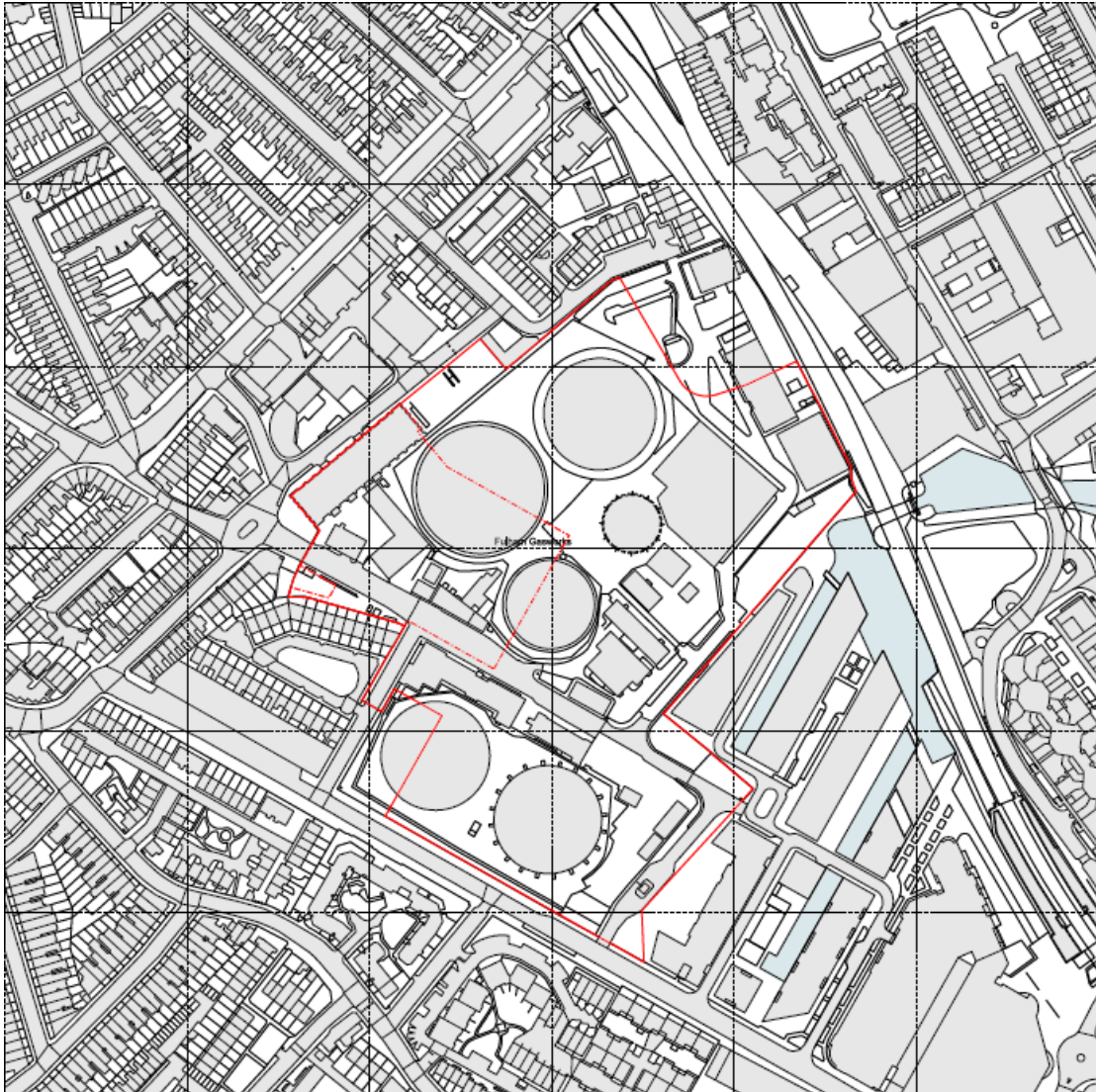


Ward:
Sands End

Site Address:
Fulham Gasworks, Imperial Road, London, SW6



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For identification purposes only - do not scale.

Req. No:
2024/00961/VAR

Case Officer:
Jacques du Plessis

Date Valid:
22.05.2024

Conservation Area:
Imperial Square and Gasworks Conservation Area

Committee Date:
08.10.2024

Applicant:

St William Homes LLP
C/o Agent

Description of Development:

Variation of Condition 4 (Drawings) and Condition 5 (Design Codes and Parameter Plans) of planning permission 2018/02100/COMB dated 8 February 2019 (as amended by Ref: 2020/01088/NMAT dated 15 July 2020 and Ref: 2024/00818/NMAT dated 20 May 2024) for:

'Planning Application (part-detailed, part-outline) for demolition of existing buildings and structures (excl. No.2 Gasholder, 1856 Chief Engineer's Office, 1927 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. (1) Detailed planning application for residential floorspace together with ancillary residential facilities (C3 Use); flexible commercial floorspace (A1, A2, A3, A4 Uses); community and leisure floorspace (D1/D2 Use); provision of a basement; new pedestrian and vehicular access; provision of amenity space, landscaping, car/cycle parking, refuse storage, energy centre, servicing area, and other associated infrastructure works. (2) Outline planning application (with all matters reserved) for residential floorspace and ancillary residential facilities (C3 Use); non-residential floorspace comprising flexible commercial retail (A1, A2, A3, A4 Uses), office (B1 Use), community (D1 Use) and leisure (D2 Use) floorspace; provision of new basement level; new pedestrian and vehicular access; and associated amenity space, publicly accessible open space, landscaping, car/cycle parking, refuse storage, energy centres, servicing area, and other associated infrastructure works.'

Amendments comprise (a) configuration of Plots H1, H2 and H3 (towers) by removing the tower element of H3 and merging with H2 (no change to overall floorspace); (b) increase to Plots H1 and H2 building floorplates and changes to internal layout design; (c) increase to shoulder height of Plot H2; (d) increase in number of floors for Plots H1 and H2 (no change to maximum heights); (e) redistribution of land uses; and (f) changes to indicative landscape strategy (Phases 2b, 3a, 4a-d, 5a-b, 6).

Drawing Nos: As listed in Condition 3 and 4 below

Application Type:

Vary or Delete Conditions Full/Outline

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Officer Recommendation:

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory Deed of Variation to the extant legal agreement and subject to the conditions listed below.
- 2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of 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.

Reserved Matters Details

- 1) In respect of Development Plots B1, C1, C2, D1, D2, E1, E2, F1, F2, G1, H1, H2, and J1, as defined by the development hereby permitted, development works (excluding Demolition, Ground and Enabling Works) shall not commence until all details of the proposed means of access; layout and scale; and appearance and landscaping associated with that development plot have been submitted to and approved in writing by the Local Planning Authority.

In order that the Council 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).

Time Limits

- 2)
 - i) Development Plot A1, A2 or A3 hereby permitted shall commence no later than 3 years from the date of the original permission for 2018/02100/COMB (8 February 2019).
 - ii) Application(s) for the approval of Reserved Matters in respect of Development Plot B1, specified by Condition 1 shall be made to the Local Planning Authority before the expiration of 5 years from the date of the original permission for 2018/02100/COMB (8 February 2019). Development

within Development Plot B1 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 of Plot B1) to be approved pursuant to Condition 1.

iii) Application(s) for the approval of the Reserved Matters in respect of Development Plots C1 and C2 specified by Condition 1 shall be made to the Local Planning Authority before the expiration of 7 years from the date of the original permission for 2018/02100/COMB (8 February 2019). Development within Development Plots C1 and C2 shall be begun before the expiration of 2 years from the date of approval of the last of the relevant Reserved Matters (in respect of Plots C1 and C2) to be approved pursuant to Condition 1.

iv) Application(s) for the approval of the Reserved Matters in respect of Development Plots D1, D2, E1 and E2 specified by Condition 1 shall be made to the Local Planning Authority before the expiration of 7 years from the date of the original permission for 2018/02100/COMB (8 February 2019). Development within Development Plots D1, D2, E1 and E2 shall be begun before the expiration of 2 years from the date of approval of the last of the relevant Reserved Matters (in respect of Plots D1, D2, E1, E2) to be approved pursuant to Condition 1.

v) Application(s) for the approval of the Reserved Matters in respect of Development Plot G1, specified by Condition 1 shall be made to the Local Planning Authority before the expiration of 9 years from the date of the original permission for 2018/02100/COMB (8 February 2019). Development within Development Plot G1 shall be begun before the expiration of 2 years from the date of approval of the last of the relevant Reserved Matters (in respect of Plot G1) to be approved pursuant to Condition 1.

vi) Application(s) for the approval of the Reserved Matters in respect of Development Plots F1, H1, and H2 specified by Condition 1 shall be made to the Local Planning Authority before the expiration of 13 years from the date of the original permission for 2018/02100/COMB (8 February 2019). Development within Development Plots F1, H1, and H2 shall be begun before the expiration of 2 years from the date of approval of the last of the relevant Reserved Matters (in respect of Plots F1, H1, H2, H3) to be approved pursuant to Condition 1.

vii) Application(s) for the approval of the Reserved Matters in respect of Development Plots F2 and J1 specified by Condition 1 shall be made to the Local Planning Authority before the expiration of 16 years from the date of the original permission for 2018/02100/COMB (8 February 2019). Development within Development Plots F2 and J1 shall be begun before the expiration of 2 years from the date of approval of the last of the relevant Reserved Matters (in respect of Plots F2 and J1) to be approved pursuant to Condition 1.

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 Demolition, Ground and Enabling Works and the extent of the development.

Detailed Component (Drawings)

- 3) The planning permission relating to the detailed components of the development hereby permitted (i.e.: those parts that are not to be subject to Reserved Matters) shall not be constructed unless in accordance with the approved drawings marked.

10753-EPR-ZZ-XX-TP-A-00-P001 Rev P2; 10753-EPR-ZZ-ZZ-TP-A-00-P002 Rev P2; 10753-EPR-ZZ-B1-TP-A-02-P089 Rev P2; 10753-EPR-ZZ-GF-TP-A-02-P090 Rev P2; 10753-EPR-ZZ-B1-TP-A-02-P099 Rev P2; 10753-EPR-ZZ-GF-TP-A-02-P100 Rev P3; 10753-EPR-ZZ-01-TP-A-02-P101 Rev P3; 10753-EPR-ZZ-02-TP-A-02-P102 Rev P3; 10753-EPR-ZZ-03-TP-A-02-P103 Rev P3; 10753-EPR-ZZ-04-TP-A-02-P104 Rev P3; 10753-EPR-ZZ-05-TP-A-02-P105 Rev P3; 10753-EPR-ZZ-06-TP-A-02-P106 Rev P3; 10753-EPR-ZZ-07-TP-A-02-P107 Rev P3; 10753-EPR-ZZ-08-TP-A-02-P108 Rev P3; 10753-EPR-ZZ-09-TP-A-02-P109 Rev P3; 10753-EPR-ZZ-10-TP-A-02-P110 Rev P3; 10753-EPR-ZZ-11-TP-A-02-P111 Rev P3; 10753-EPR-ZZ-12-TP-A-02-P112 Rev P3; 10753-EPR-ZZ-RF-TP-A-02-P113 Rev P2; 10753-EPR-ZZ-EA-TP-A-04-P001 Rev P2; 10753-EPR-ZZ-NO-TP-A-04-P002 Rev P2; 10753-EPR-ZZ-SO-TP-A-04-P003 Rev P2; 10753-EPR-ZZ-WE-TP-A-04-P004 Rev P2; 10753-EPR-ZZ-EA-TP-A-04-P005 Rev P2; 10753-EPR-ZZ-NO-TP-A-04-P006 Rev P2; 10753-EPR-ZZ-SO-TP-A-04-P007 Rev P2; 10753-EPR-ZZ-WE-TP-A-04-P008 Rev P2; 10753-EPR-ZZ-AA-TP-A-05-P001 Rev P2; 10753-EPR-ZZ-BB-TP-A-05-P002 Rev P2; 10753-EPR-ZZ-CC-TP-A-05-P003 Rev P2; 10753-EPR-ZZ-DD-TP-A-05-P004 Rev P2; 10753-EPR-ZZ-EE-TP-A-05-P005 Rev P2.

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 2023, Policies SD10, D1, D2, D3, D4, D5, D7, D8, D9, D11, D12, D13, D14, HC1, HC3, HC4, H1, G5 and G7 of the London Plan 2021 and Policies SFRRRA, SFRRRA1, DC1, DC2, DC3 and DC8 of the Local Plan 2018.

Outline component (Drawings)

- 4) The planning permission relating to the outline components of the Development hereby permitted (i.e. those parts that are subject to reserved matters) shall not be constructed unless in accordance with the approved drawings listed below.

A_FGW_PL_020 Rev 01; A_FGW_PL_021 Rev 01; A_FGW_PL_022 Rev 01; A_FGW_PL_023 Rev 03; A_FGW_PL_024 Rev 01; A_FGW_PL_025 Rev 01; A_FGW_PL_026 Rev 01; A_FGW_PL_027 Rev 01; A_FGW_PL_028 Rev 02; A_FGW_PL_029 Rev 01.

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 2023, Policies SD10, D1, D2, D3, D4, D5, D7, D8, D9, D11, D12, D13, D14, HC1, HC3, HC4, H1, G5 and G7 of the London Plan 2021 and Policies SFRRRA, SFRRRA1, DC1, DC2, DC3 and DC8 of the Local Plan 2018.

Outline component (Design Codes and Parameters)

- 5) All reserved matters applications shall include a statement to demonstrate how the reserved matters have been prepared in accordance with the principles set out in the Development Specification & Parameters Report prepared by Lichfields (dated April 2024) and the Mandatory Design Codes prepared by Apt (dated September 2024).

To ensure that the development is constructed in accordance with the Design Guidelines on which this decision is based and to be consistent with the principles of good master planning, in accordance with the NPPF 2023, Policies SD10, D1, D2, D3, D4, D5, D7, D8, D9, D11, D12, D13, D14, HC1, HC3, HC4, H1, G5 and G7 of the London Plan 2021 and Policies DC1, DC2, DC3 and DC8 of the Local Plan 2018.

Phasing

- 6) The development shall be carried out in accordance with the development phasing plans, including any sub-phases, granted under planning reference 2021/01207/DET granted 27 October 2021.

To assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

Demolition, Ground and Enabling Works

- 7) Prior to the commencement of any demolition, ground and/or enabling works within the relevant Development Plot details of any demolition, ground and/or enabling works shall be submitted to and approved in writing by the Local Planning Authority (any such works approved under this Condition 7 are referred to in other conditions as "Demolition, Ground and Enabling Works"). The enabling works shall proceed in accordance with the approved details.

To ensure that the development accords with the provisions and assessment of the approved Environmental Statement and to ensure that the development is carried out in a satisfactory manner in accordance with Policies DC1, and CC2 of the Local Plan 2018.

Hoardings

- 8) No development shall commence until a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Local Planning Authority, and the temporary fencing and/or enclosure has been erected in accordance with the approved details. The temporary fencing and/or enclosure shall thereafter be retained for the duration of the demolition and building works in accordance with the approved details. No part of the temporary fencing and/or enclosure of the site within the Imperial Square and Gasworks conservation area shall be used for the display of advertisement hoardings, unless consent is sought from the Local Planning Authority.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1 and D4 of the London Plan, Policy DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

Number of Residential Units

- 9) The total number of residential units (Class C3) hereby approved shall not exceed 1,843 units.

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 the NPPF 2023, Policies D1, D2, D3, D4, D6, D7, of the London Plan 2021, Policies HO1, HO4, and HO5 of the Local Plan 2018.

Gross External Floorspace

- 10) 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 basement parking, servicing, energy centre and plant and storage shall not exceed 257,293 square metres GEA; and
 - ii) Overall gross maximum floor space (excluding basement 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 1995 (as amended) or any subsequent act, shall not exceed the following:
 - Residential (C3): 203,248 sqm
 - Business (B1): 3,840 sqm
 - Retail/Café/Restaurant (A1 - A4): 4,037 sqm
 - Community and Leisure (D1/D2): 1,810 sqm
 - Residential Facilities (Ancillary to C3): 3,420 sqm
 - Basement Residential Facilities (Ancillary C3): 1,600 sqm

- Basement 40,938 sqm (including up to 1,600 sqm of Basement Residential Facilities as set out above).

or;

iii) such breakdown by Development Plot of the overall gross maximum floor space specified in (i) and (ii) above as may be submitted to and approved by the Local Planning Authority

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 the NPPF 2023, Policies SD6, SD8, D1, D2, D3, D4, D5, HC1, HC3, HC4 of the London Plan 2021, Policies TLC1, TLC5, CF1, and CF2 of the Local Plan 2018.

