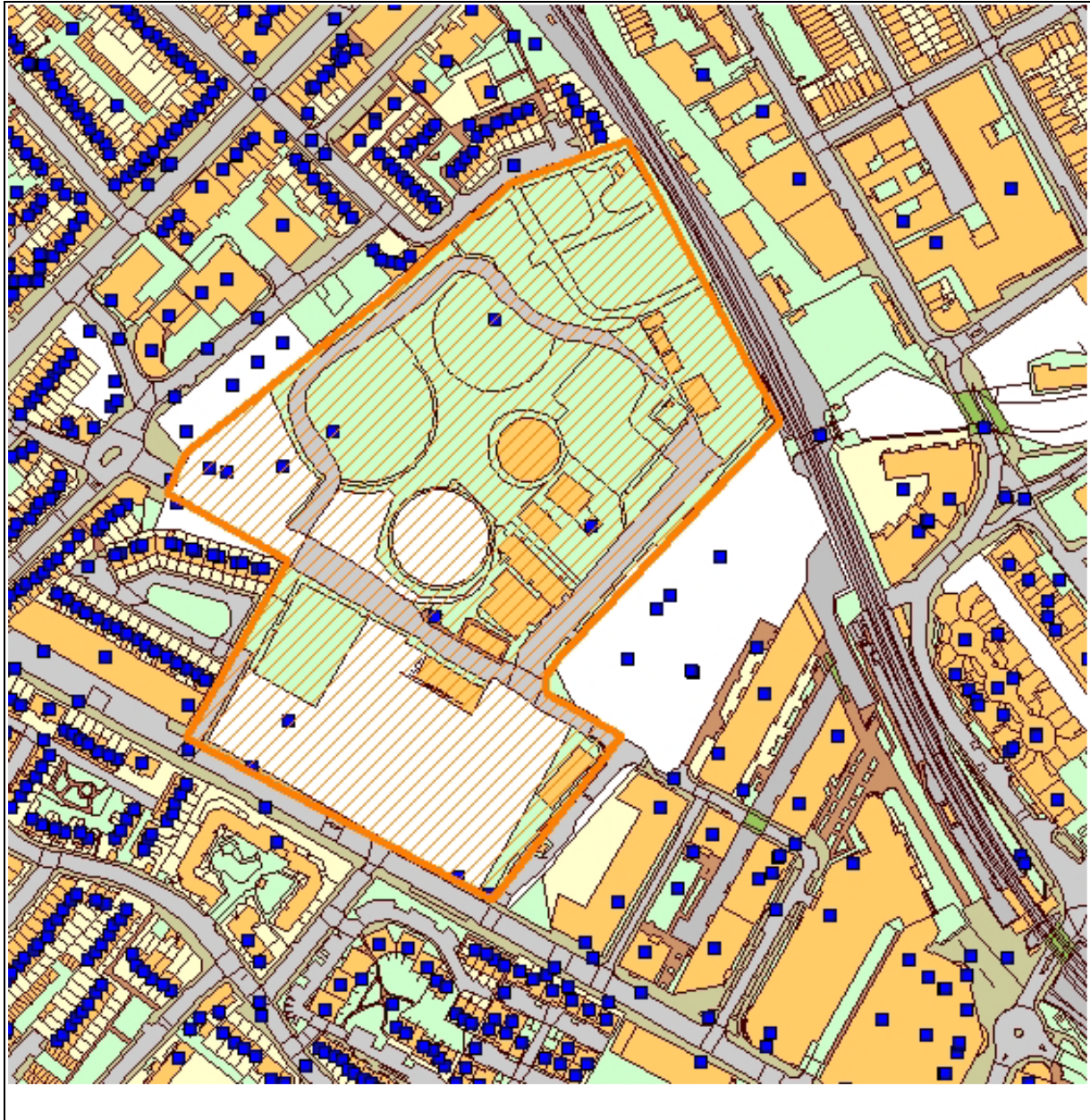

Ward: Parsons Green and Sandford

Site Address:

Fulham Gas Works Imperial Road London



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For identification purposes only - do not scale.

Reg. No:
2023/01146/FUL

Case Officer:
Jacques Du Plessis

Date Valid:
04.05.2023

Conservation Area:
Imperial Square & Gasworks Conservation Area -
Number 6

Committee Date:
13.02.2024

Applicant:

Mr Sean Gilbreth
3 Riverlight Quay London SW11 8AY

Description:

Demolition of the existing modern brick plinth to the Second World War memorial and salvage of Second World War memorial plaque and surround; erection of a new stone plinth for the display of the salvaged Second World War memorial plaque and surround in a new location within a public space in the Fulham Gasworks site; re-assembly of the dismantled Grade II listed First World War memorial in a new location within a public space in the Fulham Gasworks site.

