facilities, etc is minimised. A contribution will be sought towards monitoring the performance of a future Construction Logistics Plan.

8.6.30 Final documents will be required to include updated construction vehicle routing, updated construction vehicle numbers, and other matters relating to traffic management to be agreed with the local planning authority in consultation with Transport for London. The document at this stage identifies preliminary proposals to manage the demolition and subsequent construction processes, including details regarding environmental and amenity mitigation, site logistics, traffic management and routing, health and safety, community liaison etc. To minimise the likelihood of congestion during the construction period, strict monitoring and control of vehicles entering and exiting, and routing and travelling to and from the site, would need to be implemented through the CLP. A final plan of proposed routes to and from the site is required with the submission of the detailed CLP in agreement with the contractor to regulate deliveries and eliminate bottle necks on surrounding roads.

8.6.31 At this early stage, the information has yet to be fully finalised, and the updated documents need to be developed in compliance with TfL guidelines. The documents relating to demolition/construction logistic programming would be secured by conditions. A condition is also recommended to protect London Underground infrastructure during the proposed works given the proximity of the Central Line to the site.

Deliveries & Servicing

8.6.32 A framework delivery and Servicing Plan (DSP) was submitted with application. The DSP includes swept path analysis to illustrate how service vehicles could access / egress the site in forward gear. The DSP also includes plans that illustrate where loading would occur and where bin storage facilities are located. The DSP confirms deliveries to all blocks will be facilitated from the proposed service yard, where access to the blocks cores is permitted, and fast-food deliveries would park in designated drop-off points, situated at ground level at the southern and northern ends of Marathon Way.

8.6.33 As the application is at outline stage, the DSP demonstrates the assumptions and principles of how deliveries and servicing (waste storage and collection) for both the residential blocks and commercial spaces will operate and suggests the details will be developed further throughout the detailed design and reserved matters process. This would be secured through condition and monitoring obligations.

Highways Modelling

8.6.34 The Transport Assessment confirms the applicant has engaged in highway modelling assessments with TfL. A VISSIM model of the local highway network has been developed. The model covers Ariel Way along with links to the east along West Cross Route and to the west along Wood Lane. The model is being developed collaboratively with TfL and had completed Stage 3 testing. The model provides a comprehensive understanding of the highway network serving Westfield London.

8.6.35 The future baseline trip generation takes into account cumulative schemes that have been identified as being likely to come forward in conjunction with the proposed

development. The VISSIM Model has been updated with the new proposed development trip generation and cumulative development list. The Transport Assessment provides a summary of the change in traffic flows as a result of the proposed development and suggests that the change from the baseline would be insignificant, with an increase of 80 two-way trips in the AM peak, 56 two-way trips in the PM peak, and 66 two-way trips in the Saturday peak. The queue length results suggest that the addition of the proposed development demands does not have any impact on queue lengths across the network, with a maximum increase of 2 vehicles at a handful of junctions during the assessment time periods. There is a negligible change between the consented baseline position and the proposed development. When assessing the average delay per vehicle it can be seen that there is maximum 8 (s) delay time increase in any time period in the development phase which is not considered a severe impact.

8.6.36 It is considered that the proposed development can be accommodated within the highway network. The assessment demonstrates that proposed development will result in a negligible change in highway network performance when compared to the baseline position, and an acceptable level of change when compared to the future year position (Base 2038).

8.6.37 However, the Transport Assessment does not confirm if the proposed changes to the surrounding highway network as a result of the future cycling infrastructure improvements for Wood Lane, and the proposed phase 2 works to Shepherd's Bush Green have been included in the VISSIM model.

8.6.38 Therefore, it is recommended that the model would need to be updated once the detailed design of the phase 1 and 2 of the Wood Lane cycle scheme has been developed. Following updated VISSIM model, any necessary measures and mitigations identified to safeguard bus operations or junction/highways improvements could be secured through obligations. It is recommended that the updated VISSIM model should be conducted by the applicant prior to the occupation of the 1,347th residential unit. The revised model should be verified by TfL and LBHF and this will be secured through a planning obligation.

Summary

8.6.39 Subject to the submission of further details and required documents by conditions or obligation and the mitigation to the impacts of the development required by way of legal agreement, officers consider that the proposed development would be acceptable and in accordance with London Plan Policies T1, T2, T3, T4, T5, T6.2, T6.3, T6.5 and T7 and Local Plan policies T3, T4, T5, T7 and CC7.

8.7 Accessibility

8.7.1 London Plan Policy D5 which seeks to ensure developments achieve the highest standards of accessible inclusive design. Policy D7 requires ninety percent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'; ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e., is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

8.7.2 As is identified throughout this report, the proposed outline plans will include

provisions to enable an inclusive form of development. These include provision for 10% of the total number of residential units (approx. Up to 170) to be designed to Building Regulation Standard M4(3) 2(b) for Wheelchair User Dwellings, 53 blue badge parking spaces, and of provision for 119 further blue badge parking spaces should future demand arise.

8.7.3 The outline parameter plans have been drawn to include references to the proposed and existing public accesses from the ground to podium level, including where external lifts are provided outside of the application red line. There will be additional lifts available internally for vertical circulation for mobility impaired, along with further provision in the existing shopping centre. The parameter plans also identify the indicative residential entrances and public routes which indicate a permeable and inclusive layout for all users could be delivered through the reserved matters.

8.7.4 The indicative drop-of points (for taxis are shown in the north-eastern corner of the site) in close proximity to the Makery public space. Although the public external stairs proposed within this application are not shown with an external lift, there is an external lift provided to the west up to the podium level to negate the need for a second lift within the application site.

8.7.5 The response to the access forum comments set out earlier in this report includes the full range of controls which are set out under conditions and 106 obligations which can be secured as part of this outline application. Coupled with the detailed design within reserved matters submissions and adherence to the relevant design coding, it is the officer's opinion that there are sufficient controls are available to ensure full compliance with policies D5 and D7 of the London Plan at this stage in the planning process.

8.8 Secured by Design

8.8.1 The NPPF seeks to ensure that planning decisions promote public safety and consider wider security and defence requirements. They should anticipate and address all plausible malicious threats and natural hazards and create safe, inclusive, and accessible places that have high levels of amenity and do not undermine quality of life, community cohesion and resilience to due crime and disorder.

8.8.2 **London Plan Policy D11 (Safety, security and resilience to emergency)** states that Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area.

8.8.3 **Local Plan Policy DC1 (Built Environment)** seeks to ensure that new developments, new publicly accessible open spaces and new community and leisure facilities are inclusive and accessible, contribute to improving quality of life and reducing the incidence of crime and anti-social behaviour.

8.8.4 The Design and Access Statement (DAS) states that a number of provisions are integrated into the outline scheme of the general layout and landscape. This includes the need to ensure footpaths are well lit, external lighting is provided to achieve Level 4, Institute of Lighting Professional (ILP), doors and windows at ground and first floor level

will meet the required Secured by Design criteria, lobby entrances should: be well marked, easy to find, be well-lit and have a robust access control system. The Design Code provides some guidance to ensure planting outside residential ground floors retains natural surveillance and aids wayfinding and seeks to avoid the creation of potential hiding places. The DAS recommends CCTV on all key routes should be in the public realm and windows and door sets within 2 metres vertically of an accessible surface are to be designed to follow the objectives set out in Section 22 of SBD 2019. All communal areas (lift lobbies, corridors, etc) are to have 24-hour lighting which may be operated by sensors. A door visitor door entry systems and access control are required along with communal post and package delivery areas.

8.8.5 For bicycle parking, the DAS confirms that all areas can be designed to be well-lit to meet required standards and have CCTV. Bicycle racks should contain multiple locking points and be constructed of robust materials, with preference for welded connections. For car parking, the DAS recommends that all areas are to be well-lit to meet required standards and have CCTV.

8.8.6 The Crime Prevention Officer has been consulted and raises no objections with the scheme at this design stage. Officers are satisfied that the overarching SBD principles have been established and reflected in the current proposals, as set out in the Design Code and DAS and can be carried into subsequent design stages that will be set out in reserved matters submissions and/or conditions. To ensure the overall security strategy and design intent is retained at the next stage of the design process, a planning condition regarding secure by design criteria is included in accordance with the NPPF, Local Plan, and Policy DC1 of the Local Plan which requires development to reduce the opportunities for criminal behaviour.

8.9 Amenity Impacts

8.9.1 The **NPPF states (Paragraph 130)** that development should create places with a high standard of amenity for existing and future users. Paragraph 180 of the NPPF requires new development to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new development.

8.9.2 With regard to Daylight and Sunlight specifically the **NPPF states at paragraph 125 c):** local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

8.9.3 **London Plan Policy D6 (Housing quality and standards)** states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside space.

8.9.4 **Policy HO4 (Housing Quality and Density)** of the LBHF Local Plan requires all new housing to take account of amenity of neighbours.

8.9.5 **London Plan Policy D8** reiterates the importance of ensuring that tall buildings

do not compromise the comfort and enjoyment of neighbouring residential properties and open spaces to new development.

8.9.6 There are no specific policies about daylight, sunlight or overshadowing in the Local Plan. **Policy HO11 of the Local Plan** includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area. The policy states the protection of existing residential amenities, including such issues such as loss of daylight, sunlight, privacy, and outlook. Policy **DC1 (Built Environment) and DC3 (Tall Buildings)** require development to be well designed and respect of the principles of good neighbourliness. **Policy DC2 (Design of New Build)** refers to impact generally and the principles of 'good neighbourliness'. Key **Principles HS6 and HS7 of the Planning Guidance SPD** seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.

8.9.7 The previous assessments conducted for the extant planning permission for the wider site development (which included development on the Block C site) were reviewed and not considered to result in significant harm to the amenities of the nearest adjoining existing residential occupiers, in terms of daylight/sunlight, overshadowing, privacy and solar glare.

8.9.8 The current Block C proposals are for a taller development which results in the potential for greater impacts to existing residents living in the residential estate to the east of the A3220 and new impacts to the forthcoming and as-built White City Living development, and for residents in Block K of the wider Westfield development.

Daylight and Sunlight

8.9.9 The BRE Guidelines are typically used to assess daylight and sunlight. It should be noted that the assessments undertaken were written to the 2011 version of the BRE guidance. Since the application was submitted the BRE guidance has been updated to the 2022 version. However, given the stage of submission it is considered more appropriate to apply the former Guide given the impacts are considered against the same results for the extant permission and the application was at an advanced stage when the new Guidance was published.

8.9.10 The Guideline sets out methods for assessing daylight into a room including the Vertical Sky Component (VSC) method and plotting of the no-skyline method. The introduction to the guide stresses that the BRE guidelines 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. Guidelines should be applied sensitively to higher density development especially in opportunity areas, town centres, large sites, and accessible locations where BRE advice suggests considering the use of alternative targets.

8.9.11 It is considered that the most appropriate approach to assess the impact upon daylight to existing dwellings, is to consider different methods of assessing how well a room may be lit. The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen converting it into a percentage. An unobstructed window will achieve a maximum level of 40%. A good level of daylight is considered to be 27%. Daylight will be affected if after a

development, the VSC is both less than 27% and less than 80% of its former value.