Temporary land uses

- 11) Prior to implementing works for any temporary uses or structures including temporary landscaping and sales/marketing suites within the site details shall be submitted to and approved in writing by the Local Planning Authority. Any interim structures, uses and buildings shall be implemented in accordance with the approved details, for a specified time period set out in the details and shall be discontinued/removed once the temporary period has been expired. Temporary landscaping shall be amended to reflect details approved under Condition 92 of this permission once the temporary landscaping period has expired.

To ensure that the site remains in a tidy condition during the construction phase and to ensure that any temporary uses/structures do not create un-neighbourly impacts and to prevent harm to the street scene and character and appearance of the adjoining conservation area, in accordance with Policy DC1, DC2 and DC8 of the Local Plan 2018.

Retail amalgamation

- 12) Prior to first occupation of each Development Plot which is to contain retail (Class A1) or restaurant (Class A3) floorspace (excluding Development Plots A1, A2 and A3 hereby permitted) and notwithstanding the details on the approved drawings, the layouts of the ground level retail (Class A1) and restaurant (Class A3) units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with details approved pursuant to this condition and the units hereby approved shall not be amalgamated to create larger units within the development.

To safeguard the amenities of occupiers of neighbouring residential properties in terms of noise, disturbance, car parking and traffic from noise

generating uses, in accordance with Policies TLC1, TLC4, CC11, CC13 and T4 of the Local Plan 2018.

B1 Use Class

- 13) The Class B1 use hereby permitted shall be used for uses within Class B1 only and for no other purpose in accordance with the Town and Country Planning (Use Classes Order) 1987 (as amended), or any subsequent Order, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

In granting this permission, the Council has had regard to the particular circumstances of the case. The change of use of the approved new Class B1 accommodation to residential purposes could raise materially different planning considerations and the Council wishes to have an opportunity to consider such circumstances at that time, and to ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with Policies CF3, DC1, DC2, DC7, DC8, E1, HO11, T1, T2, TLC3, TLC5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Demolition Logistic Plan

- 14) Demolition works shall be undertaken in accordance with the Demolition Logistics Plan approved under application reference 2019/01064/DET.

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 D1, D14, SI 1, SI 7, and SI 10 of the London Plan 2021, and Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018.

Demolition Environmental Management Plan

- 15) Demolition works hereby approved shall be undertaken in accordance with the Demolition Environmental Management Plan granted under application reference 2019/01064/DET.

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 D1, D14, SI 1, SI 2, SI 7, and SI 10 of the London Plan 2021, Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018.

CONTAMINATED LAND

Preliminary Risk Assessment Report

- 16) No development shall commence within a Phase until a preliminary risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. 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.

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 SPD Key Principles LC1 to LC7 2018.

Site Investigation Scheme

- 17) No development shall commence within each a Phase until a site investigation scheme is submitted to and approved in writing by the Local Planning Authority. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. 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.

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 SPD Key Principles LC1 to LC7 2018.

Quantitative Risk Assessment Report

- 18) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence within a Phase, 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.

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 SPD Key Principles LC1 to LC7 2018.

Remediation Method Statement

- 19) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence within a Phase 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.

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 SPD Key Principles LC1 to LC7 2018.

Verification Report

- 20) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence within each relevant Development Plot until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation work 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.

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 SPD Key Principles LC1 to LC7 2018.

Onward Long-Term Monitoring Methodology Report

- 21) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence within each relevant Development Plot 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.

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 SPD Key Principles LC1 to LC7 2018.

Archaeology (GLAAS)

- 22) Prior to commencement of development within a Phase, an archaeological Written Scheme of Investigation (WSI) (including a watching brief) for that Phase shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place within each Phase other than in accordance with the approved agreed WSI for that Phase and subject to the implementation of the watching brief, which shall include the statement of significance and research objectives, and
- A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This Part B of the condition shall not be discharged until these elements have been fulfilled in accordance with the approved WSI programme set out in the WSI.

Heritage assets of archaeological interest may survive on the site. The local planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 16 of the NPPF 2023, Policy HC1 of the London Plan 2021, Policies DC1, DC8 of the Local Plan 2018 and key principles within the Planning Guidance Supplementary Planning Document 2018.

Building Recording (GLAAS)

- 23) Prior to commencement of development within a Phase containing structures and/or assets which are Listed Structures hereby permitted, a Written Scheme of Historic Building Investigation (WSHBI) shall be submitted to and approved in writing by the Local Planning Authority in relation to those structures and/or assets which are Listed Structures. No works shall be carried out to the structures and/or assets which are listed within that Phase other than in accordance with the agreed WSHBI. The WSHBI shall include a statement of significance and research objectives, and
- A. The programme and methodology of historic building investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This Part B of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSHBI.

Built heritage assets on this site will be affected by the development. The planning authority wishes to secure building recording in line with NPPF 2023, and publication of results, in accordance with Section 16 of the NPPF 2023.

Piling Method Statement (Thames Water)

- 24) No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out within each Phase (where relevant) including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement, for each relevant Phase.

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policies SI 5 of the London Plan 2021, Policies CC3 and CC5 of the Local Plan 2018. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

CONSTRUCTION

Construction Management Plan

- 25) Prior to commencement of development within a Phase, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, 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. Approved management details for each relevant Phase, or part thereof shall be implemented 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 D1, D14, SI 1, SI 7, and SI 10 of the London Plan 2021, Policies DC1, DC2, CC6, CC7, CC10, CC11 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

Construction Logistics Plan

- 26) Prior to commencement of development within a Phase, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development of that Phase shall be carried out in accordance with the approved Construction Logistics Plan. Each Construction Logistics Plan shall include the following minimum requirements:

- site logistics and operations;
- construction vehicle routing;
- contact details for site managers and details of management lines of reporting;
- 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;
- membership of the Considerate Contractors Scheme.

To ensure that no unacceptable adverse effect on the amenity of surrounding occupiers in accordance with Policies DC1, DC2, T1, T2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

DRAINAGE

Revised Flood Risk Assessment

- 27) The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment granted under planning reference 2019/01608/DET granted 20 August 2019 and the “Kings Road Park Addendum to Flood Risk Assessment and Drainage Strategy” dated 10 July 2024 Rev 2 by Expedition.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies SI 5, SI 12, and SI 13 of the London Plan 2021, and Policy CC3 of the Local Plan 2018.

Drainage Strategies

- 28) i) The development hereby permitted shall be carried out in accordance with the Outline Drainage Strategy granted under planning reference 2019/01608/DET granted 20 August 2019.
- ii) Prior to commencement of development (excluding Demolition, Ground and Enabling Works), within a Phase, a detailed Drainage Strategy for that Phase, which details on and/or off-site drainage works and how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures, shall be submitted to and approved in writing by the Local Planning Authority.

The detailed Drainage Strategy shall be prepared to accord with the site-wide outline Drainage Strategy and the revised Flood Risk Assessment shall include details on the design, location and attenuation capabilities of the proposed sustainable drainage measures such as permeable surfaces, including green roofs. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, with the aim of achieving greenfield rates for final discharges.

Where feasible, rainwater harvesting and grey recycling systems should also be used.

iii) No foul or surface water arising from the development of the site shall be discharged into the public system until the drainage works referred to in the approved drainage strategies have been completed.

The approved drainage strategies shall be implemented in accordance with the approved details, and thereafter all measures and works in the approved measures shall be retained and maintained for the lifetime of the development.

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 CC3 and CC4 of the Local Plan 2018.

Water Network (Thames Water)

- 29) Prior to occupation of development within a Development Plot hereby permitted, confirmation shall be submitted to and approved in writing by the Local Planning Authority that either:
- (a) all water network upgrades required to accommodate the additional flows from the Development Plot have been completed; or
 - (b) a housing and infrastructure phasing plan has been agreed with Thames Water.

If required, a housing and infrastructure phasing plan shall include the number of dwellings in that Development Plot which is permitted to be occupied; the timings for when a number of dwellings in that Development Plot may be occupied; and whether such occupation is contingent on delivery of infrastructure for the water network and if so what the terms of the conditions for such occupation are. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

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.

Condition required by Thames Water, to ensure that sufficient water capacity is made available to cope with the new development; and to avoid adverse environmental impact upon the community in accordance with the NPPF 2023 and Policy SI 5 of the London Plan 2021.

Integrated Water Management Strategy

- 30) Prior to commencement of development in a Phase an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required and how it will be delivered, has been submitted to and approved in writing by the Local Planning Authority in consultation

with the water undertaker. The development shall be occupied in line with the recommendations of the approved strategy.

The development may lead to no water and or significant environment impacts an Integrated water management strategy is required to ensure that sufficient capacity is made available to cater for the new development; and to avoid adverse environmental impact upon the community.

Condition required by Thames Water, to ensure that sufficient drainage capacity is made available to cope with the new development; and to avoid adverse environmental impact upon the community in accordance with the NPPF 2023 and Policy SI 5 of the London Plan.

Boreholes

- 31) Prior to commencement of development within each relevant Phase, a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of the development.

Condition required by the Environment Agency to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework and Position Statement A8 of the Environment Agency's approach to groundwater Protection. We expect best practice regarding the development or backfilling of any shaft, well, borehole, tunnel, SuDs or audit in order to prevent pollution or loss of water resources. We expect operators to adopt appropriate engineering standards and comply with our publication, Good practice for decommissioning redundant boreholes and wells (Environment Agency 2012). Any contamination that is discovered during decommissioning or otherwise should be dealt with in accordance with our position statements on land contamination.

Surface water drainage

- 32) No infiltration of surface water drainage associated with the development is permitted other than with the written consent of the Local Planning Authority.

Condition required by the Environment Agency to ensure that the development is not contributing to, put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework. To prevent deterioration of groundwater within the Secondary An Aquifer and Principal Chalk Aquifer and the Thames River and adjacent Chelsea Creek surface water bodies. Infiltration of surface water has the potential to mobilise contamination present within the soil and made

ground. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required. In certain circumstances the discharge may be classified as a groundwater activity and require an environmental permit. Due to the historic uses of the site we do not believe that the use of infiltration SuDS is appropriate in this location.

Green / Brown / Blue Roofs

- 33) Prior to commencement of development above ground level within a Development Plot hereby permitted which is to contain green, brown or blue roofs, details of any such roofs, including details of types of such roofs and a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. A Development Plot with any such roof shall not be occupied until the details approved by this condition have been implemented and those approved details shall be retained for the lifetime of the development.

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

ENVIRONMENT

Sustainability

- 34) Prior to commencement of development (excluding Demolition, Ground and Enabling Works), within a Development Plot listed in Condition 1 hereby permitted, a Sustainability Statement and a BREEAM New Construction pre-assessment shall be submitted to and approved in writing by the Local Planning Authority to confirm the sustainable design and construction measures to be integrated in that Development Plot. The associated BREEAM ratings for the offices and retail spaces and any other non-residential uses should achieve the "Very Good" rating as minimum, except in relation to Water which shall achieve the equivalent of BREEAM Excellent.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policy SI 2, SI 3, SI 5 of the London Plan 2021 and Policies CC1, CC2 of the Local Plan 2018.

BREEAM Certificates

- 35) Within 6 months of final occupation of each Development Plot listed in Condition 1, a BREEAM (2014) certificate confirming that sustainability performance (Very Good ratings) had been achieved as proposed shall be submitted to and approved in writing by the Local Planning Authority. Supporting information shall also be submitted for approval to demonstrate that the residential units meet the minimum sustainable design and construction standards of the London Plan.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policy SI 2, SI 3 and SI 5 of the London Plan 2021 and Policies CC1, CC2 of the Local Plan 2018.

Energy Strategy

- 36) The development hereby permitted shall be carried out in accordance with the Energy Strategy (Energy Strategy Version 5, August 2021) approved under planning reference 2021/02522/DET.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies SI 2 and SI 3 of the London Plan 2021, Policy CC1 of the Local Plan 2018.

Energy Statements

- 37) Prior to commencement of development (excluding Demolition, Ground and Enabling Works) within a Development Plot listed in Condition 1 hereby permitted, an Energy Statement for the Development Plot shall be submitted to and approved in writing by the Local Planning Authority to show compliance with the Energy Strategy approved pursuant to Condition 36. No part of the Development Plot shall be used or first occupied (other than for construction purposes) until it has been carried out in accordance with the approved details and shall be retained for the lifetime of the development.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies SI 2 and SI 3 of the London Plan 2021, Policy CC1 of the Local Plan 2018.

Energy Statement Compliance (Residential)

- 38) Within 3 months of final occupation of the residential dwellings within a Development Plot, evidence shall be submitted that the energy statements approved pursuant to Condition 37 above have been implemented in accordance with the approved details.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with SI 2 and SI 3 of the London Plan 2021, Policy CC1 of the Local Plan 2018.

Energy Statement Compliance (Non-residential)

- 39) Within 3 months of final occupation of the non-residential units within a Development Plot, evidence shall be submitted that the energy statements approved pursuant to Condition 37 above have been implemented in accordance with the approved details.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies SI 2 and SI 3 of the London Plan 2021, Policy CC1 of the Local Plan 2018.

Micro Climate

- 40) Prior to commencement of development above ground level within each relevant Development Plot listed in Condition 1 hereby permitted, details of micro climate mitigation measures necessary to provide an appropriate wind environment throughout and surrounding the development shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be implemented, and shall be retained for the lifetime of the development.

To ensure that suitable measures are incorporated to mitigate potential adverse wind environments arising from the development, in accordance with Policies D8, D9, and G1 of the London Plan 2021, the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

AIR QUALITY

Air Quality Assessment

- 41) The development hereby permitted shall be carried out in accordance with the Air Quality Assessment granted under planning reference 2019/02313/DET, dated 18 September 2020. All mitigation measures as stated in sections 7.3 and 8.0 of the approved Air Quality Assessment (Ref. W501-TEM-XX-XX-RP-AQ-9100-0003, Version 14, 16/09/2020) shall be fully implemented prior to the occupation/use of the development and retained and maintained for the lifetime of the development.

To comply with the requirements of the NPPF 2023, Policies SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

Ventilation Strategy

- 42) Prior to commencement of development above ground level within each relevant Development Plot hereby permitted a Ventilation Strategy Report to mitigate the impact of existing poor air quality for B1, C3, D1 and D2 use class shall be submitted to and approved in writing by the Local Planning Authority. The report for receptor locations where the annual mean and hourly air quality objectives for NO₂ and World Health Organisation (WHO) targets for Particulate Matter (PM_{2.5}, PM₁₀) are already exceeded and where current and future predicted pollutant concentrations are within 5 per cent of these limits shall include the following information:
- a) Details and locations of the air ventilation intake locations at rear roof level
 - b) Details of non-openable windows (except for emergency purge ventilation) for habitable rooms (Bedrooms, Living rooms) with front elevations with Imperial Road, Michael Road and Sands End Lane

- c) Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, terraces
- d) If part (a) is not implemented details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM_{2.5}, 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/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF 2023, Policies SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

Low Emissions Strategy

- 43) Prior to occupation of the development hereby permitted an Ultra-Low Emission Strategy (ULES) for the operational phase of the development in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority.

The ULES must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce the exposure of poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NO_x and Particulates (PM_{2.5}, PM₁₀) from on-road vehicle transport by the use of ULEZ compliant vehicles in accordance with the emissions hierarchy 1) Cargo bike (2) Electric Vehicle, (3) Alternative Fuel e.g. CNG, Hydrogen, LPG (4) Hybrid (Electric-Petrol) (5) Diesel/ Petrol Euro 6 (AIR Index Urban NO_x rating A) and Euro VI. A monitoring report of the implementation of the ULES shall be submitted on annual basis to the LPA.

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

To comply with the requirements of the NPPF 2023, Policies SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan 2018

Air Quality Dust Management Plan

- 44) Prior to the commencement of the construction of each phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority.

The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP.

The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic. The Non-Road Mobile Machinery (NRMM) used on the site shall include CESAR Emissions Compliance Verification (ECV) identification and shall comply with the minimum Stage IV NO_x and PM₁₀ 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 NO_x 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; use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g. Diesel/Petrol Euro 6 (AIR Index Urban NO_x rating A, B) and Euro VI; Details including calibration certificates of MCERTS compliant monitoring of Particulates (PM₁₀) used to prevent levels exceeding predetermined PM₁₀ threshold trigger levels.