Drg Nos: See Condition No.2

Application Type:

Full Detailed Planning Application

Officer Recommendation:

- 1) Subject to there being no contrary direction from the Secretary of State that the Committee resolve that the Director of Planning and Property be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement
- 2) That the Committee resolve that the Director of Planning and Property, 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:

Time

- 1) The development hereby permitted shall not commence later than 3 years from the date of this decision.

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

Drawings

- 2) The planning permission hereby permitted shall be constructed in accordance with the approved drawings marked.

Site Location Plan (A_FGW_PL_010-00)

Memorial Plan (W505-GILL-XX-GF-DR-LEW-9400-0828 P01)
Memorial Option 1 (W505-GILL-XX-GF-DR-LEW-9400-0820-01)
Design Document (W505-GILL-XX-GF-RP-LEW-9400-0755 P06)
Elevation Drawings (W505-GILL-XX-GF-DR-LEW-9400-0311 P04; W505-GILL-XX-GF-DR-LEW-9400-0312 P04, W505-GILL-XX-GF-DR-LEW-9400-0313 P04, W505-GILL-XX-GF-DR-LEW-9400-0311 P01, W505-GILL-XX-GF-DR-LEW-9400-0331 P01, W505-GILL-XX-GF-DR-LEW-9400-0332 P01)

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 London Plan 2021 and Policies DC1, DC2, DC4 and DC8 of the Local Plan 2018.

Salvage, Store and Reuse

- 3) Prior to the commencement of development, a Method Statement, including scaled drawings where necessary, and a timetable for the development, shall be submitted to and agreed in writing with the Local Planning Authority. The Method Statement shall include details of how the War Memorials are to be dismantled, how and where they are to be stored temporarily, how they are to be protected throughout the duration of the development including during transportation to their storage area and/or to their new location in the Fulham Gas Works site, details of any proposed renovation, and how they are to be re-erected on site including details of how the plaques will be secured to each plinth to prevent heritage crime. The development shall not be carried out other than in accordance with the approved details.

To protect the special architectural and historic interest of the Listed Building and its setting, the character and appearance of the Conservation Area and the significance of the Building of Merit in accordance with Policy DC8 of the Local Plan 2018.

Materials

- 4) Prior to the commencement of development, details of the external materials (including physical samples and paint colours) to be used in the construction of the war memorial plinths shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

To protect the special architectural and historic interest of the Listed Building and its setting, the character and appearance of the Conservation Area and the significance of the Building of Merit in accordance with Policy DC8 of the Local Plan 2018.

Cleaning

- 5) Prior to any cleaning of the war memorial plaques taking place, details of the proposed cleaning method shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

To protect the special architectural and historic interest of the Listed Building and its setting, the character and appearance of the Conservation Area and the significance of the Building of Merit in accordance with Policy DC8 of the Local Plan 2018.

Interpretation Board

- 6) Details, including scaled drawings, of the location, design, materials and text of an interpretation board to explain the history and significance of the war memorials and commemorate their relocation shall be submitted to and approved in writing by the Local Planning Authority. The interpretation board shall be installed and displayed within Sands End Square in accordance with the approved details within three months of the erection of the war memorials in their new locations and thereafter shall be permanently retained in situ.

To better reveal the special architectural and historic interest of the Listed Building and its setting, the character and appearance of the Conservation Area and the significance of the Building of Merit in accordance with Policy DC8 of the Local Plan 2018.

Historic Building Recording and Photographic Survey

- 7) Prior to the demolition or dismantling of the war memorials, details of the method of historic building recording and photographic survey of both war memorials shall be agreed in writing by the Local Planning Authority and subsequently the historic building recording and photographic survey in relation to both war memorials shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

To better reveal the special architectural and historic interest of the Listed Building and its setting, the character and appearance of the Conservation Area and the significance of the Building of Merit in accordance with Policy DC8 of the Local Plan 2018.

JUSTIFICATION FOR APPROVING THE APPLICATION

- 1) The proposals are considered to be well designed in relation to their context and would not cause any harm to the significance of designated or non-designated heritage assets or their settings in accordance with s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2023), the London Plan (2021), Local Plan (2018) policies DC1, DC2, DC4 and DC8 and Planning Guidance SPD Key Principles AH1, AH2, BM2 and CAG3.