8.9.12 The plotting of the No Skyline (NSL) measures the distribution of daylight within a room. The NSL indicates the area within a room where the sky cannot be seen through the window due to the presence of an obstructing building. For residential purposes, the point at which this is measured is 0.85m above floor level. This is approximately the height of a kitchen work surface. Daylight will be adversely affected if after the development the area receiving direct daylight is less than 80% of its former value.

8.9.13 For both tests, the ES considers reductions of VSC/NSL between 20-30% (0.7-8 of the former value) to constitute a minor transgression (and minor adverse effect in ES terms), 30-40% (0.6-0.7 of the former value) to constitute a moderate adverse effect (in ES terms) and 40%+ reductions (less than 0.6 of the former value) to constitute a major adverse effect in broad ES terms. Regard is also given the retained level of VSC in particular whereby the new light conditions are established at the window.

8.9.14 The BRE 2011 document also refers to the British Standard for daylighting. This primarily considered Average Daylight Factor (ADF) to consider daylight within proposed new housing units.

Sunlight

8.9.15 The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room facing 90 degrees of due south. The summer analysis covers the period 21 March to 21 September, the winter analysis 21 September to 21 March. The BRE states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the annual probable sunlight hours including at least a 5% of the annual probable sunlight hours during the winter months and the percentage reduction of APSH is 20% or more. Windows facing 90 degrees of due north need not be assessed as they have no expectation of sunlight. An assessment of the sunlight effects of the proposed development on surrounding buildings is contained the 2022 ES document.

Overshadowing

8.9.16 The BRE Guidelines recommend that at least half of a garden or amenity area should receive at least two hours of sunlight on March 21st. An assessment of the overshadowing effects of the proposed development are contained in the 2022 ES documents.

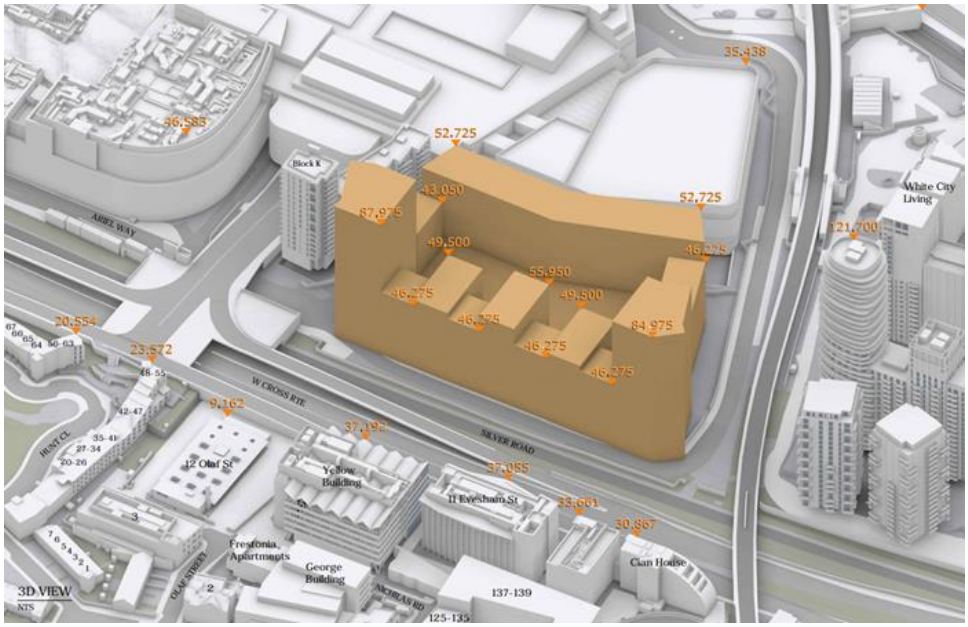
Assessment

8.9.17 In terms of daylight, sunlight and overshadowing impacts on surrounding development this analysis is contained within the ES and ES Addendum and technical appendices.

8.9.18 A total of 4,568 windows serving 2,192 rooms were assessed within 43 existing residential buildings. For VSC, 3,064 (67.1 %) of the 4,568 windows assessed would meet the BRE criteria and for NSL 1,985 (90.6 %) of the 2,192 rooms assessed would meet the BRE criteria. Of the 43 existing receptor buildings, 31 buildings would meet the BRE Guidelines (alterations below 20 %).

8.9.19 The daylight assessment has considered the impact on the existing receptors as well as with cumulative developments in place. The cumulative development scenario includes forthcoming phases/development blocks within White City Living and Centre House, as well as Blocks D, E and F within the wider Westfield site which benefit from outline approval. This image identifies the outline form of the Westfield Block C development along with all properties/buildings which have been assessed in the ES and ES Addendum (with the outline forms plotted of the emerging developments).

8.9.20 The ES also includes an assessment of the previously consented outline form of the extant planning permission for the wider Westfield development. The ES has presented the findings to compare the impacts of the differing forms of development.



8.9.21 Where transgressions beyond the BRE guidance, in respect to VSC and Daylight Distribution (NSL) have been identified, the ES has included a detailed examination of the resulting impacts on the following properties:

- 56-63 Hunt Close
- Cian House
- Westfield Block K (Newall Court)
- White City Living/St James including Centre House
- BBC Television Centre
- Frestonia Apartments

8.9.22 The detailed results of the daylight assessment are presented in the ES and ES Addendum which identifies the number of apartments whereby the reduction in daylight is considered minor, moderate or major adverse (in ES terms).

8.9.23 A total of 43 surrounding sensitive properties have been considered in relation to daylight and 18 have been assessed in relation to sunlight. Overall, the completed proposed development would result in a range of effects from not significant to significant.

8.9.24 For **daylight,** the most significantly affected properties would be Westfield Block K and St James' White City Living, which would experience Major Adverse effects. This is due to their close proximity to the immediate north and south of the site. Cian House, St James Block E1, E2 and E3 would also experience Moderate Adverse significant effects.

8.9.25 In relation to **sunlight,** Cian House, White City Living and St James Block's E1 and E2 would experience significant Moderate Adverse effects, with the remaining 14 experiencing Negligible and not significant effects.

8.9.26 In relation to **overshadowing,** the proposed development would result in a range of effects at the amenity areas to be delivered as part of the St James' White City Living cumulative scheme, ranging from not significant to significant. Major Adverse effects can be observed at areas 2 and 4; however, amenity areas 1 and 3, to the south of the St James' development would exceed the BRE recommendations, seeing a Negligible Adverse effect with the proposed development present. Despite the major adverse effects report, the ES considers there will be a good level of direct sunlight and a variety of shading patterns throughout the amenity areas within the St James' scheme.

8.9.27 Given that the overall effects of the completed proposed development remain predominantly unchanged from the March 2021 ES, the comparison against the consented masterplan scheme as reported in the March 2021 ES remains valid. Therefore, as reported in the March 2021 ES, although additional effects would occur beyond those previously consented for the consented masterplan scheme, the retained levels of light would be similar in a number of instances. Where greater reductions beyond the consented masterplan scheme arise, officers consider the retained levels of daylight and sunlight at surrounding residential receptors following the implementation would remain commensurate with an area (designed for intensive urban development) which is undergoing regeneration. Accordingly, the additional effects that would occur over and above the extant consent, are considered acceptable by officers.

Cumulative Effects

8.9.28 The impacts of the amended proposed development in conjunction with relevant cumulative schemes have been assessed at the 43 surrounding sensitive properties in relation to daylight and 18 in relation to sunlight. Overall, the ES considers that the completed proposed development in conjunction with cumulative schemes would result in a range of effects from not significant to significant and effects beyond those of the amended proposed development in isolation would occur.

8.9.29 For **daylight,** at the 43 sensitive properties, the most significantly affected properties would be Westfield Block K, White City Living - St James' and St James Block E3 where Major Adverse effects would occur. Cian House, BBC Television Centre, St James Block E2, St James Block E1, White City Living - Block 1 and White City Living - B1 would also experience Moderate Adverse significant effects. White City Living – Block 2 would experience Minor Adverse significant effects. The remaining 33 buildings would continue to experience Negligible (insignificant effects) in the cumulative scenario.

8.9.30 In respect of **sunlight,** of the 14 sensitive properties, Cian House, White City Living - St James, BBC Television Centre, St James Block E2 and St James Block E1 would experience Moderate Adverse significant effects in the cumulative scenario. The remaining properties would experience Negligible and not significant effects.

8.9.31 For **overshadowing,** the cumulative effects are considered to be Major Adverse (significant) to St James' White City Living areas 2, 3 and 4, with area 1 remaining well sunlit and seeing a Negligible Adverse (not significant) effect.

8.9.32 In summary, the ES reports that the Proposed Development will result in a range of effects to surrounding development which will result in noticeable changes in daylight and sunlight within rooms in residential (and commercial) properties. However, the scale of effect is considered in the ES and by officers to be acceptable and commensurate within an area undergoing regeneration. The retained levels of light are considered by officers to ensure the existing and proposed properties will still receive acceptable levels of sunlight and daylight within, appropriate to their location within or in proximity to a regeneration area located in inner London.

8.9.33 Furthermore, the impact compared to the extant consent is considered to be largely comparable and where additional effects may occur these are considered acceptable. It should also be noted that as a result of the design amendments (the Revised Scheme) the impact to the amenity areas to be delivered as part of the St James' White City Living when compared to the submitted 2021 scheme has reduced. Two areas assessed would now see negligible effects. Whilst it is acknowledged that Major Adverse effects would still occur primarily where the sunlight levels are already low, resulting in disproportionately greater reductions. The ES considers users it would still have access to well sunlit amenity spaces.

8.9.34 Clarifications to feedback from the GLA Stage 1 Report in relation to separation distances between Blocks within the development as well as to Block K are also included within the amended daylight, sunlight and overshadowing ES Chapter. Comments were raised by the GLA in relation to the proposed separation distance and advised that the Applicant should consider measures to secure improvements on the separation distances.

8.9.35 The GLA further encouraged the Applicant to consider measures to reduce residential amenity impacts arising from limited separation distances between the

proposed Block 8 and Block 9, and the existing Block K. In response to this, the illustrative layouts have been designed so that living spaces face long view which results in a separation distance of over 18 m. In the instances where facades have a separation distance of less than 18 m, this relates to bedroom windows and/or secondary living room windows. Design measures such as staggered windows will also ensure privacy is maintained. The amended Design Code provide further detail on window placement requirements to ensure that the above measures are formalised. Moreover, the orientation of Block K and the amended proposed development's buildings results in oblique angles which further mitigates overlooking. This approach is common for comparable schemes in similar high-density locations within Opportunity Areas in particular.

Daylight/Sunlight Within Development

8.9.36 In terms of daylight, sunlight and overshadowing of the proposals, a revised assessment has been undertaken by GIA to support the 2022 Revised Scheme. Overall, the results of the daylight assessments show that the proposed scheme has potential to deliver an acceptable level of daylighting within the development. Daylight levels are generally higher on the outer facades and typically at upper floors, as would be expected of a scheme of this nature. Mid-range VSC levels are typically seen in the central part of the proposed scheme, where buildings are closer to each other.