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM₁₀, PM_{2.5}) and NO_x emissions at all times.

Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

To comply with the requirements of the NPPF 2023, Policies SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan 2018

Combustion Plant compliance with Emission Standards – Air Quality

- 45) Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the council.
The report shall include the following:
- a) Details to demonstrate that the termination height of the shared Flue stack for the combustion Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area and meet the overriding minimum requirements for Chimney heights of the third edition of the 1956 Clean Air Act memorandum
 - b) Details of emissions certificates, and the results of NO_x emissions testing of each CHP unit, Ultra Low NO_x gas boiler and Emergency Diesel Generator Plant to demonstrate that all the CHP Plant, Ultra Low NO_x Gas fired boilers, Emergency Diesel Generator Plant and associated abatement technologies shall meet a minimum dry NO_x emissions standard of 25 mg/Nm³ (at 5% O₂), 30 mg/kWh (at 0% O₂) and 95 mg/Nm³ (at 15% O₂) respectively by an MCERTS accredited organisation shall be provided following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). Where any combustion plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NO_x abatement Equipment or technology as determined by a specialist to ensure comparable emissions.
 - c) Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 10 minutes of the generator commencing operation. During the operation of the emergency Diesel generators there must be no persistent visible emission. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used for a maximum of 48 hours when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year.

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

To comply with the requirements of the NPPF, Policies SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan 2018

Green Infrastructure – Air Quality

- 46) Prior to commencement of development above ground level within either Development Plots A1, D1, E1, G1, F1 or J1 hereby permitted, details of the construction of green vegetation barrier (including details of planting species and maintenance) to be installed within 1 metre of the kerbside of Imperial Road, Michael Road and Sands End Lane in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority.

The green infrastructure shall be constructed and planted in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance document within the first available planting season following completion of the development. 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 similar size and species.

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

To comply with the requirements of the NPPF, Policies SI 1, and G1 of the London Plan 2021, and Policy CC10 of the Local Plan 2018.

NOISE

Transport and/or industrial noise sources

- 47) Prior to commencement of development above ground level within each relevant Development Plot hereby permitted, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority, 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 shall be retained for the lifetime of the development.

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

Separation of noise sensitive rooms in neighbouring flats

- 48) Prior to commencement of development above ground level within each relevant Development Plot hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority, of an enhanced sound insulation value $D_{nT,w}$ 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 development and shall be retained for the lifetime of the development.

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

Separation of commercial and noise sensitive premises

- 49) Prior to commencement of development above ground level within each relevant Development Plot hereby permitted, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 5dB 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 shall be retained for the lifetime of the development.

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.

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

- 50) Prior to commencement of development above ground level within a Development Plot hereby permitted, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the basement plant room, basement car park and communal facilities from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 10dB above the Building Regulations value. and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the criteria LAeq in Table 4 of BS8233:2014 (measured over the noisiest one-hour period) within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of that Development Plot and shall be retained for the lifetime of the development.

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.

Sound Insulation of commercial/ industrial building envelope

- 51) Prior to commencement of development above ground level within a Development Plot hereby permitted, details shall be submitted to and approved in writing by the Council, of sound insulation of the building envelope and other mitigation measures, as appropriate. Details shall demonstrate that noise from uses and activities is contained within the building/ development site and shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces. Approved details shall be implemented prior to occupation of the development and shall be retained for the lifetime of the development.

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

Ground and airborne building vibration

- 52) Prior to commencement of development above ground level within a Development Plot hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority, of building vibration levels and, together with appropriate mitigation measures where necessary. Details shall demonstrate that vibration will meet a level that has low probability of adverse comment and the assessment method shall be as specified in BS 6472:2008. No part of that Development Plot shall be occupied until the approved details have been implemented. Approved details shall be retained for the lifetime of the development.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by ground- or airborne vibration, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

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

- 53) Prior to commencement of development above ground level within a Development Plot hereby permitted, 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 in that Development Plot and adjacent Development Plot(s) 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. Approved details shall be implemented prior to occupation of that Development Plot and shall be retained for the lifetime of the development.

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.

Anti-vibration mounts and silencing of machinery etc.

- 54) Prior to commencement of development above ground level within a Development Plot hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Any requirements for vibration isolation shall be determined in accordance with CIBSE Guide B4. The measures shall ensure that machinery, plant/ equipment, extract/ventilation system and ducting are mounted with anti-vibration mounts as required to ensure no impact in terms of either tactile vibration or re-radiated noise to

sensitive receivers. Approved details shall be implemented prior to occupation of that Development Plot and shall be retained for the lifetime of the development.

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.

Extraction and Odour Control system for non-domestic kitchens

- 55) Prior to first use or first occupation of any retail unit within use class A3 or A4 with a non-domestic kitchen within a Development Plot hereby permitted, 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 the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA. Approved details shall be implemented prior to the first occupation of the unit and shall be retained for the lifetime of the development.

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

Cleaning Schedule

- 56) Prior to the first use or first occupation of any retail units to which Condition 55 above applies, details of a suitable cleaning schedule and/or maintenance contract for the extract system and any odour control system for the retail units have been submitted to and approved in writing by the Local Planning Authority. All cleaning and/or maintenance of those retail units shall be carried out in accordance with the approved details.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by smell, steam and other effluent, in accordance with Policy CC13 of the Local Plan 2018.

No music / Amplified sound

- 57) No music nor amplified sound emitted from the commercial element of the development within a Development Plot hereby permitted shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces.

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

Outside Seating (Furniture and delineation)

- 58) The use of grade level outside seating area(s) in connection with the Class A3 floorspace within a Development Plot hereby permitted, shall not commence until details of the extent of seating area and method of delineating the extent of the seating area in each case, have been submitted to and approved in writing by the Local Planning Authority. The outside seating area(s) shall be arranged and managed only in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with Policies CC11 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Outside Seating (Operating Hours)

- 59) Prior to first operation of any outside seating areas in connection with the retail (A1, A2, A3 and A4 Uses) office (B1 Use), community (D1 Use) and leisure (D2 Use) uses within a Development Plot hereby permitted, details of operating hours for any outside seating areas shall be submitted to and approved in writing by the Local Planning Authority. The outside seating areas will operate in accordance with the approved details and be closed outside of these hours and any temporary seats/tables shall be removed and stored internally within the unit(s).

To ensure that the development does not result in conditions prejudicial to the amenities of local residents by reason of noise and disturbance in accordance with Policies CC11, CC12 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Operating Hours (Use Classes A1, A2, A3, A4, B1, D1, D2)

- 60) Prior to first occupation of any retail (A1, A2, A3, A4 Uses), business (B1 Use), community (D1 Use) and leisure (D2 Use) uses within a Development Plot hereby permitted, details of operating hours shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented and retained in accordance with the approved details.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policies CC11, CC12 and CC13 of the Local Plan 2018.

HIGHWAYS

Roads, Footways, Footpaths and Cycleways

- 61) Prior to the commencement of development above ground level within a Phase, details of the layouts of any road, footway or footpath associated with that Phase, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall show (as relevant) the

alignment, widths, surfacing arrangements, kerbs, access ramps (including the car park ramps with confirmation of vertical clearance), vehicle/pedestrian access points, details of any street level car parking arrangements, forward visibility sight lines and vision splays, speed restraint measures, turning heads, gradients, street lighting and drainage in respect of the relevant part of the development. A Development Phase shall not be occupied until the approved ramps, roads, accesses, footways, footpaths and cycleways associated with that Phase have been constructed and been made available for use. The development shall be implemented in accordance with the approved details.

To ensure that the detailed design of the access ramps provides sufficient vertical clearance and capacity for vehicle manoeuvring in the interest of public safety and to ensure that the detailed design of the roads, footways and cycleways would avoid vehicle/pedestrian conflict in accordance with Policy T1, T2, T4, T5 of the Local Plan 2018.

Road Safety Audit(s)

- 62) Prior to commencement of works to the Link Road, Park Road and/or operational vehicular access to the site (whichever the earlier), details of Road Safety Audit(s) shall be submitted to and approved in writing by the Local Planning Authority.

To ensure the accesses and proposed roads do not compromise highway safety or the safety of pedestrians on the footway, in accordance with policy T1, and T4 of the London Plan 2021, Policies T4 and T5 of the Local Plan 2018.

Safe use of drop-off locations

- 63) Prior to first occupation of a Phase, a scheme shall be submitted to and approved in writing by the Local Planning Authority which demonstrates how the risk of collisions between vehicles and the visually impaired within the site will be mitigated through design. The scheme shall address the management of the use of proposed drop-off locations, including deliveries and stopping by Blue Badge Holder vehicles and taxis outside buildings within the site. The scheme shall be implemented in accordance with the approved details prior to first occupation of the phase.

To ensure that deliveries and dropping off can occur without compromising highway safety or the safety of pedestrians on the footway, in accordance with policy D5, T1, T4 and T7 of the London Plan 2021, Policies HO6, T1 and T5 of the Local Plan 2018 and SPD Key Principle TR6 2018.

Electric vehicle charging points

- 64) At least 20% of any residential car parking spaces associated with each Development Plot shall have active elective vehicle charging points, and passive provision shall be made for the remaining spaces. Details of the

installation (including location and type) of active electric vehicle charging points within the car parking areas for a Development Plot must be submitted to and approved in writing by the Local Planning Authority prior to occupation of that Development Plot. The approved electric vehicle charging points in a Development Plot shall be installed and retained for the lifetime of the development.

To encourage sustainable travel in accordance with policies T1, and T6 of the London Plan 2021, Policies T1, T2 and T4 of the Local Plan 2018.

Cycle Parking

- 65) Prior to first occupation of a Development Plot hereby permitted, details of the facilities to be provided for the secure storage of residents' and other users' bicycles for that Development Plot 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 for the relevant Development Plot. No residential or commercial units shall be occupied in the relevant Plot until the relevant approved facilities have been provided. The cycle parking facilities shall be retained for the lifetime of the development and not used for any other purpose without the prior written consent of the Local Planning Authority.

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 Policies T1, and T5 of the London Plan 2021, and Policy T3 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Vehicular parking

- 66) Prior to commencement of development (excluding Demolition, Ground and Enabling Works) within each Development Plot hereby permitted, the detailed design, access, layout and location of the car parking provided for that relevant Development Plot shall be submitted to and approved in writing by the Local Planning Authority. The proposed car parking shall accord with the details as approved and shall be retained for the lifetime of the development.

To ensure that the detailed design of the access ramps provides sufficient vertical clearance and capacity for vehicle manoeuvring in the interest of public safety and to ensure that the detailed design of the roads, footways and cycleways would avoid vehicle/pedestrian conflict in accordance with Policies T1, T4 and T5 of the Local Plan 2018.

Vehicular Parking Provision

- 67) The residential vehicular parking provision for the development shall not exceed 460 car parking spaces or a space per residential unit ratio of 0.25 on the whole site.

To avoid creating unacceptable traffic congestion on the surrounding road network and to ensure there would be adequate parking for the development, in accordance with Policies T1, and T6 of the London Plan 2021 and Policy T4 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Basement Vehicular Parking

- 68) The basement vehicular parking hereby permitted shall be accessed and used only by residents, car clubs and long stay blue badge holders for the commercial use.

To avoid creating unacceptable traffic congestion on the surrounding road network and to ensure there would be adequate parking for the development, in accordance with in accordance with Policies T1, and T6 of the London Plan 2021, and Policies T1, and T4 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Car & Cycle Parking Management Plan

- 69) Prior to first occupation of each Development Plot hereby permitted, a Car and Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in accordance with the Car and Cycle Parking Management Plan as approved and shall be retained for the lifetime of the development.

To ensure an appropriate level, mix and location of car and 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, T5, and T6 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.

Delivery and Servicing Management Plan

- 70) Prior to first occupation of any residential dwellings or commercial units within a Development Plot hereby permitted, a Delivery and Servicing Management Plan (DSMP), including vehicle tracking, for that relevant Development Plot shall be submitted to and approved in writing by the Local Planning Authority. The DSMP shall detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement in respect of the relevant Development Plot. The approved measures shall be implemented and thereafter retained for the lifetime of the residential or commercial uses in the relevant part of the site.

To ensure that satisfactory provision is made for refuse storage and collection 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 T1, and T7 of the London 2021 and Policies T2, CC11 and CC13 of the Local Plan 2018 and SPD Key Principle TR28 (2018).

Operational Waste Management Plan

71) i) Development Plots A1, A2 and A3 hereby permitted shall be carried out in accordance with the Temporary Operational Waste Management Strategy approved under planning reference 2020/00737/DET granted 1 July 2020. All approved storage details shall be implemented in accordance with the approved details. Upon practical completion of Development Plots A1, A2 and A3, the details in the Operational Waste Management Plan prepared by Buro Happold (May 2018) relating to Developments Plots A1, A2 and A3 shall be implemented.

ii) Prior to commencement of development above ground level within each relevant Development Plot listed in Condition 1 hereby permitted, a detailed Operational Waste Management Strategy shall be prepared which shall align with the principles set out in the Operational Waste Management Plan prepared by Buro Happold (May 2018) relating to the outline components of the development. It shall be submitted and approved in writing by the Local Planning Authority. Details shall include refuse arrangements including storage, collection and recycling for all uses within each Development Plot and 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 in accordance with the approved details.

To protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with the NPPF 2023, Policy SI 7, SI 8, and T7 of the London Plan 2021 and Policies CC6 and CC7 of the Local Plan 2018 and SPD Key Principle WM1 2018.

External Doors

72) All external entrance doors facing the public highway hereby permitted shall be designed and installed so that they do not encroach onto the public highway, and shall be retained for the lifetime of the development in this form.

To prevent obstruction of the public highway in accordance with the Highways Act 1980, and Policy T3 of the Local Plan 2018.

DESIGN

Details and Materials

- 73) Prior to commencement of development above ground level within a Development Plot hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:
- a) Particulars and samples (where appropriate) of the materials to be used on all external faces of the buildings including external ground and upper level surfaces such as roof terraces. A façade mock-up panel of a typical section of the proposed cladding system (scale 1:1) shall be erected on site and inspected by Local Planning Authority officers.
 - b) Details of the appearance of the loading bay and service entrance including loading bay doors and cycle entrance doors.
The development shall be carried out in accordance with the details as approved and shall be retained for the lifetime of the development.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1, D4, and D6 of the London Plan 2021, Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

1:20 Details

- 74) Prior to commencement of development above ground level within a Development Plot hereby permitted, detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of each of the approved buildings shall be submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed cladding, fenestration (including framing and glazing details), balustrades (including roof terraces), entrances, roof top plant and plant screening, handrails, canopies and junctions between building elements. The development shall be carried out in accordance with the details as approved and shall be retained for the lifetime of the development.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1, D4, and D6 of the London Plan 2021, Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

A1/A3 1:20 Details

- 75) Prior to commencement of development above ground level within a Development Plot hereby permitted detailed drawings in plan, section and elevation at a scale of no less than 1:20 of the frontages for the Class A1/Class A3 units, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and shall be retained for the lifetime of the development.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Obscured Glass

- 76) The window glass at ground level in the development, including the shop fronts, shall not be mirrored, painted or otherwise obscured and shall be retained for the lifetime of the development as such unless clearly indicated on approved drawings or subsequently agreed with the Local Planning Authority in writing.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy D4 of The London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

Solar glare

- 77) Prior to the commencement of development above ground level within Development Plots H1 and H2 hereby permitted, a solar glare study shall be submitted to and approved in writing by the Local Planning Authority. All development pursuant to this permission shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy D4 of The London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

No roller shutters

- 78) No roller shutters shall be installed in front of any shopfront, commercial entrance or display facade hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1, DC5, DC8, and TLC2 of the Local Plan 2018.

No advertisements (Imperial Square and Gasworks conservation area)

- 79) No advertisements in the Imperial Square and Gasworks conservation area without securing consent from the Local Planning Authority.

In order that any advertisements displayed on the building are assessed in the context of an overall strategy, to ensure a satisfactory external appearance and to preserve the integrity of the design of the building, in accordance with Policies DC1 and DC8 of the Local Plan 2018.

Signage Strategy

- 80) Prior to the first occupation of the retail units within a Development Plot hereby permitted, a Signage Strategy for the retail units within that Development Plot shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details.

To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with Policies DC1 and DC8 of the Local Plan 2018.