Officer Report

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by case officer named above:

Application form received: 3rd May 2023

Drawing Nos: see above

Policy Documents: National Planning Policy Framework (NPPF) 2023
The London Plan 2021
LBHF - Local Plan 2018
LBHF - Planning Guidance Supplementary Planning Document 2018

Consultation Comments:

Comments from:

Dated:

Historic England

07/06/2023

Neighbour Comments:

Letters from:

Dated:

1.0 BACKGROUND

- 1.1 This application relates to a Grade II Listed First World War memorial (c.1920) and a Second World War memorial both located within the King's Road Park development (formerly known as the Fulham Gasworks Site).
- 1.2 Protection is given to war memorials which are, or form part of, a listed building or conservation area, so any work to each memorial will require either planning permission or Listed Building Consent or both.
- 1.3 This report should be read together with the application for listed building consent under reference 2023/01147/LBC. The 2022 LBC application is limited only to the works relating to the removal and relocation of the listed war memorial and does not extend to the locally listed plinth/memorial as the latter does not fall within the listed building consent regime. This report assesses the applications for planning permission and listed building consent for the relevant approvals for each memorial.

2.0 SITE

- 2.1 The Site is King's Road Park, a residential led mixed-use development which measures approx. 6.33 hectares in total and is bounded by Gwyn Close and the Overground railway line to the north; Chelsea Creek residential development to the east; Imperial Road with Imperial Square to the south; and Michael Road to the west.

- 2.2 The site has mostly been cleared for development apart from the listed buildings and structures (No.2 Gasholder, 1856 Chief Engineer's Office, 1927 Former Research Laboratory, 1920 WW1 War Memorial and WW2 War Memorial). Development has completed on Buildings A1 (Phase 1a), A2 (Phase 1c), A3 (Phase 1b) and B1 (Phase 2a – temporary marketing suite) which have been occupied. Buildings D1 and D2 are currently under construction with ground works being carried out for Buildings E1, E2 and G1.

Designations

- 2.3 The southern portion of the Site is located within the South Fulham Riverside Regeneration Area (Local Plan 2018 Policy SFRRRA); the Imperial Square and Gasworks Conservation Area (Local Plan Policy DC8) and is within Flood Risk Zones 2 and 3. The Imperial Square Conservation Area (designated in 1975) was extended in 2005 to include the adjoining buildings in Harwood Terrace and Imperial Road, and the northern part of the gasworks site that is inextricably linked to the history of the houses in Imperial Square. The designation of the Conservation Area sought to protect its special character and in recognition of its unique industrial history.
- 2.4 There are four listed buildings/structures within the Site. Gasholder No. 2 is widely regarded as the oldest remaining gasholder in the world dating back to the 1830's and is statutory listed at Grade II*. The 1856 Chief Engineer's Office, the 1927 Research Laboratory and the First World War Memorial were statutory listed at Grade II in 2007. The Second World War memorial is on the Council's Local Register of Buildings of Merit and is therefore a non-designated heritage asset.

3.0 SITE HISTORY

- 3.1. Planning Permission (2018/02100/COMB) was granted 8 February 2019 (part-detailed, part-outline) for demolition of existing buildings and structures (excluding No.2 Gasholder, 1856 Chief Engineer's Office, 1927 Former Research Laboratory, 1920 WW1 War Memorial and WW2 War Memorial) and redevelopment to provide a residential-led mixed use development comprising the erection of new buildings ranging from 1 to 37 storeys to provide up to 1,843 (including 646 Affordable Housing) residential units and ancillary residential facilities (C3 Use) and non-residential floorspace in Use Classes A1, A2, A3, A4, B1, D1 and D2, 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, interim works and other associated works.

4.0 PROPOSED DEVELOPMENT

- 4.1 The proposals call for the relocation of the memorials to a new location at the western end of the new Sands Square located within the King's Road Park

redevelopment. They would be located at the centre of this new public space to align with the Grade II-listed former laboratory building.

- 4.2 The memorials would be set parallel to the soft landscaping facing each other within a hard landscaped area. They will be viewed adjacent to an intimate area of lawn with seating.
- 4.3 The First World War memorial would be relocated in its entirety. The plaque and surround from the unlisted Second World War memorial would be set onto a new stone plinth designed to complement the design and materials of the listed First World War memorial. It is proposed to include bronze fixing hooks on either side of the plinth for the fixing of wreaths in order to prevent them from being blown away.