8.9.37 The two areas of public amenity (The Park and The Makery) have been assessed for overshadowing. The results of the tests show that 30% of the Central Park area sees at least two hours of sunlight on the 21st of March. The Makery space will see very good levels of sunlight, with 80% of its area meeting the two-hour target on 21st March. The 50% target recommended by BRE is achieved within The Park by 13 April. In addition, the levels of sunlight in the summer period are reported to be very good and therefore, the ES considers that the Development is considered to offer acceptable sunlight amenity particularly in the late spring and summer months when the space is more frequently used.

8.9.38 For the assessment of the completed proposed development, a technical assessment of daylight (VSC and NSL) and sunlight (APSH and WPSH) has been undertaken, quantifying the magnitude of daylight and sunlight impacts occurring as a result of the amended proposed development when compared against the existing baseline levels. An assessment of overshadowing by means of transient overshadowing and sun hours on ground has been undertaken to surrounding sensitive amenity areas.

8.9.39 Overall, the internal analysis concludes that the Proposed Development has the potential to provide adequate daylight and sunlight amenity to future residential occupiers and users of the public amenity spaces.

8.10 Environmental Impacts

8.10.1 The following environmental impacts have been assessed within the ES and supporting planning application documents.

- Noise and Vibration
- Air Quality
- Wind Microclimate
- Energy and Sustainability

- Flood Risk and Drainage
- Ecology and Biodiversity
- Socio-Economic
- Ground Contamination

8.10.2 The below sections comprise a planning assessment of the development impacts against adopted planning policies, supplementary planning guidance and the National Planning Policy Framework.

Noise and Vibration

8.10.3 **London Plan Policy D14 (Noise)** sets out measures to reduce, manage and mitigate noise to improve health and quality of life.

8.10.4 **Local Plan Policy CC11** advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout, and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity. **Policy CC13** seeks to control pollution, including noise, and requires proposed developments to show that there would be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.

8.10.5 The noise and vibration effects of the proposed development have been assessed for both demolition and construction works and once the development is complete and operational. Chapter 9A - ES Volume 1A May 2022 is an updated version of initially submitted Chapter 9 - ES Volume 1 in March 2021. The existing baseline in terms of noise climate across the site was reported to be dominated by noise from vehicles on the A3220 and its associated slip roads, together with the rail lines along the site's northern and eastern boundaries.

8.10.6 The submitted noise assessment confirms that vibration levels from the railway are not considered to be significant and would likely not result in an adverse impact on the development. For this reason, no additional noise mitigation from the LU tracks is recommended beyond expected façade design strategy.

8.10.7 Consideration has been given to the impact of increase noise levels during the demolition/construction and operational phases of development. The cumulative impact of neighbouring construction works has also been taken into consideration. Receptors in various locations around the site have been identified, considering existing residential properties and future occupiers.

8.10.8 During the demolition and construction stage, there is the potential for noise and vibration effects at nearby existing residential properties, as well as on-site occupants of completed phases. Noise limits have been set out within the assessment, while best practice construction methods have been set out within Chapter 5A, to ensure that the noise and vibration impacts are suitably controlled. The assessments of assumed substructure and superstructure works have concluded that there would likely be significant noise effects at receptors in close proximity (Block K, St James' White City Living and on-site occupied units) but in the short-term only. These assessments have been based on worst-case assumptions. Once appointed, the principal contractor would

explore opportunities to further mitigate effects through planned timing of significant noise generating works so as not to exceed the stated construction noise limits at these receptors. The effects of demolition and construction traffic movements and vibration would be temporarily adverse, but not significant.

8.10.9 Through the implementation of enhanced glazing specifications and appropriate overheating control measures, to be secured by appropriately worded planning conditions, the effect from servicing vehicle noise and any potential changes on traffic flow on existing local roads would be negligible. The sound insulation performance of the floor between the commercial uses and dwellings above would be designed to ensure that the appropriate noise limits are achieved within the dwellings in accordance with the Building Regulations resulting in negligible impact. Mechanical plant noise limits have been set in accordance with BS4142:2014+A1:2009 and LBHF standard guidance. All fixed plant installations would be installed with mitigation measures where necessary to meet the set noise limits, as specified within detailed design stage and in accordance with an appropriately worded planning condition. As a result, the cumulative plant noise effects would be Negligible Adverse (not significant). Overall, the effect of the existing and future vibration incident on the proposed residences has been assessed to have a direct, long-term and permanent Negligible Neutral (not significant) effect in the worst instance in both the short and long-term scenarios.

8.10.10 Officers consider that the impacts for noise and vibration have been satisfactorily assessed. The proposed development is considered acceptable subject to mitigation measures including insulation and anti-vibration measures for machinery and plant and suitable noise level limits secured by conditions. Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that that residents of the proposed development and neighbouring occupiers would not experience significant adverse noise or vibration impacts.

8.10.11 The environmental protection team have considered the proposals and raise no objections subject to conditions regarding sound insulation, plant machinery and construction management. Subject to these conditions the proposals would accord with London Plan Policy D14 and Policies CC11 and CC13 of the Local Plan.

Air Quality

8.10.12 **London Plan Policy SI 1 (Improving air quality)**, supported by the Mayor's Control of Dust and Emissions during Construction and Demolition SPG (July 2014), provides strategic policy guidance on avoiding a further deterioration of existing poor air quality. All developments will be expected to achieve Air Quality Neutral status with larger scale development proposals subject to EIA encouraged to achieve an air quality positive approach. **Local Plan Policy CC10 (Air Quality)**, states that the Council will seek to reduce the potential adverse air quality impacts of new developments through a range of policy measures.

8.10.13 An air quality assessment has been undertaken as part of the Chapter 8: Air Quality, March 2021 ES Volume 1 and later updated in Chapter 8A: Air Quality, May 2022 ES Volume 1A. It assesses the likely impact of the demolition/construction works and operational stages once development is completed on local air quality and its subsequent effect on sensitive receptors.

8.10.14 The development site is located within a borough wide Air Quality Management Area (AQMA), declared in 2000 for two pollutants - Nitrogen Dioxide (N02) and Particulate Matter (PM10). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions). Also sited within the Low Emissions Zone (LEZ) which currently charges Heavy Goods Vehicles (HGVs), Light Goods Vehicles (LGVs), buses / minibuses and coaches that do not meet Euro VI (NOX and particulate matter (PM)) standards and the Ultra-Low Emissions Zone (ULEZ) following the recent expansion which took effect on the 25 October 2021. The ULEZ standards are Euro III (NOX), Euro IV (NOX) and Euro VI (NOX and PM) standards.

8.10.15 Trip generation from the amended proposed development was calculated using the TRICS database. The retail uses would be subservient to the amended proposed residential units so the majority of trips to and from them would be made by people living in the area or making a trip for another purpose. The amended proposed development air quality neutral transport emissions have been based on residential use trip generation including both the residential traffic and servicing. It is noted that concentrations fall-off rapidly on moving away from an emissions source, such as a main road, some variation in pollutants concentrations across the site would be expected. Concentrations at the site are likely to be highest closest to West Cross Route and the H-Junction reducing gradually as distance from the main road increases. Air quality at background and roadside locations is expected to gradually improve in future years due to the renewal of the vehicle fleet with lower emission factors.

8.10.16 A new energy centre is not proposed on-site, as the existing energy centre within the existing podium structure would serve the amended proposed development. The energy centre stack emits through Block K, which does not form part of the amended proposed development. Consistent with the March 2021 ES, the amended proposed development would not have building emissions from combustion sources and would therefore be considered ‘air quality neutral’.

8.10.17 It is therefore concluded that the amended proposed development can be considered air quality neutral for both transport and building emissions.

8.10.18 The main effects are expected to take place during construction phase, related to dust deposition and emissions from construction vehicles and machinery on the site. With the implementation of suitable mitigation measures, which have been set out within the draft CEMP which accompanies the planning application and the Framework CEMP within ES Chapter 5R, it is anticipated that dust impacts would be appropriately mitigated resulting in as a maximum temporary, medium-term Slight Adverse effects which would be Not Significant. The highest average number of heavy-duty vehicles and light duty vehicles generated during the construction works has been assessed. Maximum trips along Marathon Way are expected in 2023 and when site access is gained from the H-Junction, in 2024. It is considered that emissions from this number of vehicles (58 AADT HDVs in 2023) would result in temporary, medium-term negligible effects on local air quality. The effect of development traffic during demolition and construction would therefore be temporary, medium-term Negligible Adverse and Not Significant.

8.10.19 Overall, it is considered that the demolition/construction of the amended Proposed development would not give rise to significant effects on air quality.

8.10.20 The predicted NO2, PM10 and PM2.5 concentrations at the site with the amended proposed development in place would be well below the relevant objectives at

all floor levels. Consistent with the March 2021 ES, the site would therefore be suitable for the amended proposed development without the need for road traffic or energy centre emissions mitigation in relation to the national air quality objectives.

8.10.21 However, the predicted PM2.5 concentrations in 2038 at future receptors within the amended proposed development would be slightly above the WHO guideline at ground level (including podium level) at future receptor locations facing West Cross Route and H - Junction Road links. It is recommended that prior to beginning of construction of the blocks 4, 3a and 3b, 2a and 2b and 1a and 1b, an updated assessment with the latest monitoring data and modelling tools is submitted to establish the baseline conditions at the time of construction and determine the need for mitigation. The revised assessment could be secured by means of an appropriately worded planning condition.

8.10.22 Council's Environmental Quality Officer (Air Quality) reviewed submitted documents and raised no objections, subject to conditions. Therefore, several conditions are recommended for various air quality control measures in relation to both construction and operational phases of the proposal to ensure compliance with Policy CC10 of the Local Plan. Subject to these conditions, the proposal would accord with Policy CC10 of the Local Plan and Policy SI 1 of the London Plan.

Wind Microclimate

8.10.23 London **Plan Policy GG1** requires streets and public spaces to be planned for circulation by the comfort in comfort and safety, and to be welcoming. **London Plan Policy D8** addresses the environmental impact of tall buildings, requiring careful consideration of the wind conditions around tall buildings and their neighbourhoods so that they do not compromise the comfort and enjoyment of them. **Policies D8 and D9 of the London Plan** and **Policy DC3 of the Local Plan** require consideration to be given to avoiding detrimental microclimatic impacts as part of tall building proposals. **Policy CC2** seeks to ensure that developments are comfortable and secure for users and avoid impacts from natural hazards.

8.10.24 The potential impact of the proposed development on the wind microclimate of the site, and the immediate surrounding area has been considered. The ES considers the likely effects of the proposed development on the local wind environment and surrounding areas (Chapter 10: Wind Microclimate, March 2021 ES Volume 1 and later updated in Chapter 10A: Wind Microclimate, May 2022 ES Volume 1A). A Wind Microclimate Assessment has been produced. The Lawson's Wind Comfort and Pedestrian Safety criteria is well established as a benchmark used to quantify wind conditions on building environments and includes guidance on desirable wind speed thresholds for a range of uses such as walking, sitting, and standing.