Urban Greening Strategy

- 81) Prior to commencement of development above ground level within a Phase of the development hereby permitted, an Urban Greening Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall consider green walls and green roofs, and include tree planting, and soft landscaping. The strategy should include details of the types of planting and the maintenance of the greening. The relevant Phase shall not be occupied until the works have been carried out in accordance with the approved details, and shall be retained for the lifetime of the development.

To improve biodiversity and contribute to the adaptation to, and reduction of, the effects of climate change in accordance with the NPPF 2023 and Policy G5, and G6 of the London Plan 2021.

Roof enclosures

- 82) Prior to commencement of development above ground level within a Development Plot hereby permitted, details of any enclosure(s) to be fitted to roof mounted equipment at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied until any enclosure(s) have been constructed in accordance with the approved details, and the enclosure(s) shall be retained for the lifetime of the development.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

No plant, water tanks

- 83) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans for Plots A1, A2 and A3, and any subsequent plans approved under Reserved Matters Applications, shall be erected upon the roofs of the buildings hereby permitted unless approved in writing.

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC8 of the Local Plan 2018.

Aerials and Satellite Dishes

- 84) Prior to commencement of development (excluding Demolition, Ground and Enabling Works) above ground level within a Development Plot hereby permitted details of any aerials and satellite dishes shall be submitted and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no additional 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.

To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with Policies D4 of the London Plan 2021, and Policies DC1 and DC8 of the Local Plan 2018.

Window Cleaning Equipment

- 85) Prior to first use or first occupation of the development within a Development Plot hereby permitted, details of the proposed window cleaning equipment shall be submitted and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. No part of that Development Plot shall be used or occupied until the equipment has been installed in accordance with the approved details and shall thereafter be retained for the lifetime of the development in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D4 of the London Plan 2021, and Policies DC1 and DC8 of the Local Plan 2018.

Changes to the external appearance

- 86) No alterations shall be carried out to the external appearance of the buildings, including the installation of air-conditioning units, ventilation fans, extraction equipment, balustrades, fencing, canopies or roof structures not shown on the approved drawings.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Materials

- 87) Prior to commencement of development above ground level within each of Development Plots H1, and H2 , in addition to the samples of all external materials (required in Condition 73), a supporting statement shall be submitted to the local planning authority for approval in writing setting out the detailed specifications for each Development Plot of each material indicating performance, sustainability rating, impacts from weathering and exposure to pollution sources in order to demonstrate that the materials are of the highest quality. The development shall be carried out in accordance with such details as have been approved.

To ensure the external appearance and environmental performance of the tall building is of the highest quality and to prevent harm to the street scene and public realm, in accordance with policies D1, D4, and D9 of the London Plan 2021, Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Secure by Design (Basement Phases)

- 88) Prior to commencement of a Basement Phase of the development hereby permitted, (excluding Demolition, Ground and Enabling Works) a statement of how principles of 'Secure by Design' will be adequately delivered for that basement shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to: CCTV to be installed in the basement of that Phase and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls and basement security measures and means to secure the site throughout construction in accordance with BS8300:2009. No part of that basement Phase shall be used or occupied until these measures have been implemented in accordance with the approved details, and the measures shall be retained for the lifetime of the development.

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.

Secure by Design (Development Phases)

- 89) Prior to commencement above ground level of a Phase of the development hereby permitted, a statement of how principles of 'Secure by Design' will be adequately delivered shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include (where relevant), but not be limited to: CCTV to be installed in that Phase and any public realm associated with it realm and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, and means to secure the site throughout construction in accordance with BS8300:2009. No part of that Phase shall be used or occupied until these measures have been

implemented in accordance with the approved details, and the measures shall be retained for the lifetime of the development in this form.

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.

Floodlights, Security lights and Decorative External Lighting

- 90) Prior to commencement of development above ground level within a Development Plot hereby permitted, details of any external artificial lighting, including security lights shall be submitted to and approved in writing by the Local Planning Authority. 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 Notes for the Reduction of Light Pollution 2011' (or relevant guidance) to ensure that any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. 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. No part of the Development Plot shall be used or occupied until any external lighting provided has been installed in accordance with the approved details and shall be retained for the lifetime of the development in this form.

To ensure that the amenity of occupiers of the development site / surrounding premises and natural habitat is not adversely affected by lighting, and to ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D4, D6, and G6 of the London Plan 2021, and Policies DC1, DC8, OS1 and OS2 of the Local Plan 2018.

Lights off

- 91) Prior to first occupation of a Development Plot hereby permitted, a scheme for the control and operation of the proposed lighting within the office buildings, during periods of limited or non-occupation, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented prior to the occupation of the relevant phase and operated only in accordance with the approved details.

To ensure that the building does not cause excessive light pollution and to conserve energy when they are not occupied, in accordance with Policy CC12 of the Local Plan 2018.

LANDSCAPING

Soft and Hard Landscaping

- 92) Prior to commencement of development above ground within a Phase hereby permitted, details of the proposed soft and hard landscaping of all areas external to the buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, including pedestrian surfaces, materials, kerb details, external steps and seating that ensure a safe and convenient environment for blind and partially sighted people. The landscaping works shall be carried out in accordance with the approved details and shall be retained for the lifetime of the development in this form.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in accordance with the Equality Act 2010, Policies D4, G1, and G5 of the London Plan 2021, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Replacement Trees, shrubs etc

- 93) All planting, seeding and turfing approved as part of the agreed soft landscaping scheme associated with each relevant Development Plot hereby permitted shall be carried out in the first planting or seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or shrubs which die, are removed or become seriously damaged or diseased within 5 years of the date of the initial planting shall be replaced in the next planting season with other similar size and species.

To ensure a satisfactory external appearance in terms of the provision of tree and shrub planting, in accordance with Policies D4, G1, and G5 of the London Plan 2021, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

Ecological Management Plan

- 94) Prior to practical completion of a Development Plot hereby permitted, an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. 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, unless otherwise agreed in writing with the Local Planning Authority.

To ensure the biodiversity of the site is protected and enhanced where possible, in accordance with policy G6 of the London Plan 2021 and Policies CC2, DC1, DC8, OS2, OS4 and OS5 of the Local Plan 2018.

Protection of Existing Trees

- 95) Prior to commencement of development within a Phase of Development hereby permitted, all the trees in the proximity of that Phase that are to be retained, shall be protected from damage in accordance with BS5837:2012 during both the demolition and construction works.

To ensure that trees on site are retained and to prevent harm during construction, in accordance with Policies DC1, DC8, OS2, OS4 and OS5 of the Local Plan 2018.

Outdoor Play Spaces

- 96) Prior to commencement of development above ground level within a Phase hereby permitted, a scheme detailing the play equipment, boundary treatments and ground surface treatment of the outdoor play spaces, for that part of the development shall be submitted to the local planning authority and approved in writing. Any play equipment will be designed to be fully inclusive to ensure the play areas are accessible to all and will be implemented in accordance with the approved plans, to be retained for the lifetime of the development.

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 D5, and D7 of the London Plan 2021, and Policy OS3 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Street Furniture

- 97) Prior to first occupation of a Phase hereby permitted, details including the locations of the benches and litter bins for that Development Plot shall be submitted to and approved in writing by the Local Planning Authority. The street furniture listed above shall be designed and sited to be fully inclusive and accessible for all users and will not provide any obstruction to disabled persons or people of impaired mobility and/or sight. The relevant Phase shall not be open to users until the benches, litter bins and signage as approved have been provided, and must be retained for the lifetime of the development.

To ensure the satisfactory provision of facilities, in accordance with Policies CC2, DC1, DC8 and OS2 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

ACCESS

Access Management Plan

- 98) Prior to first occupation of a Phase hereby permitted, an Inclusive Access Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phase shall not be operated otherwise than in accordance with the Inclusive Access Management Plan as approved and be retained for the lifetime of the development in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy D5 of the London Plan 2021 and Policy E3 of the Local Plan 2018.

Level Threshold

- 99) The ground floor entrance doors to the buildings and integral lift/stair cores shall not be less than 1-metre-wide and the threshold shall be at the same level as the adjoining ground level fronting the entrances to ensure level access.

To ensure the development provides ease of access for all users, in accordance with Policies D5 of the London Plan 2021, and Policies DC1 and HO6 of the Local Plan 2018.

Lifts

- 100) Prior to first occupation and/or first use of each relevant Development Plot hereby permitted, details of fire rated lifts in each of the buildings submitted to and approved in writing by the Local Planning Authority. Details shall include loading lifts to the basement levels and the measures to ensure that at least one lift per core will operate at all times and that 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.

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 D5, and D11 of the London Plan 2021, and Policies DC1 and HO6 of the Local Plan 2018.

Finished floor levels

- 101) Prior to commencement of development (excluding Demolition, Ground and Enabling Works) within a Phase hereby permitted, a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the Local Planning Authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in

accordance with the approved survey for that Phase unless otherwise agreed in writing by the local planning authority.

To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level, in accordance with Policies D4 and D8 of the London Plan 2021, and Policies DC1, DC5 and DC8 of the Local Plan 2018. These details are required prior to commencement in order that a record is made of the conditions prior to changes caused by the development and that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

Urban Realm Strategy

- 102) Prior to commencement of development above ground level within a Phase, and notwithstanding the information in the landscape drawings hereby approved, an Urban Realm Strategy for that Phase which includes detailed drawings of any shared surfaces, the methods of delineation of the vehicular and pedestrian areas shall be submitted to and approved by the Local Planning Authority in writing. The urban realm strategy for the relevant Development Plot shall demonstrate how the shared surfaces would adhere to the guidance set out in Department of Transport Note LTN1/11 "Shared Space" October 2011 (or any other relevant guidelines). Such details shall be implemented in accordance with the approved plans for that Phase and retained for the lifetime of the development.

To ensure that the proposal provides an inclusive and accessible environment in accordance with Policy D8 of the London Plan 2021, Policies DC1 and T1 of the Local Plan 2018.

Corrosion Protection (Gasholder No.2)

- 103) The development hereby permitted shall be carried out in accordance with the Corrosion Protection Measures approved under planning reference 2019/02397/DET.

To safeguard the special architectural or historic interest of the structures in accordance with the NPPF 2018, Policies DC1 and DC8 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.

Intrusive Condition Survey Methodology (Gasholder No.2)

- 104) Within 18 months of commencement of the Development, the Intrusive Condition Survey Methodology and any applications for Listed Building Consent as may be necessary to enable the Intrusive Condition Survey to be carried out in accordance with the submitted Intrusive Condition Survey Methodology shall be submitted to the Local Planning Authority for approval in consultation with Historic England. The Intrusive Condition Survey Methodology shall set out the methodology for the carrying out of the

Intrusive Condition Survey, the purpose of which is to survey the fabric and structure of Gasholder No.2 for the following purposes:

- (a) assessing the condition of Gasholder No.2 to inform future proposals for its future retention and reuse by addressing various issues, including but not limited to fabric deterioration and corrosion; materials decay; weathering; assessment of structural condition; soil investigation; contamination sampling and testing and prognosis of likely effects of deterioration processes; and
- (b) the carrying out of measured surveys and historic recording to Level 4.

The Intrusive Condition Survey shall be carried out in accordance with the approved Intrusive Survey Methodology and any required Listed Building Consents.

To safeguard the special architectural or historic interest of the structures in accordance with the NPPF 2023, Policies DC1 and DC8 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.

Gasholder No.2 Proposals

- 105) Within 12 months of completion of the Intrusive Condition Survey, details of proposals for the restoration and retention of Gasholder No.2 and any application for Listed Building Consent as may be necessary for the works required to secure the delivery of those proposals for Gasholder No.2 shall be submitted to the Local Planning Authority for approval in consultation with Historic England. The proposals shall be implemented in accordance with the approved details.

To safeguard the special architectural or historic interest of the structures in accordance with the NPPF 2023, Policies DC1 and DC8 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.

Listed Office Buildings and War Memorials Proposals

- 106) Prior to submission of any Reserved Matters Applications in relation to any of Development Plots C1, C2, F1 or F2, details of proposals for the restoration and future uses for the Listed Office Buildings and War Memorials and any application for Listed Building Consent as may be necessary for works required to secure the delivery of those proposals shall be submitted to the Local Planning Authority for approval. The proposals will include details of the main physical alterations required and design principles to be applied in connection with the proposed future uses. The proposals shall be implemented in accordance with the approved details.

To safeguard the special architectural or historic interest of the structures in accordance with the NPPF 2023, Policies DC1 and DC8 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.

19th Century Wall (Gasholder No.3)

- 107) Features recovered from the 19th Century wall supporting the bank surrounding Gasholder No.3 shall be incorporated into the development in accordance with the Atkins Technical Note dated 6 June 2017 as approved under planning reference 2017/02340/DET dated 12 June 2017 and Interpretation Strategy which is required to be submitted and approved pursuant to planning reference 2017/01577/VAR granted 28 September 2017.

To safeguard the special architectural or historic interest of the structures in accordance with the NPPF 2023, Policies DC1 and DC8 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.

Interpretation Strategy (Gasholder No.7)

- 108) Elements of Gasholder No. 7 shall be incorporated into the development in accordance with the Montagu Evans Gasholder 7 Interpretation Strategy dated January 2018 as approved under the S106 Legal Agreement made between the Mayor and Burgesses of the London Borough of Hammersmith and Fulham and National Grid Twenty-Seven Limited dated 5 March 2015 (varied subsequently on 22 February 2017 and 31 August 2017) and in accordance with the updated Interpretation Strategy required to be submitted and approved under that same agreement.

To safeguard the special architectural or historic interest of the structures in accordance with the NPPF 2023, Policies DC1 and DC8 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.

Airwaves Interference Study

- 109) Prior to commencement of development above ground level within a Development Plot hereby permitted the following details shall be submitted to and approved in writing by the Local Planning Authority:
- a) The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and
 - b) The implementation of a Scheme of Mitigation Works for the purpose of ensuring nil detriment during the Demolition Works and 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 for that Development Plot and shall be retained for the lifetime of the development in this form.

To ensure that the existing airwaves reception is not adversely affected by the proposed development, in accordance with Policy SI 3 of the London Plan 2021, and Policies DC1 and DC8 of the Local Plan 2018.

Fire Safety

- 110) The development shall be implemented in accordance with the fire safety principles set out in the Fire Statement prepared by Exova Warringtonfire (2018).

To ensure that the Development contributes to the minimisation of potential fire risk, in accordance with the Policy D12 of the London Plan 2021.

Ventilation Strategy Compliance

- 111) Prior to occupation of a Development Plot listed in Condition 1 hereby permitted, details of a post installation report of the approved Ventilation Strategy (Condition 42) to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority.

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

To comply with the requirements of the NPPF 2023, Policies SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

Zero Emission Combustion Plant compliance

- 112) Prior to occupation of a Development Plot listed in Condition 1 hereby permitted, details of the installation of the Air/Water Source Heat Pumps, Electric Boilers, and Zero Emission Emergency generators shall be submitted to and approved in writing by the Local Planning Authority.

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

To comply with the requirements of the NPPF 2023, Policies SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

Justification for Approving the Application:

- 1) **Section 73 of the Town and Country Planning Act 1990:** The proposed changes would constitute a material change within the context of the extant planning permission scheme (ref: 2018/02100/COMB) dated 8 February 2019 and therefore meet the requirements processed under Section 73 of the Town and Country Planning Act 1990.

- 2) **Principle of Development/Regeneration:** The principle of a comprehensive residential led mixed-use redevelopment of the site were considered to be acceptable under the extant planning permission scheme (ref: 2018/02100/COMB) dated 8 February 2019 and in accordance with national, strategic, and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations. The proposals, as amended, would continue to contain appropriate mix of land uses that are compatible with the South Fulham Riverside Regeneration Area, considered to make an important contribution towards meeting local and strategic housing needs and would also create a vibrant and creative place with a stimulating and high-quality environment where people will want to live, work, shop, and spend their leisure time. The proposed development, as amended, would also contribute to the regeneration of the area by providing significant areas of new public realm which serve the needs of the wider area as well as those in the development, improving linkages, movement through and connections within the area. The relatively small size and location of the retail and leisure uses would not compromise the vitality or viability of surrounding centres. The proposed development, as amended would contain appropriate land uses that are compatible with the South Fulham Riverside Regeneration Area and is well served and accessible by public transport. The proposed development is therefore considered acceptable, on balance, and in accordance with Policies SD1, H1, and D3 of the London Plan (2021) and policies SFRRRA, SFRRRA1, DC1, DC2 and DC3 of the Local Plan (2018).
- 3) **Housing:** The proposed development (as revised by this application) does not alter the amount of housing (new homes/units being delivered and overall affordable housing provision) granted under the extant planning permission (2018/02100/COMB) dated 8 February 2019. The proposed development is considered to make a significant contribution towards providing much needed additional housing in accordance with London Plan Policies H1 and would continue to help the borough meet and exceed its housing targets in accordance with Table 4.1 of the London Plan. It is considered that the development would contribute towards the indicative housing targets set out in Policy HO1 of the Local Plan (2018) which promotes the development of new housing within the Strategic sites and would help to regenerate the wider South Fulham Riverside Regeneration Area which sets an indicative housing target of 4,000 homes proposed across the plan period. The wider development provides the maximum reasonable proportion of affordable housing for the site and will delivery much needed affordable housing within the borough. The principle and density of residential development proposed is considered acceptable and would be in accordance with London Plan Policies H1 and D3 and Local Plan policies SFRRRA, SFRRRA1, HO1, HO3, HO4 and HO5. The proposed development would comprise an appropriate mix of dwelling sizes that would meet local and London-wide housing needs and is therefore considered to be in accordance with Policy H10 of the London Plan (2021) and Local Plan policies HO4 and HO5. The amenity and play space provided accords with the adopted policies and would provide a high quality of private and communal amenity for future occupants together with a high standard of residential accommodation in accordance with Local Plan policies HO11, OS2 and OS3.