Submitted Documents

- 4.4 The following documents have been submitted in support of the applications
- Cover Letter
 - Heritage Assessment
 - Planning Statement
 - Site Location Plan
 - Layout Plan
 - Method Statement
 - Drawings

5.0 PUBLICITY AND CONSULTATION

- 5.1 The applications have been advertised on the following basis:
- The proposed work may affect the setting or context of a listed building.
 - The proposed work is within a conservation area and may affect its character or appearance.

RESIDENTS

- 5.2 The applications have been advertised by way of site notices posted around the site (dated: 31/05/2023 and 17/01/2024) and a publicised press notice (24/05/2023 and 11/01/2024) with an expiry date for comments of 07/02/2023. No representations have been received up to the date of this report.

STATUTORY CONSULTATIONS

Historic England (HE)

- 5.3 HE reviewed the proposals and confirmed they have no comments to make and that the Council is hereby authorised to determine the application for listed building consent for the proposals as officers think fit.

6.0 POLICY CONTEXT AND PLANNING CONSIDERATIONS

Planning Framework

- 6.1 The Town and Country Planning Act 1990 (referred to as 'the Act'), the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England and Wales. 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).
- 6.2 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).

National Planning Policy Framework 2023 (NPPF)

- 6.3 National Planning Policy Framework 2023 (NPPF) 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.
- 6.4 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.
- 6.5 In terms of conserving and enhancing the historic environment the following NPPF paragraphs are considered relevant;
- 6.6 **Paragraph 195 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 be 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.
- 6.7 In terms of proposals affecting heritage assets the following NPPF paragraphs are considered relevant;
- 6.8 **Paragraph 200 of the NPPF** states: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on

which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 6.9 **Paragraph 201 of the NPPF** states: Local planning authorities should identify and assess the particular 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.
- 6.10 **Paragraph 203 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.
- 6.11 **Paragraph 204 of the NPPF** states: In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.
- 6.12 In terms of considering potential impacts the following NPPF paragraphs are considered relevant;
- 6.13 **Paragraph 205 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.
- 6.14 **Paragraph 206 of the NPPF** states: 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.
- 6.15 **Paragraph 208 of the NPPF** states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 6.16 **Paragraph 209 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.
- 6.17 **Paragraph 210 of the NPPF states:** Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
- 6.18 **Paragraph 212 of the NPPF states:** Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The London Plan (2021)

- 6.19 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. Together with the Local Plan, the London Plan forms the Development Plan.
- 6.20 **Chapter 3 (Design) of the London Plan 2021** seeks to secure the delivery of good design through a variety of ways. **Policies D4 (Delivering Good Design) and D8 (Public Realm)** are particularly relevant to the consideration of these applications. Policy D8 sets a series of criteria to ensure that ensure the public realm is well-designed, safe, accessible, inclusive, attractive and well-connected.
- 6.21 Chapter 7 of the London Plan 2021 relates to Heritage and Culture. **Policy HC1 (Heritage conservation and growth)** is particularly important to the consideration of these applications and states that:
'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.'

LBHF Local Plan (2018)

- 6.22 The Local Plan (February 2018) sets out the council's vision for the borough until 2035. It contains development policies to be used by the Council in helping to determine individual planning applications. The Local Plan should be read and considered alongside the London Plan and will be supplemented by supplementary planning documents (SPDs). The Local

Plan incorporated a target of 4,000 additional new homes and 500 jobs within the South Fulham Riverside Regeneration Area.

- 6.23 **Local Plan 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.
- 6.24 **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; 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.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 6.25 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.
- 6.26 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.16, s.66 and s.72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.
- 6.27 **Section 16 (Decision on application)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.28 **Section 66 (General duty as respects listed buildings in exercise of planning functions)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the

local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 6.29 **Section 72 (General duty as respects conservation areas in exercise of planning functions)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when determining planning applications for development within a Conservation Area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Equality Act 2010

- 6.30 With regards to this application, all planning policies in the 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 applications are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

Planning Considerations

- 6.31 The proceeding sections considers the following key planning considerations:

- Significance of heritage assets
- Urban Design and impact of the proposals on the significance of heritage assets

7.0 HERITAGE ASSESSMENT

Significance of Heritage assets

- 7.1 The history of the production and storage of gas on the site started in the early nineteenth century and grew to be an enormous operation in this part of Fulham stretching from the River Thames on the site of the present Imperial Wharf in the south to Michael Road in the north. By the early twentieth century the Gas Light and Coke Company had absorbed smaller companies and was a major employer with thousands of workers at sites across London.
- 7.2 The First World War Memorial is listed at Grade II and dates from 1921. It consists of two bronze plaques commemorating the names of employees of the former Gas Light & Coke Company which are mounted on a tall freestanding rendered plinth with an elaborate cornice. The upper plaque contains the names of the fallen from the First World War. This is one of a number of identical plaques erected by the former Gas Light & Coke Company at their sites across London, others were erected at Beckton and

Brentford. The later lower plaque contains the names of employees who lost their lives in the Second World War and is believed to have been relocated here from the company's showroom on Kensington Church Street.