8.10.25 A wind tunnel study has been conducted to assess the pedestrian level wind microclimate conditions on the site and surrounding areas. Effects on receptors up to 480m radius from the site was considered from the proposed development. Computer measurements of wind speed have been taken for a total of up to 109 locations under the existing baseline conditions and up to 220 locations under the proposed development configurations within and surrounding the site. Following scenarios were assessed:

- Existing baseline (site with existing surrounding buildings)
- Existing baseline with proposed development; and
- Existing baseline with proposed development and cumulative development.

8.10.26 Testing has been assessed for both summer and winter seasons and on sensitive receptor locations that would be accessible to pedestrians and occupiers of the proposed development at ground, podium, balcony and roof terrace levels. Existing wind conditions at and around the site is suitable for sitting to strolling use during the windiest season and suitable for sitting and standing use during the summer season.

8.10.27 An assessment of the effects on the wind environment during the construction stage has been conducted. The demolition and construction works are not anticipated to give rise to any significant change to the existing (relatively calm) wind microclimate both on and off the site and therefore impact on wind conditions during construction on-site would likely be direct, temporary, short- to medium-term, Negligible (not significant). No additional mitigation measures would be required specifically for the demolition and construction stage over and above those described in ES Chapter 5A: Amended Demolition and Construction Environment Management.

8.12.28 The proposed development once completed is expected to experience wind conditions on the site and surrounding area generally suitable for the intended use subject to mitigation measures in certain locations. The likely effect on majority of throughfares, entrances and off-site pedestrian crossings is expected to be negligible to minor adverse (not significant) and would benefit from the landscaping mitigation works proposed. Existing off-site and proposed ground floor amenity spaces, off-site and proposed podium level amenity, balconies and roof terraces would in certain locations expect minor to moderate adverse effect. Mitigation measures are proposed such as various forms of shelter, appropriate balustrades and landscaping which would be secured by appropriate condition and assessed at the detailed design stage.

8.10.29 With the cumulative surrounding buildings in place, the wind conditions around the amended proposed development would be suitable for sitting to walking use during the windiest season and sitting to strolling use during the summer season. Cumulative Schemes would not give rise to any materially different wind microclimate effects over and above those identified for the development in isolation and therefore no additional mitigation would be required.

8.10.30 Subject to appropriate mitigation measures, overall pedestrian comfort and safety is assessed to be suitable for walking, sitting, and standing within the site during both the winter and summer months. It is considered that the impacts outlined above on the ground floor, podium and upper floors can be mitigated and secured by appropriate conditions. Subject to the inclusion of conditions requiring the implementation of the mitigation measures required and landscaping, officers consider that the proposed development accords with Policies D8 and D9 of the London Plan (2021) and Policies DC3 and CC2 of the Local Plan (2018).

Energy and Sustainability

8.10.31 London **Plan Polices SI 2 (Minimising greenhouse gas emissions), SI 3 (Energy infrastructure), SI 4 (Managing heat risk)** require development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction, they should provide on-site renewable energy generation and boroughs should seek to create decentralised energy network.

8.10.32 Policies SI 2 and SI 3 set out how new development should be sustainable and

energy saving. Policy SI 2 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.

8.10.33 Policy SI 3 states that within Heat Network Priority Areas, which includes the site, major development proposals should have communal low-temperature heating systems in accordance with the following hierarchy:

a. Connect to local existing or planned heat networks

b. Use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)

c. Use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)

d. Use ultra-low NOx gas boilers.

8.10.34 Policy SI 4 requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials, and the incorporation of green infrastructure. This should be demonstrated by following the cooling hierarchy along with an assessment using The Chartered Institution of Building Services Engineers (CIBSE) guidance on assessing and mitigating overheating risk in new developments, using TM59 and TM52 for domestic and non-domestic developments, respectively.

8.10.36 Local **Plan Policy CC1 (Reducing Carbon Dioxide Emissions)** requires all major developments to implement energy conservation measures with a view to reducing carbon dioxide emissions. The policy, however, refers to the previous version of the London Plan and as such has been partly superseded by the more up to date requirements contained in the new London Plan.

8.10.37 Local **Plan Policy CC2 (Sustainable Design and Construction)** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.

8.10.38 Energy Statements (March 2021 and May 2022) have been provided with the application as required. As the scheme is a major development, the proposals are required to comply with the London Plan's zero carbon requirement. The Energy Assessment sets out how efficiency and low/zero emission technologies are proposed be integrated to reduce the new development's CO2 emissions. The statement sets out that the proposals would integrate the following sustainability measures within the scheme.

8.10.39 The London Plan Energy Hierarchy has been used to guide the design to minimise energy use and reduce associated CO2 emissions. Submitted report concludes that the proposed development will achieve a 65.31% improvement over Part L1A/L2A/L 2013 of the Building Regulations (relating to SAP2012 carbon factors) with the following energy strategy:

- Improved building fabric specification to exceed that of the notional building

- A minimum of 10% improvement for the residential dwellings and 15% for the non-residential building

- Community heating scheme with high efficiency gas boilers and two 1190kWe/1206kWth

- Combined Heat and Power (CHP) engines from the existing in-situ EoN district network at Westfield

- 461.38kWp of Photovoltaic (PV) array (1,357 no. PV panels with an output of 0.340kWp) for the residential units and PV to provide 13,575kWh annually for commercial

- Predicted energy usage provided and commitment to monitor required to meet Be Seen

8.10.40 The commercial units are going to be sold as Shell and Core; however, connection points will be provided within each unit to allow them to connect to the community heating scheme. It has also been assumed that high efficiency Air Source Heat Pumps (ASHPs) will be used to provide comfort cooling. The commercial units within the development will also be assessed against BREEAM New Construction 2018 and will as a minimum achieve a BREEAM rating of 'Excellent'.

8.10.41 There is an energy centre already in-situ which is managed by EoN. This energy centre is located off Ariel Way and currently feeds Phase 2 of Westfield London retail supplying heat and chill services, as well as Block K an existing residential block which receives heat services. It was completed in 2018 and has been designed with capacity to serve this development, Westfield Block C.

8.10.42 Overheating risks have been assessed which shows that passive design measures can minimise overheating risk with initial calculations indicating that a majority of the dwellings have little to insignificant risk of summer overheating. This is achieved through enhanced glazing, grilles and dual aspect dwellings. The commercial units will likely have cooling. Air Source Heat Pumps (ASHPs) will be proposed in the fit-out specification. It is noted that the scheme is at outline planning stage and a number of assumptions have been made, which will be developed at detailed design and reserved matters stage.

8.10.43 Overall, the proposed carbon reduction measures are calculated to reduce CO2 emissions by 65.31% through on-site measures. This meets the minimum requirement of 35% set in the London Plan for major schemes and exceeds the new benchmark figure of a 50% reduction recently adopted by the GLA.

8.10.44 The results of submitted report indicate that the residential element of the development is achieving a 65.82% reduction in CO2 emissions over Part L1A 2013 of the Building Regulations and the non-domestic 46.13%, which meets the London Plan minimum of 10% for residential uses and minimum of 15% for non-residential uses. However, the development will still produce CO2 emissions for regulated energy once in operation.

8.10.45 Whilst the overall site wide reduction in CO2 emissions would meet the minimum on-site requirement for reductions, it falls short of achieving the zero-carbon target in the London Plan. As such, a carbon offset payment is required to be secured. This is calculated based on a net-zero carbon target for both domestic and non-domestic element using the GLA's recommended carbon offset price (£95/tonne) or, where a local price has been set, the borough's carbon offset price. A carbon offset payment of £2,066,250 is estimated and is subject to the outcome of the revised Energy Strategy secured by condition.

8.10.46 Broadly the approach is acceptable in energy policy and CO2 reduction terms.

Sustainability

8.10.47 As required of a major development; a Sustainability Statement has been provided with the application. The sustainability statement identifies the key planning policies in relation to sustainable design and construction set out in the Local Plan and the London Plan. The sustainability measures that will be designed in include water efficiency, waste management and recycling facilities, use of building materials with low environmental impacts where possible, including recycled materials where feasible, inclusion of measures to minimise noise pollution and air quality impacts, flood risk and sustainable drainage measures (see separate comments), sustainable transport measures and biodiversity improvements. The development site will also be registered with the Considerate Constructors Scheme to encourage environmentally and socially considerate ways of working and reduce adverse impacts arising from the construction process.

8.10.48 Both submitted sustainability statements, March 2021 and May 2022 committed to achieving a BREEAM rating of "Excellent", with assumed target score of 73.18% for overall building performance.

8.10.49 A condition will require submission of a post-construction certificate to demonstrate that a rating of at least 'Excellent' has been achieved.

Whole Life Carbon

8.10.50 As the proposed development is GLA referable a Circular Economy Statement and Whole-Life Cycle Carbon Assessment have been provided in accordance with **London Plan Policy SI 2 and SI 7.**

8.10.51 A Whole Lifecycle Carbon Assessment March 2021 was initially submitted as required assessing CO2 emissions associated with several stages of the design, construction, use and potential demolition of the proposed buildings, including embodied energy. Following changes to the proposed scheme, amended Whole Lifecycle Carbon Assessments May 2022 and September 2022 were submitted. Amended report outlines chapters that are subject to change and those that remain the same as in March 2021 report. Further review would be secured through a condition comprising a post-construction monitoring report.

Circular Economy

8.10.52 A Circular Economy Statement March 2021 was initially submitted as required,

with detailed strategic commitments, targets and aspirations for the Westfield Block C outline application. Replacement version of Circular Economy Statement was submitted in September 2022.

8.10.53 The statement outlines the targets in terms of the sustainable material sourcing, design with flexibility, adaptability and easy disassembly. Materials will be sourced responsibly and sustainably. The Circular Economy Statement goes on provide a series of specific commitments and implementation approach, including reducing embodied carbon, conserving resources, designing to minimise waste, longevity, managing construction and operational waste. The CE Statement would have to be updated as the proposed development progresses, as this will allow to identify how well the commitments are achieving their anticipated potential, so that alternative, could be explored for the remainder of the project. A more detailed version of CE Statement would be submitted along the Reserved Matters Application to confirm that the principles outlined at this stage will be delivered. Post-construction monitoring report would be secured via a planning condition.

8.10.54 Officers consider the proposed energy and sustainability strategies align with the latest requirements of the London Plan. It is recommended that the implementation of the measures outlined in the Energy Strategy and Sustainability Assessment be conditioned.

8.10.55 Officers therefore consider that subject to conditions, the proposed development accords with **London Plan Policies SI 2, SI 3 and SI 4** and **Policies CC1, CC2 and CC7 of the Local Plan.**

Flood Risk and SuDS

8.10.56 The NPPF seeks to meet the challenge of climate change, flooding, and coastal change by supporting the transition to a low carbon future in a changing climate taking account of flood risk and coastal change.