- 4) **Design:** The reduction in the number of development plots from three to two is considered to be beneficial. These include expanding the park area, significantly improving sunlight access, and enhancing sky and outdoor views from within the development. The changes lead to a better living environment for existing and future residents and improved levels of greater sustainability by reducing construction requirements and eliminating one of the proposed towers. The proposed development, as amended, therefore provides an appropriate design response to the emerging context in the South Fulham Riverside Regeneration Area and would have very limited adverse impacts on the surrounding built environment which includes the Imperial Square and Gasworks Conservation Area and adjoining sites which are subject to redevelopment and regeneration. The scale and massing of the detailed components of the proposed development are considered on balance to meet the policy requirements in delivering buildings with good quality architecture which optimises the residential capacity of the site and provides a significant level of public open spaces around the building plots. The proposed development is not considered to prejudice the development potential of the adjoining development sites, subject to conditions and detailed design. Specifically, the distribution of scale, massing, and height of the taller elements has been demonstrated to have minimal townscape, heritage and visual amenity impacts on the local and wider context. When considered alongside the significant planning benefits in terms of housing provision and public open space included as part of the development, the proposals are considered, on balance, to be in general accordance with local plan strategic policies SFRRRA and SFRRRA1. Although the proposed development will be visible and will have an impact on views from within LBHF and from RBKC it is considered that the impact is not one of significant harm to conservation areas or local townscape and the proposed development would have a neutral impact on the skyline of this part of South Fulham. The proposed development is therefore considered acceptable in accordance with Policies D1, D3, D4, D5, D8, D9 and G7 of the London Plan (2021), Local Plan policies SFRRRA, SFRRRA1, HO1, HO3 and HO4 of the Local Plan 2018. DC1, DC2, DC3 and DC8 and the Council's Planning Guidance Supplementary Planning Document.
- 5) **Built Heritage:** It is considered that the proposed development would cause less than substantial harm to the character or appearance of the conservation area and setting of the nearby listed buildings. The limited extent of harm that is caused would be outweighed by the significant townscape, urban design, and regeneration benefits of the proposals. The proposed development, as amended, would be visible from within LBHF and from isolated instances in the Royal Borough of Kensington and Chelsea, but the amended impacts are not greater than the previously approved scheme. The impact of the proposal, as amended, on the historic significance, visual amenity, character, and appearance of these areas, in particular the Imperial Square and Gasworks Conservation Area and setting of the Grade II listed buildings/structures within the site together with heritage assets outside the site is considered on balance acceptable. The proposed development, as amended, by way of varying conditions of the extant permission is therefore

considered to be acceptable and would be in accordance with Policies D3, D9 and HC1 of the London Plan (2021), Local Plan policies SFRRA, SFRRA1, HO1, HO3 and HO4 of the Local Plan 2018, DC1, DC2, DC3 and DC8 and the Council's Planning Guidance Supplementary Planning Document.

- 6) **Residential Amenity:** It is considered that the proposed development, as amended, would not result in significant harm to the amenities of adjoining occupiers in terms of daylight/sunlight, over-shadowing, and privacy. It is considered that the proposals, as amended, have been designed so that they do not unduly prejudice the development potential of the adjoining sites which have the capacity to contribute towards the comprehensive regeneration of the Opportunity Area, by virtue of the extent of the daylight, sunlight, overshadowing and privacy impacts. Potential impacts (both amended scheme and its cumulative effects) in terms of air quality, light pollution, solar glare, wind tunnelling, noise or TV/radio reception would be acceptable, subject to the various mitigation methods proposed which are secured by conditions and reserved matters. In this regard, the amended development would respect the principles of good neighbourliness. The proposed development is therefore considered to be acceptable and would be in accordance with Policies D3, D4, D9, D14, S4 and SI 1 of the London Plan (2021), Local Plan policies HO11, DC1, DC2 and DC3 and the Council's Planning Guidance Supplementary Planning Document.
- 7) **Safety and Access:** The proposed amendments are borne primarily out of necessity to amend the design of the taller building plots H1 and H2 to comply with amended fire safety regulations. The revised design has been developed to include the provision of two staircases per core, a third lift to provide dignified escape, and a range of other measures such as individual smoke shafts to each smoke compartment within a core. The proposed development plots will therefore be constructed in a manner which will minimise the risk of fire spread, have a suitable and convenient means of escape for all building users and will provide suitable access, water supplies and equipment for use by the Fire Service in the event of an emergency. Subject to conditions, and continued consultation with local access groups, it is considered that the development, as amended, would provide a safe and secure environment for all users. The development is therefore considered to be acceptable in accordance with Policies H10, T3 and D5 of the London Plan (2021) policy HO6 of the Local Plan 2018 and the Council's "Planning Guidance" Supplementary Planning Document.
- 8) **Quality of Residential Accommodation:** Amendments to the residential accommodation will continue to provide high quality residential units for a scheme which is located within a high-density urban context that is envisaged to optimise development capacity, providing an acceptable standard of accommodation for future occupiers of the residential in respect of the living space, aspect, and amenity. The assessment at this stage confirms that most of the proposed units would benefit from acceptable levels of daylight/sunlight, outlook, and privacy. The development is therefore considered, on balance, to be acceptable in accordance with

Policies D3 and D6 of the London Plan (2021), Policies HO4, HO11, DC1, DC2 and CC11 of the Local Plan (2018) and the Council's "Planning Guidance" Supplementary Planning Document.

- 9) **Highways:** It is considered that the overall traffic impact of the proposed development would be unchanged from the extant scheme. As such, the traffic impact (from the amended proposals) would be acceptable and in accordance with Local Plan policy T1. The level of car, motorcycle and cycle parking is assessed as being acceptable in accordance with Local Plan policy T3 and the Council's "Planning Guidance" Supplementary Planning Document. The site is well served by public transport. The proposed development would enhance pedestrian and cycle linkages to development sites. Such improvements would be the benefit of the wider South Fulham Riverside Regeneration Area. It is considered that any impacts arising from the development would be mitigated by conditions and previously secured s106 provision to contribute towards sustainable transport infrastructure measures within the South Fulham Riverside Regeneration Area and prevent significant increase in on-street parking pressures in surrounding roads. A car park management, servicing, road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential adverse impacts. The proposed development is therefore considered acceptable in accordance with Policies T1, T2, T3, T4, T5 and T6 and Table 10.2 of the London Plan (2021), policies T1, T2, T3, T4 and T7 of the Local Plan and the Council's "Planning Guidance" Supplementary Planning Document.
- 10) **Sustainability:** The proposed amendments allow for better alignment with strategic policy objectives in relation to sustainability and energy efficiency. In particular, the revised design supports the energy hierarchy in London Plan Policy SI 2, by using less energy and managing demand during operation. The proposed layout and massing rearrangements, including the diagonal orientation of the buildings and floor plate geometry, mean there is a greater opportunity for the new buildings to adopt an energy efficient design through passive (cooling, heating, and lighting) design measures. This includes, for example, utilising the layout for natural cross-ventilation potential and a greater capacity to address overheating. In addition, there are also clear benefits in terms of minimising energy demand and reducing the overall carbon footprint associated with the proposed omission of the H3 plot and construction of an additional building/core. Subject to conditions, and the previously secured carbon off-setting s106 financial contribution, the proposed development is therefore considered to be acceptable and would be in accordance with policies SI 1, SI 2, SI 3, SI 4, SI 5, SI 7, SI 8, SI 10, SI 12, SI 13 and G6 of the London Plan (2021), and would broadly comply with the intent of policies CC1, CC2, CC3, CC4, CC6, CC9 and CC10 of the Local Plan and the Council's Planning Guidance Supplementary Planning Document.
- 11) **Flood Risk:** The site is located within Flood Risk Zones 2 and 3. A Flood Risk Assessment (FRA) has been submitted which advises standard construction practices to ensure the risk of flooding at the site remains low.

Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system with further information on surface water drainage secured by condition. Subject to conditions, the development would therefore be acceptable and in accordance with Policies SI 12 and SI 13 of the London Plan (2021), policies CC2, CC3 and CC4 of the Local Plan and the Council's Planning Guidance Supplementary Planning Document.

- 12) **Environmental Impacts:** All Environmental Impacts have been assessed with regard to construction, demolition, proposed development and alternatives, Noise, Air Quality, Ecology, Transport, Socio-economics, Archaeology, Sunlight, Daylight, Overshadowing, Solar Glare, Water Resources and Flood, Waste, Ground Contamination, Microclimate, Electronic Interference, Townscape and Heritage, Cumulative and Residual Impacts, set out in the Environmental Statement and Addendums and the Environmental Impact Assessment (EIA) Statement of Conformity letters in accordance with the EIA Regulations 2011. The Environmental Statement which comprises the original ES (and appendices), the ES addendums and revised appendices, the Environmental Impact Assessment (EIA) Statement of Conformity letters 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.
- 13) **Legal Agreement:** The application is to be amended by way of varying conditions of the former extant planning permission but without any commensurate increase in residential units or floorspace. The financial contributions previously secured, which will go towards affordable housing in LBHF, the enhanced provision of education, health, employment, community facilities, accessibility and sustainable transport, highways (including pedestrian and cycle routes), carbon off-setting and the public realm continue to be sufficient to mitigate the impacts of the development as amended. Accordingly, it is not necessary to secure additional financial contributions to make the development acceptable in policy terms. The affordable housing mix, to be delivered within Phase 4 of the scheme, shall be amended in line with the Council's identified need across tenures. The proposed development would therefore continue to mitigate external impacts and would accord with London Plan (2021) Policy DF1, and Policies SFRRRA, SFRRRA1 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: 25th April 2024
Drawing Nos: As listed in Condition 3 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:
Greater London Authority (GLA)	30.09.24
Historic England	11.06.24
Greater London Archaeology Advisory Service (GLAAS)	11.06.24
Environment Agency	04.06.24
Port of London Authority	12.06.24
Network Rail	02.09.24
Health And Safety Executive	19.06.24
Royal Borough of Kensington and Chelsea	24.05.24

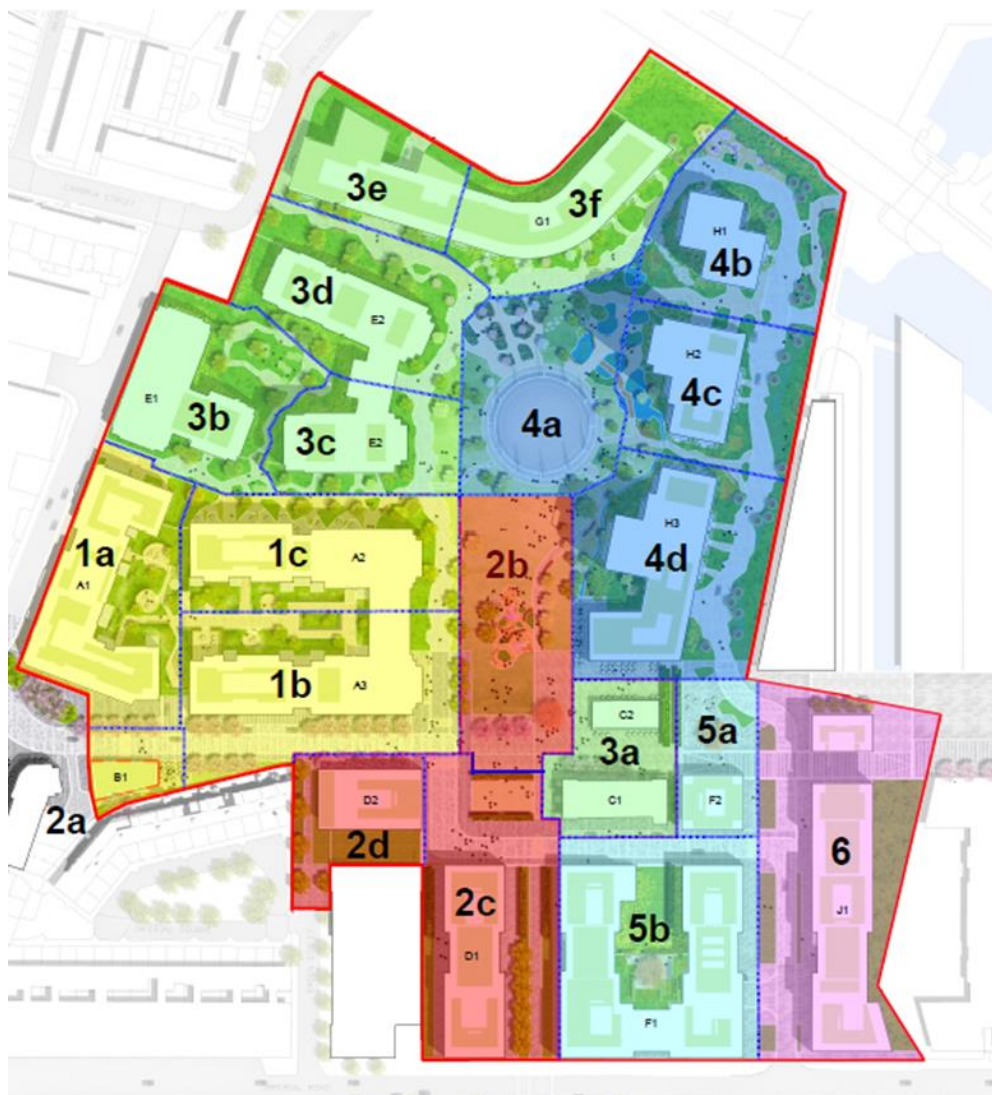
Neighbour Comments:

Letters from:	Dated:
Flat 142 Doulton House, 11 Park Street SW6	27.05.24

1.0 BACKGROUND

1.1 This planning report relates to an application to vary Condition 4 (Drawings – Outline Component) and Condition 5 (Design Codes and Parameters) of planning permission (ref: 2018/02100/COMB) granted 8 February 2019 (as amended), for the site formerly known as South Fulham Gasworks but now marketed as ‘King’s Road Park’. The planning permission was approved as a Hybrid Permission (part-detailed, part-outline) with Phases 1a, 1b, 1c (Plots A1, A2, A3) in detail and the remainder of the site, Phases 2 - 6, in outline form, to be determined later.

- 1.2 King's Road Park will deliver a residential led mixed-use development comprising 15 new buildings (Plots A1, A2, A3, B1, D1, D2, E1, E2, F1, F2, G, H1, H2, H3 and J1) plus the renovation of listed buildings / structures / memorials (No.2 Gasholder, 1927 Former Research Laboratory, 1856 Chief Engineer's Office, WW1 War Memorial and WW2 War Memorial) and the provision of a public square and a public park measuring no less than 6,700 sqm.
- 1.3 The proposed amendments relate primarily to the design of Phase 4 (b, c and d) but also to the indicative landscape strategy for the wider outline element of the masterplan (Phases 2b, 3a, 4a-d, 5a-b and 6) and can be summarised as follows:
- a) configuration of the tower buildings (Plots H1, H2 and H3) with no change to overall floorspace;
 - b) increase to Plots H1, H2 building floorplates and changes to layout design;
 - c) increase to shoulder height of Plot H2 by 8m;
 - d) increase in number of floors for Plots H1, H2 (no change to max heights);
 - e) redistribution of land uses; and
 - f) changes to indicative landscape strategy (Phases 2b, 3a, 4a-d, 5a-b, 6).
- 1.4 The proposals involve amendments to the approved Parameters Plans and Document and the Development Specification, to amend the scale and massing of Plots H1, H2 and H3, by removing the tower element of H3 and merging with H2. Amendments are also proposed to the Design Codes.
- 1.5 The application is made under Section 73 of the Town and Country Planning Act 1990 (as amended) which facilitates the approval of material amendments to the permitted development scheme. Guidance regarding the form of the application, as a minor material amendment to an approved scheme submitted as a variation of condition under Section 73 of the Town and Country Planning Act, advises that proposed amendments should be of a scale and nature that would result in a development which is not substantially different from the one which has been approved.