- 7.3 The Second World War Memorial is not a statutory listed building nor is it curtilage listed, but is included on the Council's Local Register of Buildings of Merit. It consists of a plaque commemorating the names of employees of the former Gas Light & Coke Company, set within an elaborate moulded surround mounted on a modern freestanding brick plinth. The Second World War Memorial plaque and surround were unveiled in 1948 and were originally displayed at Watson House, Townmead Road. Watson House has long since been demolished and the Second World War Memorial plaque and surround were subsequently salvaged and mounted on a plain brick plinth in approximately 1999.
- 7.4 The part of the former Fulham Gas Works site located within the Imperial Square and Gasworks Conservation Area contains the designated and non-designated heritage assets which form the historic core of the former Fulham Gas Works. Both the existing and proposed locations of the war memorials are located within the Conservation Area along with three other listed buildings associated with the production and storage of gas. Gasholder 2 dates from 1829-30, is listed at Grade II* and is the oldest surviving gasholder in the world. The former office building dates from 1856 and is listed at Grade II and the former laboratory building dates from 1927 and is also listed at Grade II.
- 7.5 All war memorials are of historical significance on account of them being tributes to the sacrifice made by previous generations during major conflicts. These war memorials were commissioned by a major employer in London for display at their premises and have considerable communal value. War memorials can also possess aesthetic importance derived from their design, which is particularly the case in relation to the listed First World War memorial.
- 7.6 The two war memorials are currently located within a construction site and stand between the entrance gate from Michael Road and the Grade II listed former office building and Grade II listed former laboratory building. The First World War memorial is believed to be situated in its original location, but the Second World War memorial plaques have no particular association with this part of the site and the current grouping is a relatively recent initiative taken prior to the listing of the First World War memorial in 2007. Historically the setting of the war memorials has been poor, being located adjacent to an access road with heavy goods vehicle movements within a busy functioning industrial complex with limited public access. The ability to appreciate the war memorials is impaired by the existing configuration which features sloping ground conditions, low level railings and slate/aggregate filled pits as well as the excessive height above the ground at which the plaque on the Second World War memorial is displayed. The current arrangements were not designed to allow for inclusive access and prevent the public from getting close enough to read the inscriptions on the plaques.

- 7.7 The current juxtaposition of the two war memorials with plinths of different sizes and materials is not particularly successful from an aesthetic point of view and the modern brick plinth of the Second World War memorial is not of any significance. There is however considerable significance associated with their presence at Fulham Gas Works in general, given their historical association with the former use of the site and its employees and the group value with the other listed buildings associated with the gas industry on the site.

Impact of the proposals on the significance of Heritage Assets

- 7.8 Since the planning application was submitted the description has been amended to: *Demolition of the existing modern brick plinth to the Second World War memorial and salvage of Second World War memorial plaque and surround; erection of a new stone plinth for the display of the salvaged Second World War memorial plaque and surround in a new location within a public space in the Fulham Gasworks site; re-assembly of the dismantled Grade II listed First World War memorial in a new location within a public space in the Fulham Gasworks site.*
- 7.9 Since the Listed Building Consent application was submitted the description has been amended to: *Dismantling of the Grade II listed First World War memorial and its refurbishment and re-assembly in a new location within a public space in the Fulham Gasworks site.*
- 7.10 The current applications relate to the war memorials themselves, however the public realm of the redevelopment scheme within which they are proposed to be located has already been specifically designed to incorporate them. Landscaping has been approved under the Reserved Matters for Block D1 (Phase 2c) of the redevelopment scheme. Further landscaping details have been submitted to discharge conditions and are to be assessed.
- 7.11 The First World War memorial would be carefully dismantled, securely stored during construction works and then re-erected to match the existing design a short distance away in the new Sands End Square. The plaque and surround for the Second World War memorial would be salvaged and placed into secure storage during construction works. The existing brick plinth would be demolished and the salvaged plaque and surround will be mounted onto a new stone plinth in Sands End Square.
- 7.12 Sands End Square has been designed to form a high quality accessible public space positioned at the centre of the redevelopment site and will be the focal point for interpretation of the historic use of the site. The war memorials would be located on either side of the square, facing each other across an area of hard landscaping which would allow sufficient space for commemoration events to take place. The war memorials would then frame the view across Sands End Square to the grand external staircase on the north elevation of the listed former laboratory building.