8.10.57 **London Plan Policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage)** outline strategic objectives in relation to flood risk management and sustainable drainage.

8.10.58 **Local Plan Policy CC2** requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. **Local Plan Policies CC3 (Minimising Flood Risk and Reducing Water Use) and CC4 Minimising Surface Water Run-Off with Sustainable Drainage Systems)** contain similar requirements designed to assess and mitigate against the risk of flooding and integrate surface water drainage measures into development proposals.

8.10.59 In compliance with the requirement of Local Plan Policy CC3, a Flood Risk Assessment (FRA) and addendum have been prepared and are included with the revised application. The entire site is located within Flood Zone 1 (Low probability) and there are no historic records of flooding on the site. The risk of flooding from tidal and fluvial sources is considered to be low. The majority of the site is shown to be at Very Low risk of flooding from surface water. The detailed drainage design for the amended proposed development would ensure that a suitable level of protection is provided for the proposed basement and to prevent flooding above ground level, as well as to limit the risk of road flooding. The FRA demonstrates that the Susceptibility to Groundwater

Flooding at the site is Low. The basement waterproof grade would be determined at the detailed design stage by the principal contractor, subject to agreement with the Applicant and LBHF Building Control, which would ensure no ingress of groundwater. Details of basement waterproofing would be secured by condition.

8.10.60 With regards to sewer flood risk, no reference has been included at this stage to mitigate the risk of sewers backflowing into basement areas. As for groundwater mitigation, it is acceptable not to have full details submitted at this stage, however condition would be attached to secure further details at the detailed design stage on sewer flood mitigation measures where relevant when applications are submitted for each phase.

8.10.61 No requirement for mitigation against flood risk, such as raising of floor levels or floodplain compensation has been identified. The surface water drainage network which would be designed to serve the amended proposed development would ensure that there is no increased flood risk to the site or to surrounding land. Consideration would be given at detailed design stage to reducing discharge of surface water from the amended proposed development to as close as is reasonably practical to a greenfield rate.

8.10.62 Thames Water raise no objection to the proposal subject to conditions/informatives. Similarly, the Environment Agency do not object to the proposal. FRA and Addendum are considered acceptable. At this stage council's environmental officers consider that the most appropriate approach would be to condition the submission of full details with regards to ground water and sewer flood risks and mitigation measures where relevant when applications are submitted for each phase.

Drainage

8.10.63 A Surface Water Drainage strategy is included in submitted Flood Risk Assessment (March 2021) and updated version (May 2022). Updated assessment concludes that due to the outline nature of the planning application, with all matters reserved, the drainage designs for the amended proposed development would be prepared at later, detailed design stage. The amended proposed development drainage strategy would remain consistent with the previously consented masterplan scheme and Block C.

8.10.64 A range of SuDS measures are proposed across the site to reduce flood risk. The amended proposed development's drainage network would connect into the main surface water network for the consented masterplan scheme. However, it is acknowledged that due to changes to climate change guidance since the design of the main surface water network for the consented masterplan scheme, the volume of attenuation within the site may need to be increased. Further calculations were undertaken and demonstrate that the increase to a 40 % climate allowance would have minimal impact on the existing arrangement during a the 1 in 30-year event (with no flooding predicted at Block C). However, during the 1 in 100 + 40 % climate change event very small volume of flooding may occur above ground at one of the discharge spurs (less than 0.25 m3). Consideration would be given at detailed design to identifying appropriate exceedance flow paths from the podium to route such runoff away from the building infrastructure.

8.10.65 It is considered likely that the required volume of attenuation would be achieved through the use of a 300 mm thick Permavoid system located on top of the structure deck within the park of the amended proposed development. In addition, consideration has been given to the use of a Blue Roof System and it is proposed to supplement the existing SuDS attenuation under Marathon Way by using the space between the upstand beams above the bus depot and below the park landscaping as a stormwater retention zone. Rainwater at roof level would drain onto blue roofs, where passive measures would feed water to the proposed biodiverse roof medium. However, it is noted that biodiverse roofs and photovoltaics are proposed in order to provide ecological, amenity and renewable energy benefits such that the extent of a Blue Roof System for drainage may be restricted.

8.10.66 In line with the above and subject to the inclusion of conditions requiring the submission of a detailed surface water drainage strategy and design, officers consider that the proposed approach would be acceptable and in accordance with **Policies SI12 and SI 14 of the London Plan** and policy requiring flood risk assessment and development to mitigate flood risk, **Policies CC3 and CC4 of the Local Plan** which requires development to minimise future flood risk.

Ecology and Biodiversity

8.10.67 The NPPF requires that development should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); minimise impacts on and provide net gains for biodiversity, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

8.10.68 **London Plan Policy G5** states that major development proposals should ‘contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage’. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. Higher standards of greening are expected of predominately residential developments (target score 0.4). **London Policy G7** states that existing trees of quality should be retained wherever possible or replace where necessary. New trees are generally expected in new development, particularly large-canopied species.

8.10.69 **London Plan Policy G6** seeks to protect Sites of Importance for Nature Conservation (SINCs) and avoid harm. Where harm is unavoidable, this should be managed and mitigated to secure net biodiversity aim.

8.10.70 **Local Plan Policies OS1 and OS5** seek to enhance biodiversity and green infrastructure in the borough by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm. **Policy OS4** relates to nature conservation areas and green corridors and prevent harm to

ecological (habitats and species) value from development.

8.10.71 It is noted that no designated sites or irreplaceable habitats were found within the site, nor are there any SPAs, SACs, SSSIs, NNRs or LRNs located within 2 km of the site. No SACs designated for bats are present within 10 km of the site. With regard to non-statutory designated sites, nine SINCs are identified and located within 2 km of the site. There are no trees, watercourses or hedgerows currently on site. Due to the distance and lack of ecological connectivity of designated sites from the site, impacts arising from the proposed development on nearby ecologically designated sites are considered unlikely. Mitigation for designated sites is therefore not required.

8.10.72 Post-development biodiversity of the development site, at current, outline stage is based on the illustrative landscape plans and the landscaping principles are set out in the design code. A detailed landscaping strategy will follow at the reserved matters stage. A range of urban greening measures are proposed. The new development's main landscaping area is identified as 'The Park', within which are areas which will be called the 'Residents Garden' and the 'Garden Rooms', as well as an area of lawn and meadow. The Residents Garden will have a mix of single stem and multi-stem tree species, with ornamental shrubs and herbaceous perennials. The Garden Rooms area will have multi-stem native trees, native shrubs, ornamental grasses, native herbaceous perennials and bulbs. The Park Meadow will have a native mix of wildflower meadow and grass species to create an ornamental meadow, but one that will be managed with mown paths. To the north of 'The Park', a strip of habitat will be planted with mixed native scrub and native herbaceous planting. Other new habitat types will include mixed scrub, brown roofs, introduced shrub and amenity grasslands.

8.10.73 A total of 198 new trees will be delivered as part of the proposed illustrative landscape plans. This will include two lines of trees (37 trees in total) and 161 individual trees. This will create a significant gain for biodiversity as no trees were present on the proposed development site at baseline. The linear tree lines will provide high-value habitat as well as providing links between adjacent areas of habitat in the wider area.

8,10,74 Updated version submitted in May 2022 includes refined illustrative landscape scheme, however, these refinements would not have a material effect on the March 2021 Biodiversity Net Gain Assessment. Additional refinement includes increase in flower rich perennial planting at park level; minor reduction in intensive green roof/ vegetation over structure; additional tree planting along Marathon Way subject to Network Rail approval; increase in extensive green roof area; hedge planting around private residential amenity; increase in tree planting and omit permeable paving of 677 m2 from Marathon Way.

8.10.75 The applicant has undertaken an Urban Greening Factor (UGF) assessment and submitted Preliminary Ecological Appraisal in March 2021 and updated version was submitted in May 2022. The scheme would meet the 0.4 benchmark in the London Plan. Overall, officers consider that the proposals have maximised the potential for urban greening considering the characteristics of the site and the proposed development. As such, the application would accord with London Plan Policy G4. This would be secured by condition.

8.10.76 The new public realm incorporates recommendations to enhance the biodiversity value such as the inclusion of wildflower-rich planting suitable for pollinators. Pebble, rock and log piles be provided for nesting and hibernating

invertebrates, in addition to and bat and bird boxes. The final measures to be included will come forward as part of the landscaping details required by condition.

8.10.77 Overall, the development will contribute towards meaningful biodiversity. Subject to this being secured, the application would comply with London Plan Policy G6.

8.10.78 Subject to the inclusion of conditions securing proposed level of landscaping and management plan officers consider that the proposed development accords with Policies G5, G6 and G7 of the London Plan and Policies OS1, OS4 and OS5 of the Local Plan in terms of ecological and urban greening.

Socio-Economic

8.10.79 London **Plan Policy E2 (C)**, states that the applicant should show how a proportion of low cost and flexible business space would be incorporated into the proposals to provide workspace suitable for small and medium sized enterprises.

8.10.80 Local **Plan Policy E1** requires flexible and affordable space suitable for small to medium enterprises in new large business development. **Local Plan Policy E4** requires the provision of appropriate employment and training initiatives for local people of all abilities in the construction of major developments including visitor accommodation and facilities.

8.10.81 Chapter 6 of the White City Opportunity Area Planning Framework sets out the requirement for all developments to contribute to the provision of social infrastructure. This is to support the expanded residential and worker population across the opportunity area.

8.10.82 A socio-economics impact assessment is included in the ES using a wide range of information sources, including census data and studies/assessments relating to businesses, housing, travel and commuting patterns, education, and health care (Chapter 6: Socio-Economics of March 2021 ES Volume 1 later updated with Chapter 6A: Socio-Economics of May 2022 ES Volume 1A). The ES expects temporary demolition and construction benefits through the creation of temporary jobs. The ES estimates that works associated with the development would generate approximate monthly average of 310 FTE (full-time equivalent) jobs over the duration of the indicative 16-year construction period. As the number of on-site workers would fluctuate over the course of the demolition and construction programme, it is not possible to quantify the level of spending captured locally, although it is likely to be beneficial.

8.10.83 The development would also generate permanent jobs once completed and operational. The amended proposed development includes delivery of up to 2,642 m2 (GE) of flexible Use Class E/F.2 floorspace of which a maximum 193 m2 (GEA) could come forward as community floorspace. The March 2021 ES identified potential for 38 to 230 jobs to be accommodated on-site. Updated modelling shows a slight increase to an estimated 40 to 232 jobs accommodated on-site. Effects in relation to employment (medium sensitivity receptors) as direct, permanent, long-term, Minor Beneficial (not significant) at the local level and Negligible Beneficial (not significant) at all other spatial scales. The new on-site employees would give rise to additional local expenditure on local goods and services, estimated to be in the region of £131,700 and £670,000 per year.

8.10.84 The applicant would be required to work with the borough and local training, employment, and education agencies to maximise local take-up of positions during the construction phase of the development. The legal agreement will secure that 10% of the construction costs will be offered as local procurement contracts and are secured for the local economy together with delivering by way of a contribution secured by obligation to apprentices, and work placements.