Consented Phasing (2019)

2.0 SITE AND SURROUNDINGS

- 2.1 King's Road Park measures approx. 6.33 hectares of previously developed industrial land, located in the south east of the borough, within close proximity to the River Thames. The Site is situated approximately 0.5 kilometres south east of Fulham Town Centre within the Sands End Ward. The site is irregular in shape and 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. The Site is divided into two defined areas by Sands End Lane to form the Northern Sector and Southern Sector.
- 2.2 The site has mostly been cleared for development apart from the listed buildings/structures/memorials. Development has been completed on Phases 1a, b and c (Plots A1, A2, A3) plus 2a (Plot B1). Buildings currently under construction are Phases 2b (Park South); 2c (Plot D1); 2d (Plot D2); 3b (Plot E1); 3c and d (Plot E2) and 3e and f (Plot G) in accordance with the Hybrid Permission.

Surrounding Context

- 2.3 The surrounding area is characterised by a mix of uses, with predominantly residential buildings to the north with some commercial and business premises located off Michael Road. Similarly, residential areas including Harwood Terrace and Imperial Square are located to the west, with commercial units located to the northern end of Imperial Road known as Imperial Studios. There are residential units within No. 11 Imperial Road on the corner of Emden Street and Imperial Road and residential estates on the south side of Imperial Road. To the south-east lies two residential developments known as Chelsea Creek and Imperial Wharf.

Designations and Heritage Assets

- 2.4 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); is identified as a Strategic Site (Local Plan 2018 Policy SFRRRA1); 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. A small part of the Site (along the north-west) is located within the Sanford Manor Archaeological Priority Area.
- 2.5 There are four Grade II listed buildings/structures within the Site. Gasholder 2 is widely regarded as the oldest remaining gasholder in the world dating back to the 1830's and was statutory Listed at Grade II in 1970. The 1857 Neoclassical Chief Engineer's Office, the 1927 Research Laboratory and a War Memorial were nationally listed in 2007. The relocated war memorial dating from 2000 is considered by the Council to be a non-designated heritage asset.

3.0 RELEVANT PLANNING HISTORY

- 3.1. 8 February 2019: Planning Permission (ref: 2018/02100/COMB) granted (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 (35%) 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:

- 1) Detailed planning application for 37,774sqm (GEA) residential floorspace together with 712sqm (GEA) ancillary residential facilities (C3 Use); 982sqm (GEA) flexible commercial floorspace (A1, A2, A3, A4 Uses); 3,432sqm (GEA) community and leisure floorspace (D1/D2 Use); provision of a 10,365sqm (GEA) basement; new pedestrian and vehicular access; provision of amenity space, landscaping, car and cycle parking, refuse storage, energy centre, servicing area, and other associated infrastructure works.
- 2) Outline planning application (with all matters reserved) for up to 166,560sqm (GEA) residential floorspace and ancillary residential facilities (C3 Use); up to 6,895sqm non-residential floorspace comprising flexible commercial retail (A1, A2, A3, A4 Uses), office (B1 Use), community (D1 Use) and leisure (D2 Use) floorspace; provision of up to 30,573sqm (GEA) new basement level; new pedestrian and vehicular access; and associated amenity space, publicly accessible open space, landscaping, car and cycle parking, refuse storage, energy centres, servicing area, and other associated infrastructure works.

Reserved Matters

- 3.2. 3 July 2029: Reserved Matters Application (2019/00755/RES) granted in respect of Phase 2a (Development Plot B1) for the erection of a single storey pavilion-style building comprising 205sqm of flexible floorspace (Use Classes A1, A2, A3, A4 and B1) with associated landscaping.
- 3.3. 22 November 2021: Reserved Matters Application (2021/02303/RES) granted in respect of Phase 2b (Park South) for the delivery of part of the central landscaped area with play space; part public square and part basement.
- 3.4. 14 March 2022: Reserved Matters Application (2021/02533/RES) granted in respect of Phases 2c and 2d (Development Plots D1 and D2), for the erection of two mixed-use buildings, comprising commercial and residential floorspace with associated landscaping and play space.
- 3.5. 4 April 2022: Reserved Matters Application (2021/03976/RES) granted in respect of Phase 3b (Development Plot E1) for the erection of a building comprising residential floorspace with associated landscaping and play space.
- 3.6. 14 July 2022: Reserved Matters Application (2021/04010/RES) granted in respect of Phase 3e and Phase 3f (Development Plot G1), for the erection of a building comprising residential floorspace with associated landscaping and play space.
- 3.7. 22 July 2022: Reserved Matters Application (2022/00559/RES) granted in respect of Phase 3c and 3d (Development Plot E2) for the erection of a

building comprising residential and non-residential floorspace with associated landscaping.

- 3.8. Reserved Matters Application (2023/03113/RES) pending consideration in respect of Phase 4a for the delivery of a landscaped area known as Park North.
- 3.9. Reserved Matters Application (2024/01420/RES) pending consideration in respect of Phases 4b, 4c and 4d (Development Plots H1 and H2) relating to the approval of access; appearance; landscaping; layout and scale subject to approval of the current application seeking amendments to Phases 4b, 4c and 4d (Development Plots H1 and H2).

Planning Conditions

- 3.10. Following the determination of the applications listed above, a number of discharge of condition applications have been submitted and approved. None of these are of relevance to this application.

Non-material Amendments

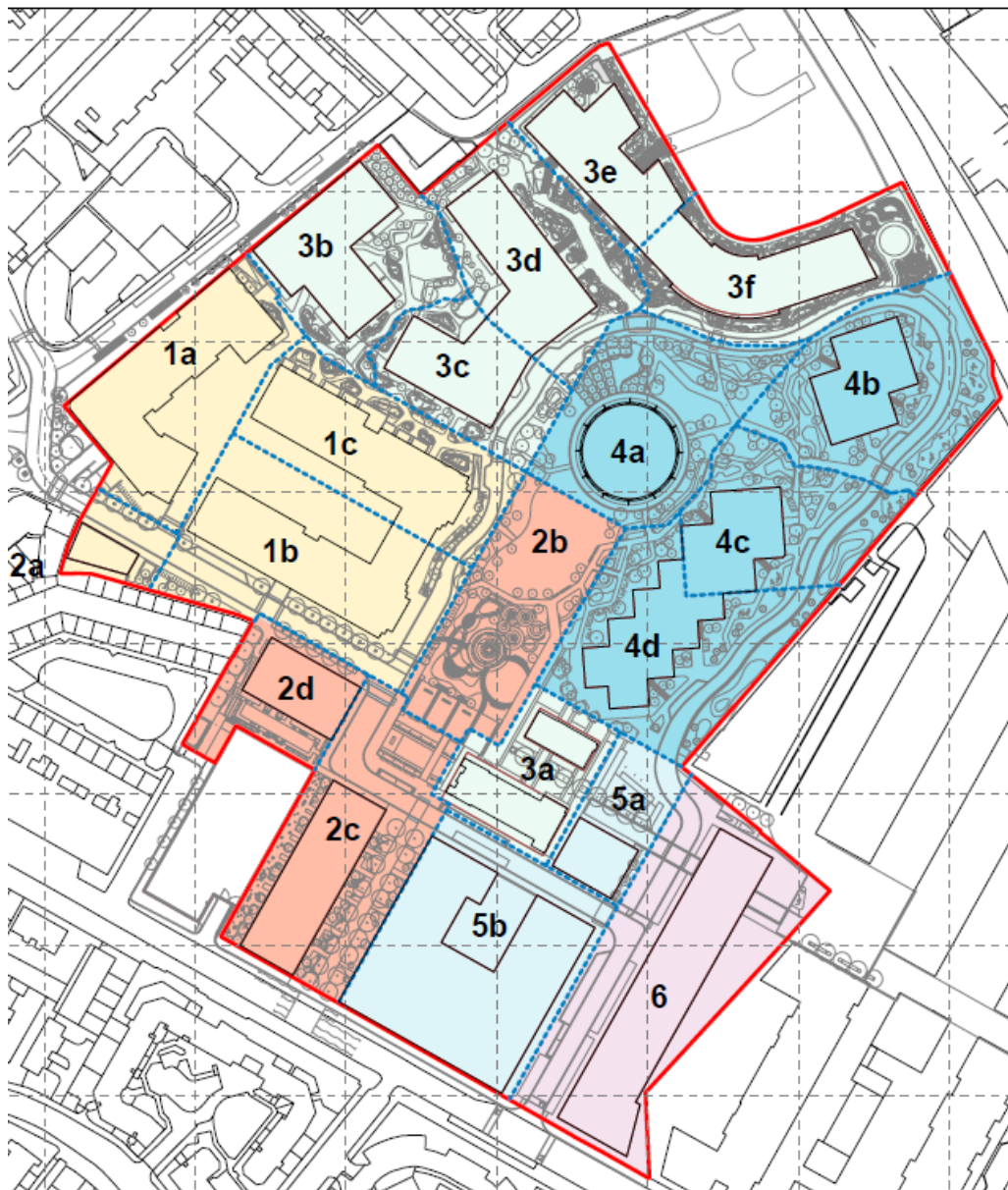
- 3.11. The applicant has sought approval for twenty-two non-material amendment (s96a) applications which all have been granted. The majority of the approved non-material amendment applications are not relevant to the current s73 application and related to changes not affecting Phase 4 of the development. Those that are relevant are listed below:
 - 20 August 2021: Non-Material Amendment (2021/01739/NMAT) granted to Planning Permission 2018/02100/COMB to amend Condition 4 (Outline Component) and Condition 5 (Design Codes and Parameters) to vary the approved maximum basement extents and depths.
 - 20 May 2024: Non-Material Amendment (2024/00818/NMAT) granted to Planning Permission 2018/02100/COMB to vary the Description of Development, removing the reference to the range of building heights "ranging from 1 to 37 storeys" within the description of development.

4. APPLICATION DETAILS

- 4.1 The current application seeks to vary Condition 4 (Drawings – Outline Component) and Condition 5 (Design Codes and Parameters) of the extant permission (ref: 2018/02100/COMB) dated 8 February 2019, which would facilitate the amendment of the outline element of development. The proposals involve amendments to the approved Development Specification & Parameters Report and the Mandatory Design Codes.

Development Specification

- 4.2 Overall: The proposed changes to the approved Development Specification and its appendices consist of minor changes, principally relating to Phase 4 to replace references to plots H1, H2 and H3 with plots H1 and H2 only, and to reference the updated images and versions of the parameter plans and other relevant plans. The document also includes an updated site-wide construction programme (Appendix 4) to reflect completions, which would bring forward the completion date by approximately five years. Minor updates have also been made to the site context section to reflect the ownership and current demolition/construction status at the wider King's Road Park site.



Proposed Phasing (2024) (Changes made to Phase 4 only)



Consented Massing 2019 (includes Plots H1, H2 and H3)



Proposed Massing 2024 (with Plots H1 and H2)

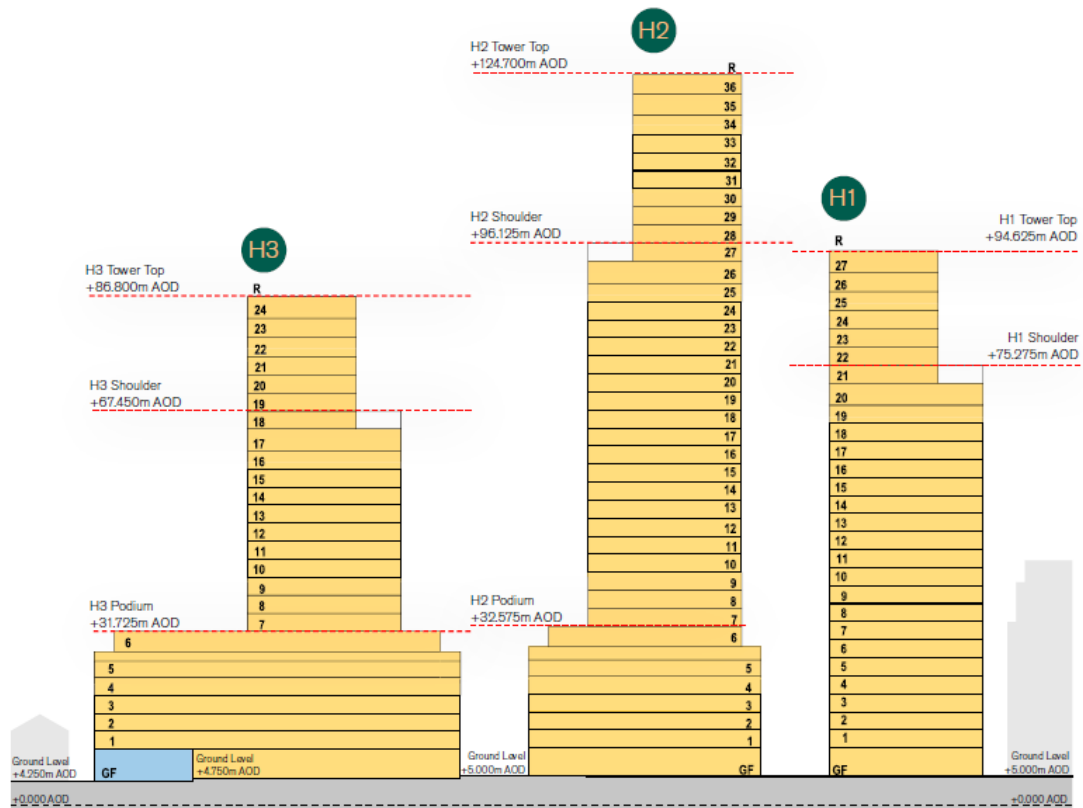
- 4.3 Development Quantum and Land Use: The approved Development Specification splits the total Gross External Areas ('GEA') across the site into maximum areas for the main uses proposed by development plot (Table 4.3). As approved, a maximum of 51,901 sqm residential floorspace and 437 sqm non-residential floorspace is permitted across plots H1, H2 and H3. With the removal of plot H3, the proposed changes seek to redistribute the overall approved GEA across two plots, H1 and H2, to ensure no overall change in the number of units or floorspace figures for this phase of the

development. In addition, the proposed changes seek to redistribute the overall approved land uses (Table 4.4) to principally a residential led land use for both plots, and with other land uses (potentially retail, office, community, cultural or leisure) within plot H2.

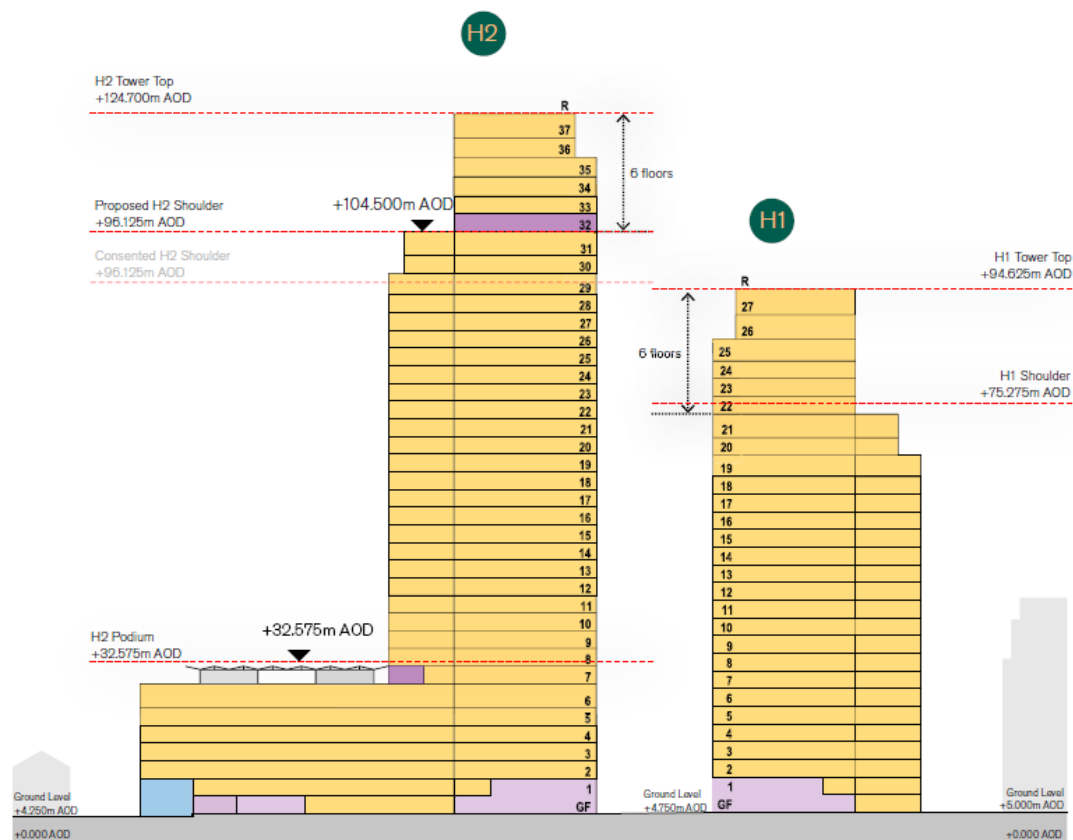
- 4.4 Open/Amenity Space: The proposed changes to the approved Development Specification include a small increase in the overall provision of open amenity space (Table 4.7) from 36,319 sqm to 36,690 sqm, resulting in an increase in public amenity space from 27,330 sqm to 27,426 sqm.