- 7.13 The works would enhance the visual links between the listed buildings on the site by relocating the war memorials into the square at the centre of the redevelopment. The new location would allow for better interpretation of the significance of the historic buildings on the site as a whole and there would be public benefits from improved accessibility allowing all members of the public to better appreciate their significance.
- 7.14 The proposal would significantly improve the setting and presentation of the war memorials, providing sufficient space for commemorative events to take place and an attractive landscaped area for private reflection. The Second World War memorial plaque and surround would be mounted onto a new high quality stone plinth with more appropriate proportions than the existing brick plinth which would provide for a better visual relationship with the listed First World War memorial.
- 7.15 Given the poor quality of the First World War memorial's current location on the site, its precise location is not considered to form part of the significance of the listed building, rather its significance in terms of its location is related to the site as a whole. There would be no loss of significance as a result of the relocation proposal. There would be no harm caused to the First World War memorial subject to appropriate conditions requiring the submission of details in relation to:
- method of salvage,
 - secure storage arrangements,
 - a specification of the works including the method of fixing the plaques to the plinth to prevent heritage crime,
 - the extent of reuse of existing fabric and samples of any replacement materials,
 - a programme of works including the timescales for re-erection and the arrangements for redisplay.
- 7.16 The relocation of the First World War memorial will require the statutory list entry to be amended in due course, which may be possible under the minor amendment procedure administered by Historic England as has been done elsewhere in the borough. As such there is not considered to be any risk that the listed building would be permanently removed from the statutory list as a result of the proposals and therefore there would be no loss of significance in terms of designation.
- 7.17 Given that the existing modern brick plinth to the Second World War memorial is poorly designed, it is not considered to form part of the significance of the Building of Merit and its loss would not cause any harm. As there is no historic connection between the Second World War memorial plaque and surround with its current location on the site, its precise location is not considered to form part of the significance of the Building of Merit, rather its significance in terms of location is related to the site as a whole. There would be no loss of significance as a result of the relocation proposal and no risk of permanent removal from the Local Register of Buildings of Merit. The proposal would involve no harm being caused to the Second World War memorial plaque and surround, which are

the significant elements of the Building of Merit, subject to appropriate conditions requiring the submission of details in relation to:

- method of salvage,
- secure storage arrangements,
- a specification of the works including the method of fixing the plaque to the new plinth to prevent heritage crime,
- samples of any new materials,
- a programme of works including the timescales and arrangements for redisplay.

Conclusion

- 7.18 Officers consider that overall, the proposals would not cause any harm to the character or appearance of the Conservation Area and would not cause any harm to the settings of adjacent listed buildings and non-designated assets.
- 7.19 Officers therefore consider that the proposed development meets the statutory provisions of Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and complies with the requirements of the NPPF, as well as the relevant Development Plan policies.

8.0 LEGAL PLANNING OBLIGATIONS

- 8.1 **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.
- 8.2 The Council will seek to negotiate S106s, where the S106 'tests' are met, for:
- the provision of infrastructure projects or types not specified on the R123 List (through either financial contributions or 'in kind' delivery); and
 - non-'infrastructure' provisions, such as for affordable housing (see policy H03) and S106 monitoring expenses.'
- 8.3 The planning obligations set out in the heads of terms 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. A Section 106 agreement / Unilateral Undertaking 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.
- 8.4 In view of the fact the Section 106 agreement / Unilateral Undertaking 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 Strategic Director for Growth and Place 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.

8.5 It is anticipated that the legal agreement for this development will include the following draft heads of terms

A. Arrangements (including timescales) for dismantling, secure storage, re-erection and display of both war memorials at the Fulham Gas Works site in accordance with this planning permission and Listed Building Consent.

9.0 CONCLUSION AND RECOMMENDATIONS

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

9.2 In the assessment of the applications regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance. It is considered that the proposals are well designed, would not give rise to any unacceptable impacts to heritage assets and would amount to sustainable development in accordance with the National Planning Policy Framework.

9.3 Officers recommend that Members resolve to approve both applications, subject to no contrary direction from the Secretary of State, in accordance with the recommendations at the start of the report.