8.10.85 The amended proposed development would deliver up to 1,700 new homes, which would be a significant beneficial effect at the borough level. These homes would accommodate an estimated 3,055 residents. The new on-site households would spend approximately £25.6 million in household goods and services annually, a proportion of which would be captured within the local area. This local spending would be a significant beneficial effect for the local level economy. The development would also contribute to the overall housing delivery targets for the borough.

8.10.86 Based on the HUDU guidance of 1,800 patients per GP, the residents of the amended proposed development would generate demand for the equivalent of 1.7 GPs. There is currently limited surplus capacity in the surgeries within 1 km. Therefore, in the absence of mitigation, the proposed development would have an adverse but not significant effect at the local level reflecting a change from the 2021 ES which identified a significant adverse effect. Therefore, contributions towards healthcare would be secured under the Section 106 (S106) Agreement.

8.10.87 An estimated 116 school places would be needed to meet educational need arising from the amended proposed development's new residents – 87 primary school places and 29 secondary school places. There is currently surplus capacity within primary and secondary schools locally. Accordingly, the adverse effect would not be significant.

8.10.88 The amended proposed development would provide a minimum of 10,860 m2 of public realm and open space. This includes provision of a publicly accessible park at podium level providing new open space in an area of deficiency. This effect would be beneficial to the local area. As part of this provision, the amended proposed development would commit to delivering 2,240 m2 of play space across the proposed development. This would meet demand for children under 12 years generated by the proposed development. Even though, there would be a shortfall of 310 m2 of formal play provision for children aged 12 to 18 years, considering overall provision of public realm and open space, this effect would not be considered significant.

8.10.89 In summary, the development will have an overall positive socio-economic impact through the provision of employment opportunities and economic multiplier effects and through the provision of new affordable housing.

8.10.90 The proposed development will deliver more affordable homes and there are benefits associated with providing good quality housing accommodation in terms of mental and physical wellbeing. The creation of new public realm and landscaping features will serve the needs of proposed residents and the wider community.

Ground Contamination

8.10.91 London **Plan Policy SD1** encourages the strategic remediation of contaminated land.

8.10.92 Local **Plan Policy CC9** ensures that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works. **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.

8.10.93 A Preliminary risk - Phase 1 Environmental Site assessment has been prepared and is appendix in the ES Volume 3A March 2021. As part of several planning applications for the redevelopment of the site, multiple environmental reports have been produced between 2015 and 2018 and have been reviewed by Ramboll at this stage. Based on the available information, Ramboll considers the site is of low risk in terms of the potential for significant soil or groundwater contamination to be present in the context of the completed proposed development.

8.10.94 All previous on-site buildings have been demolished, site levels amended, and the podium level established as part of the consented masterplan scheme. The site principally comprises a construction compound used for the storage of construction materials, Silver Road and portion of the public realm (Silver Street and Bronze Walk) delivered as part of the consented masterplan scheme. The site is predominantly hoarded and is only accessible by construction crew. No significant potentially contaminative activities from current uses on and off-site were identified during the site inspection.

8.10.95 As currently submitted investigations, assessments and the remediation were based upon the previously consented masterplan scheme, the requirement for further Block C specific remedial mitigation will be assessed through a development-specific remediation method statement and verification plan. Based on the investigation findings to date, it is considered likely that the identified pollutant linkages can be mitigated using standard development-led remediation techniques which are typical for a brownfield development, such as a clean cover layer for soft landscaping areas and private gardens at ground level, and potentially confirmation of gas protection measures in new buildings, if deemed necessary. This would be secured by the condition.

8.10.96 On the basis of the above, it is considered that the proposed development is unlikely to give rise to significant adverse environmental effects in relation to ground conditions.

8.10.97 No objection is raised by the Council's Contaminated Land Officers to the proposed development or land uses subject to the standard contaminated land conditions/informatives relating to investigation and remediation works. Subject to the inclusion of the conditions, officers consider that the proposed development accords with Policy SD1 of the London Plan and Policy CC9 of the Local Plan.

8.11 Waste

8.11.1 **London Plan Policy SI 7 (Reducing Waste and supporting the Circular Economy)** states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor through promoting a circular economy, encourage waste minimisation, ensure

that there is zero biodegradable or recyclable waste to landfill by 2026 and meet or exceed the municipal waste recycling target of 65 per cent by 2030. Developments should be designed with adequate, flexible and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables and food.

8.11.2 **Policy CC6 (Strategic Waste Management)** of the LBHF Local Plan states that the Council will pursue sustainable waste management including planning to manage 247,000 tonnes per annum of waste in LBHF by 2036, promote sustainable waste behaviours and seek where possible, the movement of waste and recyclable materials by sustainable means of transport.

8.11.3 **Policy CC7 (On-site Waste Management)** of the LBHF Local Plan further requires all new developments to include suitable facilitates for management of waste generated by the development including the collection and storage of separate waste and where feasible on-site energy recovery.

8.11.4 The Application is accompanied by an Outline Operational Waste Management Strategy (OOWMS). The OOWMS identifies how waste generated by the operation of the Development would be managed in line with the waste hierarchy and relevant planning policy.

8.11.5 With regards to residential waste, the OOWMS identifies that this would include residual waste, mixed dry recycling, organics (food) waste and bulk waste. Whilst it is currently not possible to collect food and garden waste from blocks of flats in the LBHF, the Development proposes the inclusion of sufficient space to separate and store the different waste streams to provide future flexibility in line with LBHF guidance. An internal chute system, provided with either a bi-sorter system or dual chutes, is proposed to be used to transport waste from each building floor to refuse stores located at the ground level below podium. Within the refuse stores, space would also be set aside for the storage of residential bulky waste. The refuse stores at ground level of each building would provide 1,100 L bins for refuse and dry recyclables respectively. It would then be the responsibility of the facilities management team to monitor and manage the residential waste streams. This detail would be set out in the reserved matters submissions and/or conditions.

8.11.6 The OOWMS also provides details of the proposed waste strategy for the commercial units. Whilst the exact use of the proposed commercial floorspace has not yet been defined, the waste strategy proposed seeks to align with the LBHF requirements with regards to commercial waste. The waste requirements for the commercial and industrial units have been based on a standard calculation for retail/flexible commercial floorspace (Class E). Assuming weekly collection, it is anticipated that the commercial unit would require 17 bins of 1,100 L capacity. The refuse storage rooms would be provided at ground level adjacent to the units to facilitate waste disposal and collection.

8.11.7 The OOWMS concludes that through the implementation of the proposed strategy, the Development would include suitable space and layout for the storage and management of waste necessary for a successful and efficient waste management regime. The proposed strategy is therefore capable of meeting the policy requirements set out above with regards to providing suitable facilities for the management of waste and the collection and storage of separate waste.

8.12 Equality Considerations (NB)

8.12.1 The Equality Impact Analysis of the planning application 2021/1101/OUT shows that:

- Regarding the proposals relating to walking, cycling, car parking, wheelchair accessible and adaptable homes, built environment improvements, public squares, land use and employment provisions there will be impacts on: age, disability, pregnancy and maternity, sex, race, religion and belief including non-belief, children, and in the main these will be positive and have varying degrees of relevance.

- Regarding the proposals relating to private housing, these will impact on age, disability, pregnancy and maternity, race, sex, and will be both negative and positive, and be of varying degrees of relevance. The Financial Viability Assessment shows that it is not possible to change the tenure mix and mitigate for any negative impacts. It is considered that the proposals relating to Housing do not unlawfully discriminate against any protected groups.

8.12.2 Having regard to the Viability Assessment, the individual circumstances of the site and the planning and regeneration benefits arising it is considered that the provision of affordable housing is appropriate in light of the current viability assessment. The review mechanism to be agreed in the s106 will test viability of the scheme in order to re-assess whether the viability in the future would allow for additional affordable housing to be provided beyond the current offer prior to the delivery of the housing aspect of the development. This would enable the Council to deliver the maximum reasonable level of affordable housing in order to facilitate regeneration in White City and create sustainable mixed and balanced communities. Additional financial contributions have been secured which are considered necessary to mitigate the effects of the development and contribute towards wider Regeneration Area, social and environmental infrastructure improvements.

8.12.3 The Local Inclusive Access Group will be consulted on future reserved matters applications and condition discharges to ensure the reserved matters applications and conditions are prepared that give due regard for people with impaired mobility including people with disabilities and wheelchair users. Blue Badge parking and wheelchair accessible units shall be provided in the development and such detail shall be set out in the reserved matters applications/conditions, in accordance with the appropriate planning polices in the London Plan 2021 and Local Plan (2018).

8.12.4 The s106 will include an obligation on the owners to optimise access to construction and end user jobs through the Employment and Skills Plan and financial contributions towards work placements, apprenticeships, Business Procurement and skills programmes particularly those who live in the local wards where there are high levels of deprivation and unemployment. The proposals would have positive equalities impacts in this regard.

8.12.5 The proposed management of the on-site publicly accessible areas will need to be carefully set out, once the details of the further design of the spaces are known (as part of the reserved matters approval process) in order to consider the characteristics of particular groups. Given the proposed primary vertical access to the podium level will be from the public steps from the Makery, alternative provisions will need to be provided

within the development or from nearby lift accesses (some of which exist at present). The provision of public stairs (with no integral lift) has the potential to negatively impact groups with disabled, pregnancy, age and maternity characteristics as it would be a barrier to access. Planning Conditions and S106 obligations, securing level access, inclusive internal design and layouts, parking areas to provide easy access to blue badge spaces (close to entrances/lobbies etc), appropriate use of ground surface materials, suitable design of street furniture etc will need to be secured by LBHF in order to implement the principles of inclusive design to ensure visitors and residents with particular protected characteristics are duly accommodated.

8.12.6 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan (2021), Local Plan (2018), and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in Officers' assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

8.13 Fire Safety

8.13.1 **Policy D12 in the London Plan** requires the applicant to prepare a detailed draft Fire Safety Statement by a suitably qualified third-party assessor, to demonstrate that the proposed development has been designed to offer a safe environment for residents. **London Plan Policy D5** further seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

8.13.2 The application is supported by a Fire Statement as required by London Plan Policy D12. The Applicant states the report has been prepared in consultation with the local fire service and building control, as such the proposals accord with Policy D12 of the London Plan in accordance with the standard D12B Compliance Checklist. The Applicant has also submitted a letter in response to the LFB Consultation letter (by Kiwa International Fire Consultants dated 23/11/22) clarifying that further changes to the Fire Statement will be made by the Applicant at the detailed design stages.

8.13.3 The submitted design and fire strategy has used BS 9991: 20154 as a guidance document to inform the basis of the performance benchmark for the design of the residential areas. The design team and fire engineers have also considered the London Plan guidance and specifically policies D5 and D12 and the provisions for multiple stair cores (within each building), mobility impaired escape, fire-fighting access, and the need for evacuation lifts. The Fire Statement provides further consideration to evacuation routes, fire-fighter access, construction, products and materials and Fire Safety Systems.