Design Codes

- 4.5 Storey Heights: The approved Design Codes set a maximum storey height of 28 storeys (including ground level) for plot H1 with a maximum shoulder height of 21 storeys (including ground) with an additional ‘storey’ outlined by the building frame, but with no built development.



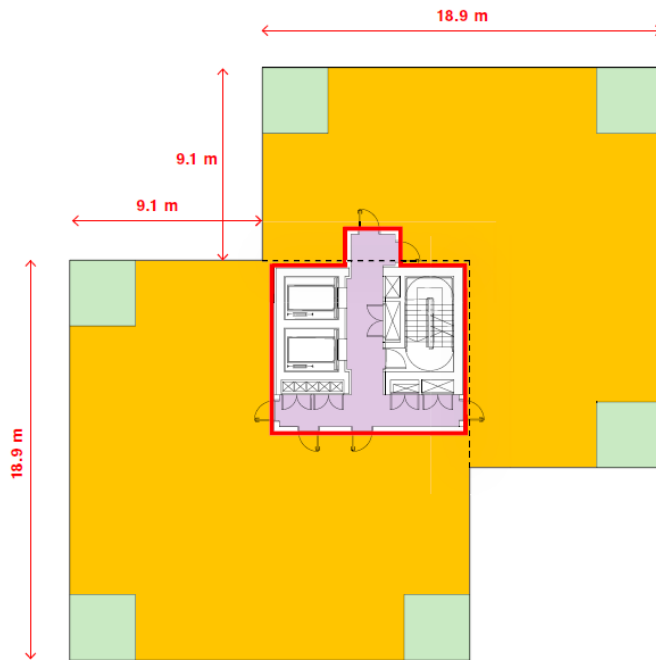
Consented Maximum Parameters and Floors (2019)



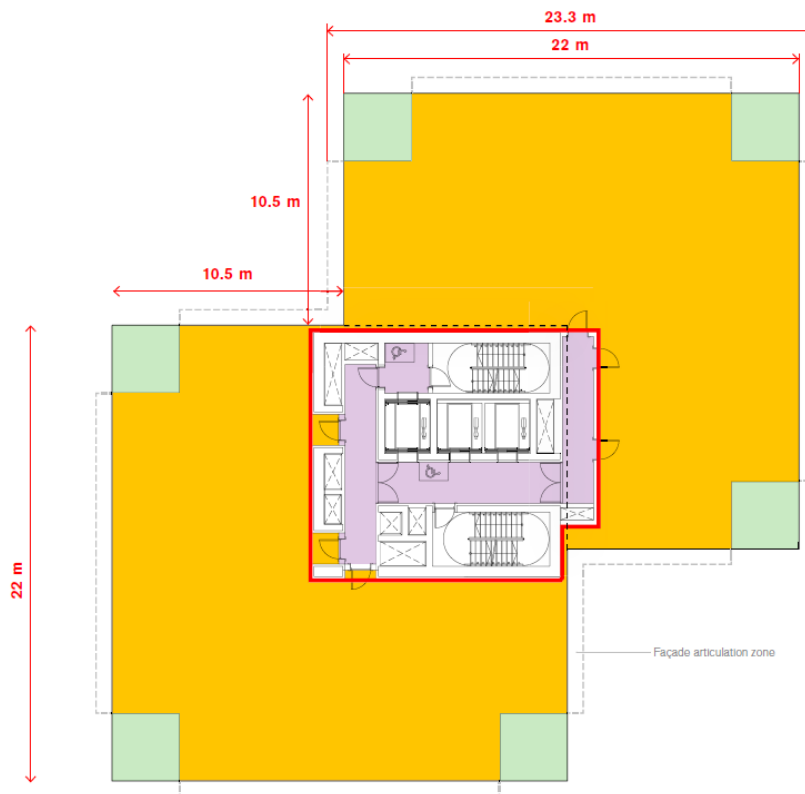
Proposed Maximum Parameters and Floors 2024

- 4.6 For plot H2, the approved Design Codes set a maximum of 37 storeys (including ground), with a maximum shoulder height of 27 storeys (including ground) and a 7-storey podium (including ground level). Plot H3 is permitted to be up to 25 storeys (including ground), with an 18-storey shoulder height and a 7-storey podium. As a result of design efficiencies in relation to the residential floor-to-floor height, and to account for the amalgamation of two plots, plot H2 is proposed to be increased by one additional storey to a maximum of 38 storeys (including ground level), alongside an increase to 32 storeys (including ground) at the shoulder height. The shoulder of plot H1 is also proposed to be increased by one additional storey to 22 storeys including ground (i.e. the building frame which already extends to 22 storeys is proposed to contain built development and form a full storey). However, as explained in the supporting Planning Statement and Design and Access Statement (DAS), the approved overall maximum height for the development plots will remain unchanged with the proposed amendments.
- 4.7 **Building Design/Layout:** The approved 'floor plate' design (i.e. the footprint or floor area of a single level of a building) comprises two interlocking squares with corner balconies on all sides, and the core located in the middle of the high-rise portion of the floor plate, measuring c.618 sqm for a typical floor. The approved core consists of a single fire escape stair and two lifts, with no compartmentation between the lift/stair lobby and access corridors which residents will use to access their apartments. The proposed changes increase the overall floor plate to c.836 sqm to accommodate the necessary larger stair core strategy, which includes the introduction of a

principal firefighting shaft (including stair, lobby, and lift) in addition to a dedicated evacuation lift with refuge space, an additional evacuation shaft (including a second fire staircase and protected lobby), dedicated corridors provide access to apartments, and smoke control systems.



Consented Floor Plates 2019 (Approx. 618 sqm)



Proposed Floor Plates 2024 (Approx. 836 sqm)

4.8 Materiality: The approved Design Codes specify that the primary material for plots H1 and H2 should be light coloured cast masonry for the articulated building frame, with a provision for alternative cast masonry colours and texture treatments and metalwork for fenestration and balustrades. The proposed changes to the materiality for plots H1 and H2 are limited to proposing a light primary material comprising cast masonry 'or natural ceramic panels' on the façade. The secondary material palette continues to provide a contrast, using a dark coloured metal.



Consented Indicative Scheme 2019



Proposed Indicative Scheme 2024

4.9 Illustrative Landscaping: The approved Design Codes include the illustrative landscape masterplan and key landscape principles and strategies; as such they ‘illustrate’ the design approach to be taken for each landscape character area as part of future RMAs. The approved illustrative masterplan establishes landscape characters for the Park View area (plots H1, H2 and H3) with a linear park, open informal planting and play areas as well as a pedestrian connection to Chelsea Creek, two pedestrian park connections between plots H1, H2 and H3, and green/brown roofs across plots H2 and H3. The proposed amendments relate to the illustrative landscape strategy for the development phases which remain in outline, with the proposed illustrative masterplan also reflecting the landscaping details as approved for the detailed component and subsequent RMAs. Overall, the proposed changes relate to how the landscape works between the proposed development plots and the gasholder but include an increase in open space. For Phase 4 of the development, the proposed changes include the creation of a singular, wider pedestrian connection to Chelsea Creek between plots H1 and H2 (due to the revised layout design comprising two development plots as opposed to three), and associated realignment of Park Road and the play areas. The proposed amendments to the illustrative landscape strategy are detailed further in the accompanying S73 DAS document.



Proposed Illustrative Landscaping 2024

- 4.10 Indicative Diagrams and Architectural Language: Other minor amendments are proposed to the Design Codes in relation to the indicative massing diagrams (to reflect plots H1 and H2 only), and changes to architectural language, to allow for the detailed changes to the design of the development plots. Please see the Design Codes for further detail.

Parameter Plans

- 4.11 All Parameter Plans: The proposed changes to the approved parameter plans, as shown on the submitted annotated 'bubble' plans, primarily relate to the rearranged configuration of the development plots – combining previous plots H2 and H3 into a new single plot H2 – and associated amendments to modify the position and footprint of the development plots.
- 4.12 Horizontal Plot Limits: Proposed changes to the position and horizontal plot limits of plots H1 and H2, as clearly shown on the key of the proposed parameter plan.
- 4.13 Vertical Plot Limits: Proposed increase to the vertical plot limit of the plot H2 shoulder only, from 96.125m AOD to 104.500m AOD, with all other maximum vertical plot limits (including the overall height of the development plots) remaining unchanged.
- 4.14 Level 0 Land Use: Proposed introduction of mixed residential and non-residential use in plot H2 at ground floor, instead of within the ground floor of Plot H3 (as approved). The proposed parameter plan also seeks to regularise a change of use within Level 00 plot E2 from residential to non-residential, in line with the approved reserved matters application for this plot (ref. 2022/00559/RES).
- 4.15 Level 1 Land Use: Proposed introduction of mixed residential and non-residential use in plot H2 at first floor, instead of within the ground floor of Plot H3. The updated parameter plan also seeks to regularise a change of use within Level 01 plot D1 from mixed residential and/or non-residential use to residential use only, following identification of an error on the original parameter plan.
- 4.16 Public Realm and Amenity Space: Along with the amendments to the position and amalgamation of plots H1, H2 and H3, the proposed parameter plan seeks to regularise the building extent of plot F1 at ground level, in line with both the approved and proposed Level 00 Land Use Parameter Plan, following identification of an error on the original parameter plan.
- 4.17 Access and Circulation: Proposed changes to the access and circulation, with one wide 'east-west' route from the park to Chelsea Creek rather than two narrow routes, and minor re-alignments of the primary and secondary circulation pathways through the park, along with the provision of primary pathways to the lobby entrances of the development plots from the Park Lane route.

4.18 Note the following aspects of the proposed development remain unchanged:

- The overall gross external area will remain unchanged from the consented position (the loss of one building is balanced by the increased footprints of Plot H1 and H2, and a height increase at H2 shoulder level). In addition, amendments to floorspace area due to the changes in use in Plot E2 and D1 will be rebalanced in future Phase 5 amendments.
- The maximum number of homes will remain unchanged.
- There are no changes to the affordable housing provision. These plots are not delivering to the affordable housing requirement for the site.
- No change to car and cycle parking provision.
- The maximum basement extent parameter plan will remain unchanged.

S106 Obligations

4.19 A Deed of Variation to the legal agreement will be used to secure the extant obligations agreed within the S106 Agreement (dated 8 February 2019).

Section 73 Application Procedure

4.20 The relevant guidance relating to s73 applications is contained in the Department for Levelling Up, Housing and Communities' National Planning Practice Guidance. Amongst other things the guidance states that a minor material amendment is likely to include any amendment whose scale and/or nature results in a development which is not substantially different from the one which has been approved. Relevant and recent case law on this matter indicates that the section 73 route can be applied to determine amendments which do not result in a "fundamental" change to an approved development.

4.21 The proposals do not seek to amend the description of development, which cannot be secured by way of an application under s73. Officers are satisfied that the proposed amendments to the development (as per the variations to the residential and non-residential maximum and parameter plan levels of deviation amended by the conditions) , as set out in paragraphs 4.1 - 4.2 do not amount to a fundamental alteration from the original scheme when considered as a whole, particularly given the scale of the development.

4.22 In accordance with the s73 procedure, the variation of Condition 4 (Drawings – Outline Component) and Condition 5 (Design Codes and Parameters) pursuant to the extant planning permission would necessitate the need to issue a new planning permission. The new planning permission would take the same hybrid form as the extant scheme, although it would have a new reference number.

Planning Conditions to be amended by way of the Section 73 application:

- 4.23 Condition 4 relates to the approved outline component drawing numbers. This application seeks to vary condition 4 to include the updated parameter plans.
- 4.24 Condition 5 (as amended) states that any forthcoming reserved matters application must be in accordance with the principles set out in the Development specification & Parameters Report prepared by Quod (dated May 2022) and the Mandatory Design Codes prepared by RPP (dated August 2018). The amended documents secure the amendments listed in paragraph 4.2 of this report.

Revised Development Specification and Parameters Report

- 4.25 The proposed amendments relate to the outline component of the original planning permission. The Amended Development Specification and Parameters document (dated September 2021) submitted with this Application provides further detail and sets out a description and explanation of the constituent parts of the development for which permission is sought, including the parameters that will apply to and inform subsequent applications for reserved matters and other approvals required under the planning permission. This document has been updated to reflect the proposed amendments to the application scheme. It is relevant to note that the proposed amendments do not alter the detailed component of the development, where construction is largely completed

SUBMITTED DOCUMENTS

- 4.26 The following documents have been submitted in support of the applications:
- Covering Letter
 - Section 73 Planning Statement
 - Site Location Plan (ref. A_FGW_PL_010)
 - Cover Sheet and Drawing Schedule (ref. A_FGW_PL_000)
 - Section 73 Design and Access Statement
 - Modified Design Codes (including as proposed for approval, and tracked changes version)
 - Modified Development Specification
 - Modified Landscape Masterplan
 - Environmental Statement Addendum and Technical Appendices
 - Full set of Parameter Plans:
 - Development Plot Plan (A_FGW_PL_020 Rev 01)
 - Horizontal Plot Limits (A_FGW_PL_021 Rev 01)
 - Proposed Ground Floor Levels (A_FGW_PL_022 Rev 01)
 - Vertical Plot Limits (A_FGW_PL_023 Rev 03)
 - Basement Maximum Extents (A_FGW_PL_024 Rev 01)

- Land Use Level 00 (A_FGW_PL_025 Rev 01)
- Land Use Level 01 (A_FGW_PL_026 Rev 01)
- Land Use Level 02 and above (A_FGW_PL_027 Rev 01)
- Public Realm and Amenity Space (A_FGW_PL_028 Rev 02)
- Access and Circulation (A_FGW_PL_029 Rev 01)

Environmental Statement

- 4.27 In accordance with EIA regulations and procedure, the Environmental Statement submitted with the hybrid permission (Ref 2018/02100/COMB) has been reviewed and assessments undertaken to identify whether the proposed changes to the scheme would result in any new or amended environmental effects.
- 4.28 The ES Addendum submitted with this S73 application assesses the proposed amendments to the development and how these have altered the conclusions reached (from an environmental perspective) in the previous ES reporting.
- 4.29 Aspects of the proposed development that remain unchanged include the maximum number of homes/units being delivered, affordable housing provision, the maximum basement extent parameter plan, and the provision of car and cycle parking.
- 4.30 Following a review of the proposed amendments to the proposed development, the following conclusions have been made from an Environmental Impact Assessment perspective:
- Several construction and operational effects have changed due to the proposed amendments. These relate specifically to the traffic & transportation, noise & vibration, and wind microclimate disciplines.
 - Several new environmental effects have been identified for receptors not previously considered. These relate specifically to the noise, daylight, sunlight & overshadowing, wind microclimate, and townscape, heritage, and visual impact (THVIA) disciplines.
 - As a result of Phases 1-3 being operational and/or largely built out ahead of Phase 4, these are now classed as new 'on-site receptors', and therefore the assessment considers new effects on daylight/sunlight to these receptors.
 - The amendments to the site-wide phasing programme have not resulted in any material changes to the previously predicted intermediate year construction effects.
 - No further supplementary mitigation measures beyond those already proposed have been identified as being required on review of the amended proposed development.