8.13.4 Regulation 7(2) of the Building Regulations (as introduced by the Building (Amendment) Regulations 2018) introduces strict restrictions on the combustibility of materials that are contained within (or attached to) external walls of “relevant buildings”. Those restrictions will apply to all parts of the site. Regulation 7(2) is prescriptive

legislation, and the building must comply accordingly to satisfy Building Regulations. The below representative sample of the type of cladding materials proposed per Block Type and position in terms of base, middle and top. These are shown to be a typical metal cladding and aluminium residential window system. In principle, the Fire Statement considers these systems to include cladding materials which meet the criteria set out in the Regulations, but further work would be required during the detailed design stage to ensure that all materials comply fully with the regulations.

8.13.5 Provision will be made for the means of escape of disabled occupants by the inclusion of a lift suitable for evacuation within each building core in accordance with London Plan Policy D5 (B5). This provision involves evacuation lifts which will serve all the floors that are served by the stairs. To comply with BS 9991 and the London Plan would require one fire-fighting lift and one evacuation lift per core. Fire-fighting lifts can be designed to be used for evacuation. However, in order to provide increased resilience, the Fire Statement confirms it is the intention to ensure that each residential core has two lifts, both of which will be designed to meet the standards of fire-fighting lifts as well as evacuation lifts

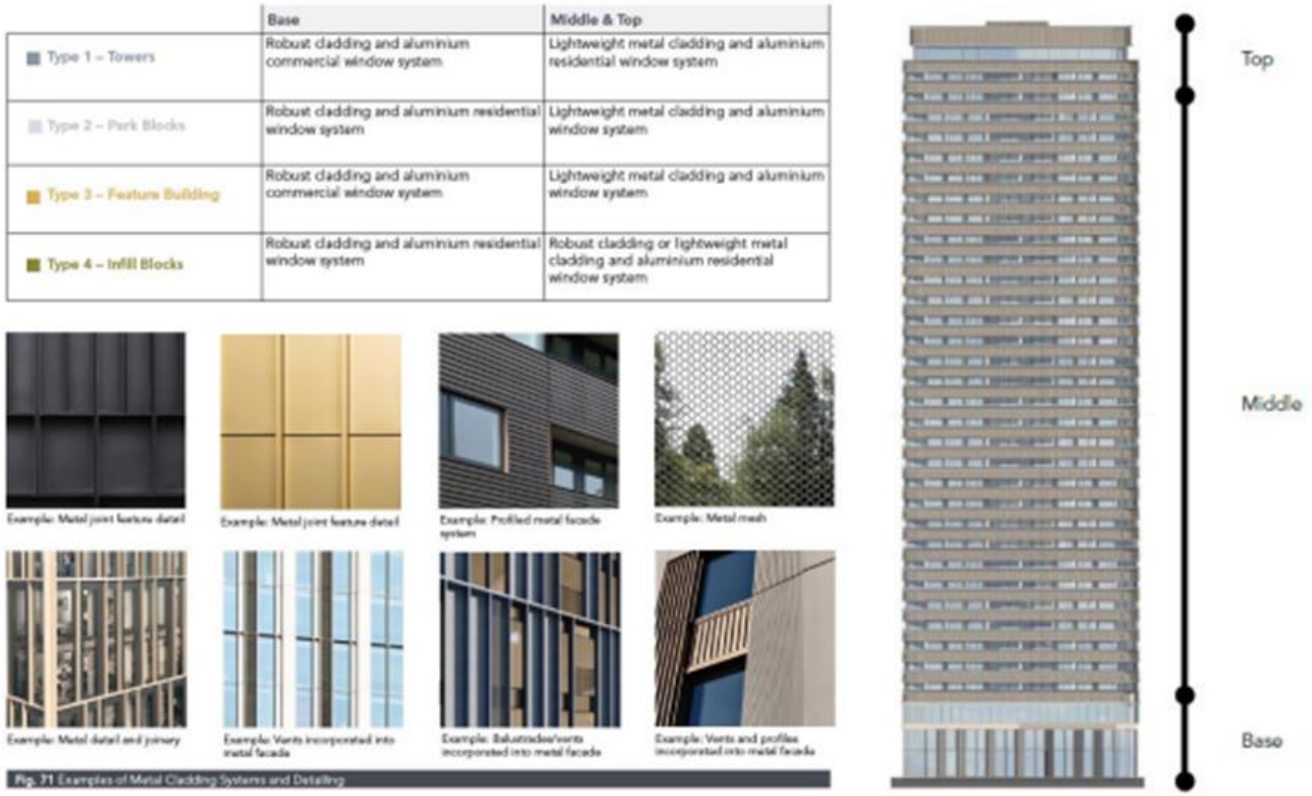


Figure 9 – Examples of Metal Cladding Systems and Detailing (example for Towers)

8.13.6 Fire-fighting stairs and fire-fighting lifts will be provided to each residential stair core. The Applicant and the London Fire Brigade have undertaken further discussions on the proposed fire strategy. As a result, the Applicant has committed to ensure that all Blocks (1, 2, 3, 4, 5, 6, 7, 8 and 9) will be served by 2no. stairs. Block 8 is less than 50m, however, the applicant has committed to go over and above the minimum standards. Detailed plans will need to be submitted with the reserved matters and illustrated in the detailed Fire Statements (submitted with each relevant reserved matters submission) and secured by condition, will be required to indicate spatially, how the above provisions could be delivered at the detailed design stage. The applicant has

agreed to provide further assurances that these commitments will be met by entering into a planning obligation.

8.13.7 All apartments, lobbies and the resident Lounge on Level 19 of Block 5 will be protected with a residential sprinkler system. The remainder of the building will have sprinkler protection throughout. This includes coverage to the Car Park, Co-working Hub on Level 00 in Block 5 and the Gym, Pool, Changing Rooms and other associated areas in Block 6.

8.13.8 LFB versed their comments on the original planning submission, pre-revision advising that a Qualitative Design Report (QDR) should be undertaken in advance of the planning application stage to ensure that the basic layouts of the blocks are appropriate, including, but not limited to, reliance on a single stair design. For this reason, the Applicant's technical fire engineers have prepared a preliminary QDR which focuses on high level issues that may be viewed as having a fundamental impact on the design and block arrangements as the design progresses into RIBA Stage 2 and later. This QDR report should be read in conjunction with the Fire Statement.

8.13.9 For the reasons outlined above and following the advice of the LFB, officers are satisfied that, at this outline planning stage, the Applicant has demonstrated due consideration to the potential building construction, means of escape and evacuation and emergency access arrangements, passive and active fire safety systems and access and facilities for emergency services including firefighting lifts within a fire strategy that will inform the detailed design.

8.13.10 Accordingly, with appropriate fire safety features proposed within the strategy being worked forward into a detailed design at reserved matters stage, it is considered the proposed development is capable of demonstrating that the requirements of the Building Regulations could be satisfied.

8.13.11 The GLA have raised no objections to the outline fire strategy subject to a condition requiring detailed Fire Statements for each reserved matters submission, in order to fully satisfactorily address the requirements of London Plan Policy in their Stage 1 response.

8.13.12 The Planning Policy Guidance was revised in August 2021 to require applications submitted after 1st August 2021 for relevant buildings to submit a Fire Statement and for HSE Gateway One to be consulted. This requirement does not apply to outline applications where matters of layout/detailed design are normally reserved. This outline application was originally submitted in April 2021, before the new guidance was released. Therefore, it would not have been a requirement to submit a fire strategy or consult the HSE Gateway One. Notwithstanding this, the HSE were contacted in response to the revised proposals and HSE have confirmed that they do not wish to make a comment on the application at this stage. Officers consider that subject to a planning condition being secured that requires a detailed Fire Statement to accompany the detailed designs at reserved matters stage, and in light of the additional measures and steps the applicant is willing to agree to at this stage, that the proposed approach to fire safety is acceptable.

8.13.13 The proposal would also be subject to a further technical assessment of compliance (under the Building Control processes), which would be completed when the Building Regulations application is submitted. Officers are satisfied that the

submitted Fire Statement and additional revisions to the fire strategy set out in Kiwa International Fire Consultants Response to the LFB (dated 23/11/22) provides sufficient information for this outline planning stage and recommends that a condition is imposed to ensure that a Detailed Fire Statement is submitted which contains a range of fire safety provisions in order to comply with the outline strategy. Further detailed design provisions were highlighted by LFB in their consultation response, and these provisions are specified within the wording of the planning condition in order to satisfy these requirements. The development must be carried out in accordance with the Detailed Fire Strategy document in order to comply with London Plan Policies D5 and D12 at this detailed stage.

9.0 COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATIONS

COMMUNITY INFRASTRUCTURE LEVY (CIL) Mayoral / Borough CIL

9.1 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL, the development would be subject to a CIL payment. 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 8.3.

9.2 The Council has also set a local CIL charge levied on the net increase in floorspace arising from developments to fund infrastructure that is needed to support development. The CIL Charging Schedule has formally taken effect since the 1 September 2015.

9.3 In conclusion, the Mayoral CIL contribution is estimated to be £6,343,905. The development does not require a Local CIL charge as the site lies outside the Borough-wide charging area.

SECTION 106 HEADS OF TERMS

9.4 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’.

9.5 London Plan Policy DF1 recognises the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability.

9.6 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).

9.7 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development.

9.8 A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the Proposed Development.

9.9 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include the variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Chief Planning Officer after consultation with the Director of Law and the Chair of the Planning and Development Control Committee, to authorise the changes he/she considers necessary and appropriate, within the scope of such delegated authority.

9.10 It is anticipated that the legal agreement for this development will include the following draft heads of terms:

A. 340 Affordable homes [minimum of **20% of Block C** (on a unit-by-unit basis)] comprising:

- 256 Discount Rented Units (75%)
- 84 Affordable Rent Units (25%)
- An early (pre-substantial implementation) viability review; a mid-stage viability review; and a late-stage viability review mechanism, to secure up to 50% affordable homes within Blocks C & K.

B. White City Regeneration Area Contribution, comprising the sum of **£19,349,320** Indexed, to be applied for social, physical, economic and transport infrastructure within the Borough towards but not limited to:

a. initiatives identified within the LBHF Industrial/Business Strategy (including) affordable workspaces, establishment of Med-City and employment/training schemes as identified in the Strategy);

b. initiatives identified within the LBHF Arts and Culture Strategy (including) public art and provision of new facilities, including temporary exhibitions and events);

c. place-making and public highways improvement schemes (such as (but not limited to) Phases 1 and 2 of the Wood Lane Cycleway Scheme within the Regeneration Area;

d. initiatives identified within the LBHF Schools Redevelopment Programme;

e. Local Environmental Improvements and Public Realm Works within the Wood Lane Estate;

f. affordable housing within LBHF; and

g. other necessary development and transportation and highways infrastructure works required to alleviate the impacts of the Development including local mitigation measures within the Regeneration Area [including (if required) up to £700,000 towards local works and measures within the highway to safeguard bus performance in the area];

C. The provision of **affordable workspace** occupying no less than 20% of the commercial floorspace at a discount of 40% to market gross rents and preparation and submission of an affordable workspace management plan prior to occupation of the commercial floorspace.

D. Financial Contribution **[of £2,327,500]** towards **employment and training initiatives** in the Borough (broken down into the following sums):

- £577,500 (for LBHF) to support Construction Apprenticeships directly delivered by the developer [based on £3,500 per apprenticeship x 165 persons]
- £1,155,000 (for LBHF) for Apprenticeships to be facilitated by the Council with employers other than those associated with the development or in the built environment sector [based on £7,000 per apprenticeship x 165 persons].
- £297,500 (for LBHF) to be paid to facilitate 85 paid Work Experience Placements to be delivered by the Developer [£3,500 per placement to support each trainee x 85 placements].
- £297,500 (for LBHF) to be paid to facilitate 85 x unpaid Work Experience Placements to be delivered by the Developer [£3,500 per placement to support each trainee x 85 placements].
- £12,750 contribution to support local SMEs included in the supply chain opportunities ringfenced for local businesses.

E. A commitment to submit to the following documents to the Council seeking to **maximise employment opportunities** within the development;

- Production of a Local Labour, Skills and Employment Strategy;
- Employment and Skills Plan;
- Local Supply Chain [to use reasonable endeavours to achieve a min of 10% of build cost to be used to commission businesses based in LBHF only. Local Supply Chain Procurement Plan to be agreed with LBHF prior to commencement to plan how the target will be achieved during construction phases].
- Monitoring & Reporting [LBHF requires quarterly monitoring].

F. Developer to **safeguard landing area to deliver the potential footbridge** within WCOA over West Cross Route.

G. A **car parking management plan** to include:

- details of procedures for allocation, and monitoring demand for off-street disabled parking, including demand associated with block K within the wider Westfield Phase 2 development.
- details of process / mechanism for providing the additional 7 percent of disabled spaces.
- details of enforcement, access control, lighting and CCTV within the off-street parking areas.
- restrictions on the off-street parking spaces not to be sold or allocated to specific residential units (except those allocated to Block K), with spaces leased instead and an allocation and monitoring policy for the lifetime of the development.
- The blue badge spaces for Block K should be conveniently located for Block residents and the spaces should be safeguarded in perpetuity.
- All blue badge spaces for Block C should be safeguarded in perpetuity.
- strategy to enable the conversion of under-utilised car and motorcycle parking spaces (except the blue badge spaces) for use by micro mobility vehicles such as electric cycle / scooters and cargo bikes.
- details of the procedures for monitoring demand for off-street motorcycle spaces

H. A **Cycle parking management Plan** is required secured to include:
- details of procedures for monitoring/reviewing demand for the various types of cycle parking (public and private) to ensure the cycle stores meet future changes in demands;
- details of access control and security measures within the cycle stores.

I. To improve accessibility an **Inclusive Access Management Plan** is required, to include:
- details of step-free access across the changing levels within the site.
- details of a Wayfinding strategy associated with the step free routes within the application site.
- details of how blue badge residents within Block K will access the disabled parking spaces within the site.

J. **CPZ reviews** and any changes to CPZ necessary to be carried out by LBHF.

K. Provision of a minimum of **two car club spaces on-site/**or a contribution towards the provision of an off-site mobility hub.

L. **Highways Improvement Works** [to be delivered under s278 agreement subject to the detailed scope and costs being agreed between the Local Highways Authority and the Applicant] in accordance with the **Healthy Streets Review** at the following locations;
- The section of footway between Norland Open Space and St Ann's Road which is decorated by trees, creating a pleasant environment. The audit suggested 'this section of the route could be improved by upgrading the surface of the footway to be more level and to remove this barrier to pedestrian movement.
- The section of route for people travelling from the site to Shepherds Bush rail and underground station on the east side of the Ariel Way - remove the bollard to make the route more attractive for cyclists and to avoid any potential collisions. Directional signage to Shepherds Bush rail and underground station at decision points along the route is recommended through the installation of signage.
- The route for people travelling from the site to White City Underground Station contains minimal wayfinding signage. Wayfinding could be improved through the installation of signage.

M. Requirement for the Applicant to submit (at an agreed trigger point with LBHF) an updated **VISSIM Model** and **Mitigation Scheme** which updates the Strategic VISSM Model order to assess the impacts of the development upon the local area which factors in the extent of the Wood Lane Cycle Scheme. The updated VISSIM results would inform and identify the need for mitigation to alleviate the impacts on highway performance and will also identify whether a material impact on bus performance will occur, and if further mitigation measures are required to be carried out within the local area in LBHF by LBHF to ensure no material impact on bus journey times/bus performance.

N. **Framework Travel Plans** for Construction Workforce, Residential and Non-Residential Uses
- **£5,000 monitoring fee** (for the Construction Workforce Travel Plan) paid every 12 months from the anniversary of commencement of development. **[capped at £80,000]**

- **£5,000 monitoring fee** (for the Residential and Non-Residential Travel Plans) paid at review years 1, 3 and 5 **[capped at £15,000]**.
- Travel Plans to include details of Car Club Membership.

O. Commitment to ensure the development is **car-permit free** (except Blue Badge holders).

P. Delivery & Servicing Plan and **Construction Logistics Plan Monitoring**

Q. Works to H-Junction and site accesses and any other site-specific highways works carried out under **s78 Highways Agreement.**

R. 10% of all units within Block C to be provided as Wheelchair User Dwellings to meet the requirements set out in M4(3)(2)(b) category 3: 'wheelchair user dwellings' of the 2015 edition (incorporating 2016 amendments) of Approved Document M entitled 'Access to and use of buildings' approved under the Building Regulations 2010; and; to construct and design the Wheelchair Units to allow for adaptation to wheelchair use prior to Occupation of any Dwelling within that Block.

S. Development to be capable of connecting into **District Energy Network**

T. Carbon Offset Contribution estimated at **£2,066,250.00**.

U. Provision of **new public realm** within the Block C Application Site to allow for tie in with Phase 2 public realm and provision of a **publicly accessible park access** (to permit the general public to have access on foot free of charge (subject to provisos) during daylight hours, as agreed with the local authority.

V. Submission and Approval of a **Public Spaces Operations and Events Management and Maintenance Plan** [to include details of how the public space within The Makery at ground level will be curated, managed and maintained].

W. Construction Site Air Quality Dust Management Plan Monitoring including a financial contribution of **£10,000** submitted prior to construction and then paid every 12 months until completion of the construction phase of development **[capped at £160,000]**

X. The **retention of the architects** [role to be defined] as part of the detailed design stages [Glen Howells Architects] to safeguard the design intent.

Y. The Developer to design and implement an additional appropriately sized or second independent stair core within each Development Block (numbered 1-9) to ensure the Development meets the highest standards of Fire Safety, in order to comply with the requirements of the London Plan policies D5 and D12.

Z. Council's Legal Costs - Payment of the Council's reasonable legal and other professional costs incurred in preparing the S106 agreement

10.0 CONCLUSION & RECOMMENDATIONS

10.1 In considering the planning application, the Local Planning Authority needs to

consider whether or not the proposed development accords with the development plan as a whole and any other material considerations. The NPPF explains that planning applications that accord with the development plan should be approved without delay.

10.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance. It is considered that the proposal is acceptable in land use and design terms. The quantum of the proposed land uses and the resulting nature of the site does not give rise to unacceptable impacts, within this urban high-density Opportunity/Regeneration Area within inner London.

10.3 The proposals are considered by officers to amount to sustainable development in accordance with the National Planning Policy Framework.

10.4 The proposal would result in the redevelopment of part of a Local Plan designated Strategic Site WCRA1 within the White City Regeneration Area and will contribute 1700 homes which will make a sizable contribution to the 7,000 homes target set out in the London Plan (2021). The provision of an additional 340 affordable homes, factoring the 89 affordable homes provided in Block K of the Westfield development (plus PIL) would combine to deliver 25% affordable (if both sites are considered together). This represents a significant betterment in the level of affordable housing provided under the former extant permission. In addition, review mechanisms are secured in order to optimise further opportunities to secure a policy compliant affordable housing provision.

10.5 The proposed outline masterplan and design framework secured under the design code and parameters plans would enable a high-quality design could be delivered that would enhance and regenerate the area. The housing mix would broadly meet the policy requirements, in addition to provision of new public realm (at ground and podium level) for the wider public benefit. The proposal realises the aims and objectives of national, regional and local policy.

10.6 The proposed development is considered to have an acceptable impact upon the amenities and living conditions within surrounding properties in respect of daylight, sunlight, overshadowing, overlooking/privacy, and nose impacts, which is commensurate with this particular location within an Opportunity/Regeneration Area designated in both Local Plan and London Plans. The levels of impact are also broadly consistent with the extant permission.

10.7 The redevelopment would also contribute beneficially to the local area and the borough by creating a high-quality built environment, delivering an excellent sustainability rating, and would see a low car development with policy compliant cycle spaces and adapting to climate change.

10.8 The design codes and parameter plans set out in the outline application demonstrate that the potential height, scale and massing of the proposed built form would be appropriate and provide a satisfactory design response to the site and surrounding townscape, delivering an appropriate level of high-density housing with regard to its location and the size of the site. The design code contains sufficient detailed coding to enable the elevations within forthcoming reserved matters to be designed to deliver architectural characteristics which provide interest across the frontages and the relationship between the built form and public realm would assist in the creation of a sense of place.

10.9 Less than substantial harm (at the lower end of the scale) has been identified to the setting of adjacent heritage assets (character of Avondale Conservation Area) with the substantial public benefits outweighing the harm identified. The proposals are therefore considered to be in accordance with the NPPF with regards to heritage.

10.10 The proposed development provides excessive residential car parking levels which comprises a conflict with London Plan Policy T6.1. Nonetheless, on balance there are considered to be material considerations which justify the level of car parking proposed within the site, relating to the extant permission which could be implemented by the applicant for a significantly higher number of car parking spaces. There are no major factors which could inhibit the implementation of the extant permission in planning terms, therefore this represents a theoretical fall-back position. The existence of the fall-back position, and with the provision of sustainable transport improvements to the area secured through the s106 legal agreement in the officer's view, comprise significant material considerations that suggest the application should be supported. The car parking provision itself does not in the officer's view result in an element of harm (in terms of transport impact) in the planning balance overall.

10.11 It is a matter of judgement as to whether or not the granting of planning permission would accord with the development plan when taken as a whole with due regard to the importance of the policies complied with or breached, and the extent of compliance or breach.

10.12 In this case, the proposals are considered to comply with the Development Plan, which comprises the London Plan (2021) and Local Plan (2018) as a whole, noting the above minor conflict with the parking policy. Even if a different conclusion were reached in respect of compliance with the plan as a whole, the overall planning balance would nevertheless weigh in favour of the grant of planning permission when regard is had to the extent of policy compliance and the impacts of the proposal. There are no other material considerations which would lead to an alternative conclusion.