- Three new cumulative schemes have been identified, and the following conclusions are made with regards to cumulative effects:
 - i. The previous interaction effects remain valid, except for an additional interactive effect to Phase 3 Plot G1, as this is now assessed as an 'on-site receptor' which experiences reduction in daylight/sunlight (as above).
 - ii. The majority of previous in-combination effects remain valid, however updates to the assessment have been made in terms of traffic and transportation, wind microclimate, and presence of an additional heritage asset (which would experience no cumulative effect).
- 4.31 Overall, the ES Addendum concludes that the development continues to respond to the site's setting and environmental constraints, that no further supplementary mitigation measures are required to reduce environmental effects to those already proposed, and that significant residual effects will contribute to the regeneration of the area.

5.0 PUBLICITY AND CONSULTATION

5.0 The application has been advertised on the following basis:

- Development is subject to an Environmental Impact Assessment
- The site is within a Conservation Area and affects the setting of Nationally Listed Buildings/Structures and a Locally Listed Structure.
- The scheme comprises a Major Development

Residents

- 5.1 Residents were notified of the application by way of 2,012 letters, site notices posted on 29 May 2024 and a press advert published 23 May 2024.
- 5.2 One representation received from a neighbouring property querying the location of Social Housing in the development.

Technical Consultations

5.3 Technical consultations were undertaken and are summarised below:

Environment Agency (EA):

5.4 The EA reviewed the variation application and had no comments to make.

Historic England (HE)

5.5 HE commented that on the basis of the information available, they do not wish to offer any comments. HE confirmed it is not necessary for them to be

consulted on this application again, unless there are material changes to the proposals.

Health and Safety Executive (HSE)

- 5.6 The HSE welcome the provision of additional staircases/alternate means of escape the design modifications. State it will be for the applicant to demonstrate compliance at later regulatory stages. In summary, following a review of the information provided with this application, the HSE is content with the fire safety design of the detailed element of the application, to the extent that it affects land use planning.

Greater London Archaeological Advisory Service (GLAAS)

- 5.7 GLAAS confirms the proposals are unlikely to have a significant effect on the heritage assets of archaeological interest. Part of the site along the northern boundary, which excludes Plots H1 and H2, lies within an Archaeological Priority Area. GLAAS confirms that the amendments proposed under this application do not require any material change to previous archaeological recommendations on the site.

Port of London Authority (PLA)

- 5.8 The PLA reviewed the proposals and confirm they have no objection to the proposed variation and welcome the enhanced accessway through the site towards the Chelsea Creek area.

Network Rail

- 5.9 Network Rail raise no objection to the proposals. Add the developer must ensure that the proposal, both during construction and after completion do not encroach onto Network Rail land; affect the safety, operation or integrity of the company's railway and its infrastructure; undermine its support zone; damage the company's infrastructure; place additional load on cuttings; adversely affect any railway land or structure; over-sail or encroach upon the air-space of any Network Rail land; and cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future. Request infomatives be added to any approval to maintain the safe operation of the railway and protect Network Rail's infrastructure.

Greater London Authority (GLA) Stage 1 Response

- 5.10 The GLA provided a letter confirming that the proposals raise No Strategic Issues.

6.0 POLICY CONTEXT

Planning Framework

6.0 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).

6.1 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)

6.2 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.

6.3 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.

6.4 With regards to this application, all planning policies in the NPPF, London Plan 2021, Local Plan 2018 and Planning Guidance Supplementary Planning Document (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.

The London Plan (2021)

6.5 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The proposed affordable housing provisions have been assessed in line with the updated policies set out in the Plan. Together with the Local Plan, the London Plan forms the Development Plan.

LBHF Local Plan (2018)

- 6.6 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).

7.0 PLANNING CONSIDERATIONS

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

- 7.1 Principle of Development
- 7.2 Housing Provision
- 7.3 Layout, Height and Massing
- 7.4 Built Heritage, Views & Townscape
- 7.5 Residential Quality
- 7.6 Public Realm and Landscaping;
- 7.7 Transport and Highways
- 7.8 Amenity Considerations
- 7.9 Environment Considerations
- 7.10 Sustainability and Energy
- 7.11 Fire Strategy

7.1. PRINCIPLE OF DEVELOPMENT

- 7.1.1. The extant hybrid planning permission established the principle of a comprehensive residential-led mixed use redevelopment of the site and was judged to be acceptable by the council in accordance with national, strategic and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations and would help meet local and strategic housing needs. The proposed development, as revised, would continue to contain appropriate land uses that are compatible with the South Fulham Riverside Regeneration Area which is well served and accessible by public transport.
- 7.1.2. The proposed development, as amended would be acceptable subject to demonstration that the positive benefits of the proposed amendments can be delivered in a manner that is appropriate in design and townscape terms, and that the environmental impacts remain acceptable. The detailed matters are set out in this report. However, the principle of the proposed development is considered acceptable in accordance with Policies GG2, GG4, SD1 and H1 of the London Plan (2021) and Policies HO1, SFRR1 of the Local Plan (2018).
- 7.1.3. This application proposes some alterations to the external appearance, massing, layout and landscaping. Accordingly, it is considered that the main issues of the application relate to the design and appearance of the proposed amendments.

7.2. HOUSING PROVISION

- 7.2.1. The overall number of homes across the site will remain within the maximum permitted quantum comprising of 1,843 homes. There is no change to the approved Gross External Floorspace (GEA) across the site or the maximum parameters for the plots within phases 4b, 4c and 4d. The loss of plot H3 has been balanced by the increased footprints of plots H1 and H2 and height increases at the shoulder podium level. The modified scheme consists of 43,807 sqm of residential floorspace and 437 sqm of retail space across two plots, H1 and H2 with the retail space all located within plot H2. This is within the maximum permitted floorspace of 51,901 sqm for the residential floorspace and 437 sqm non-residential floorspace, as set by the consented Condition 10 and the Development Specification Document for plots H1 – H3.
- 7.2.2. The proposed amendments do not alter the approved level of affordable housing provision within the wider masterplan. The first affordable housing will come forward in Phase 2c (Plot D1) and Phase 2d (Plot D2) which will deliver 128 Social Rent units with occupation anticipated to take place early 2025 by Stoll a provider of supported housing to vulnerable veterans currently providing accommodation on Fulham Road.
- 7.2.3. The modified scheme will continue to provide an appropriate mix of housing types and sizes to meet the needs of different households to help create a balanced and sustainable community, in accordance with Local Plan Policy H05 and London Plan Policy H10. The Development Specification (approved under Condition 5 of the hybrid permission) sets out an overall residential dwelling mix for the whole development; there is no phase specific mix approved as part of the hybrid permission. The housing mix will be determined at reserved matters stage (and is therefore beyond the scope of this application), but there are no proposed amendments to the approved housing mix, and the modified scheme will be in line with the overall ranges set out in the approved Development Specification.
- 7.2.4. In relation to affordable housing, phases 4b, 4c and 4d of the development will remain as entirely market housing, which is in accordance with the S106 agreement associated with the hybrid permission. The proposed amendments do not seek to change the overall provision of affordable housing either site-wide or for phases 4b, 4c and 4d. The remaining phases will achieve the approved level of affordable housing (a minimum of 35%) across the whole King's Road Park allocation.
- 7.2.5. Overall, the mix and tenure of housing proposed is consistent with the outline parameters for the site as well as relevant planning policy and will provide an appropriate mix of housing types and sizes to meet local housing needs. This application will not change the overall mix of units to be provided across the site or the provision of affordable housing.

7.2.6. The proposed development, as amended, would accord with Local Plan policies HO1, HO3 and HO5, as well as the suite of housing policies in the New London Plan.

7.3. LAYOUT, HEIGHT AND MASSING

7.3.1. The revised layout for phases 4b, 4c, and 4d primarily involve reconfiguring the development plots and adjusting their positions and footprints. These changes are necessary to meet updated Building Regulations, particularly regarding fire safety. A larger floor plate and revised stair core design are introduced to incorporate these safety measures, improving overall building compliance.

7.3.2. The reduction in the number of development plots from three to two offers several benefits. These include expanding the park area, significantly improving sunlight access (consistent with London Plan Policy D6) and enhancing sky and outdoor views from within the development. The changes lead to a better living environment for existing and future residents and improved levels of sustainability by reducing construction requirements and eliminating one of the proposed towers.

7.3.3. The revised layout also responds to site-specific opportunities and constraints, further improving the previously approved scheme. Key enhancements include better connectivity between Imperial Wharf Station and King's Road via the Chelsea Creek development, a widened visual corridor between the development and the park/gasholder, and stronger visual links between Sands End Square and the park.

7.3.4. These layout principles ensure the proposed amendments accord with relevant London Plan policies, especially Policy D3, which emphasizes creating buildings and spaces that positively respond to local character through thoughtful layout, scale, appearance, and orientation. These updates represent an improved scheme that balances existing policies with the site's context while optimizing sustainability and design efficiency for the brownfield site.

Height and Massing

7.3.5. According to London Plan Policy D9, tall buildings should only be located in sustainable areas, with such locations identified in Development Plans. Hammersmith and Fulham Local Plan Policy DC3 designates the South Fulham Riverside Regeneration Area (SFRRA), where the site is located, as an area suitable for tall buildings in principle.

7.3.6. The approved maximum AOD height and plot limits for Plots H1 and H2 remain unchanged, but the reconfiguration combines Plots H2 and H3 into a single plot. Plot H2 sees a minor shoulder height increase of about 8m, with the number of storeys optimized through adjustments to floor to ceiling heights and floor levels.

- 7.3.7. This design approach is considered to be a suitable response to the site's context, ensuring the development fits within the area's residential capacity while maintaining the visual quality of long-distance views, as required by local policies (Local Plan Policies DC2 and SFRRA1). The shoulder height of Plot H1 remains within the approved maximum levels to protect views of Brompton Cemetery. Plot H2 gains an additional storey, allowing for an amenity terrace to be incorporated just above the shoulder level. The stepped design of Plot H2 mirrors the massing of Plot H1, creating visual harmony between the two towers.
- 7.3.8. The proposal would meet local and strategic objectives outlined in the Local Plan (SFRRA and Policy HO4) and the London Plan (Policy D3), by optimizing site capacity for higher-density development in a well-connected, sustainable location. The design of the tall buildings complies with Policy D9, which requires consideration of visual, functional, and environmental impacts, such as wind, daylight, and noise.
- 7.3.9. A supplementary Heritage, Townscape, and Visual Impact Assessment (HTVIA) confirms that the proposed changes do not alter previous conclusions about the townscape's character and result in no additional significant impacts.
- 7.3.10. In summary, the revised layout, height, and massing reflects careful design enhancements that respond to both site-specific opportunities and broader policy requirements. These amendments, detailed further in the accompanying Design and Access Statement (DAS), were developed through a detailed review process aimed at delivering a high-quality, sustainable design that meets fire safety standards while enhancing the development's overall vision. The updated scheme preserves the original design intentions and aligns with both local and strategic policies, offering substantial improvements to the King's Road Park development.

7.4. BUILT HERITAGE, VIEWS & TOWNSCAPE

- 7.4.1. Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, or buildings or land in conservation areas, the LPA shall have special regard to the desirability of preserving the building or its setting, or the desirability of preserving or enhancing the character or appearance of that area. In this context, "preserving", means doing no harm.
- 7.4.2. Paragraph 202 of the National Planning Policy Framework 2021 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal. The previous applications have been justified on the above basis and it was noted that the numerous public benefits of the development outlined within the previous committee reports outweigh any limited (less than substantial) harm to any heritage assets.

Officers consider the same judgement can be applied to the current amended proposals.

- 7.4.3. The ES Addendum (2024) provides an updated assessment for the built heritage, townscape and visual effects in respect of the proposed development amendments. The assessment includes a review of relevant changes in legislation since the previous assessment; a review of the baseline conditions; a review of further supplementary mitigation measures required; and any changes to the likely residual environmental effects after these measures have been adopted.
- 7.4.4. The potential effects of the proposed amendments on the heritage significance of assets within the local area have been assessed and are, as above, presented in the HTVIA supplementary chapters of the ES Addendum. This includes an assessment of 10 conservation areas, 13 listed buildings (or groups of listed buildings), 11 nearby non designated heritage assets (or groups thereof) and 1 registered park and garden. Overall, the assessment continues to find that – while the visibility of the proposed development would represent a change to the setting of listed buildings and views looking out of conservation areas – the proposed development is appropriately designed in relation to its surroundings and would have no effect on the heritage significance of the identified receptors, in line with the NPPF, the London Plan and the LBHF Local Plan. Indeed, the ES Addendum confirms that the change arising from the juxtaposition of built form would still form part of the emerging character of this part of Hammersmith and Fulham and would not harm the significance of heritage assets or the ability to appreciate them, owing to the expected high quality of architecture of the proposed scheme.
- 7.4.5. Notwithstanding, the HTVIA notes that, despite the mitigation achieved by the good quality of design, the location and scale of the proposed development within the wider setting of Brompton Cemetery would mean that it would cause ‘less than substantial harm’ (as defined in the NPPF, or a significant effect in ES terms) to the significance of the heritage assets associated with the Cemetery (the main listed buildings comprising the Grade II* Church of England Chapel and the arcades forming four quarters of a circle; the Brompton Cemetery Conservation Area; and the Grade I Brompton Cemetery registered park and garden). However, this remains unchanged from the findings of the previous assessment of effects on the identified heritage assets, with the ES Addendum concluding that there will be no additional significant effects.
- 7.4.6. ES Addendum concludes that a review of the proposed development amendments has been undertaken and it has been determined that the built heritage effects identified in the 2018 ES and subsequent ES addendum and EIA Statements of Conformity remain valid and unchanged. The proposed development amendments adjust the design (appearance, scale, massing) of the overall development to an extent that nonetheless stays within the degree of effect on setting of heritage assets that has previously been assessed.

7.4.7. The scheme remains in accordance with LBHF planning policy, including the Local Plan Policy DC1- Built Environment and Policy DC8 Heritage and Conservation which require new development to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. The proposals are also considered to be in accordance with section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The implementation of the earlier phases of the extant permission for the redevelopment of the site, has resulted in less than substantial harm to a number of heritage assets and their setting. The elements of the proposal scheme subject to this variation application, would result in negligible/insignificant increases to the extent of harm caused by the development overall. As such, these changes would not alter the conclusions in relation to heritage and townscape matters, which remain as per the original officer assessment. It remains the case that the various public benefits of the development, stated throughout this report (e.g. (including regeneration of a highly sustainable brownfield site, high-quality housing, affordable housing delivery, open space provision, townscape enhancement, high quality design, and other economic, environmental and social benefits), will outweigh the identified less than substantial harm.

7.5. RESIDENTIAL QUALITY

7.5.1. 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. London Plan Policy D6 further promotes these principles and sets out both key quantitative (internal space standards) and qualitative (e.g. orientation of buildings) aspects that should be addressed in the design of housing developments to ensure successful sustainable housing.

7.5.2. The proposed layout and massing rearrangements (through the proposed dynamic geometry of the plot design and diagonal rotation of the development plots) enhance the opportunity for dual aspect units compared to the approved layout and maximise the opportunity to avoid overlooking between neighbouring apartments. This results in many inherent benefits both to the internal spaces and outdoor amenity spaces, in accordance with London Plan Policy D6, including a greater chance of direct sunlight for longer periods, natural cross-ventilation, a greater capacity to address overheating, pollution mitigation and an enhanced range of views. The proposed amendments also include an improved central core and larger floor plan, enabling well-designed apartment layouts that meet current safety regulations and comply with future fire regulations (as expanded on below).

7.5.3. In addition, in accordance with London Plan Policy D7 (and the recently adopted Housing Design Standards LPG, June 2023), the proposed amendments would not impact the ability of the detailed design of the scheme, to be approved under a separate RMA, to meet or exceed the

required space standards or be designed to ensure that at least the minimum number of units are capable of being built out or later being easily converted to be wheelchair accessible (at least 10%) or adaptable (all other units). Indeed, the Development Specification confirms that all dwelling sizes will accord with the requirements of the London Plan.

- 7.5.4. By reducing the number of development plots from three to two, the amended design will also enable an improved quantity and quality of outdoor amenity space. Specifically, the development plots have been orientated to optimise opportunities for visual interest through a range of immediate and longer-range views, provide clear and convenient pedestrian routes with a feeling of safety, and maximise the usability of outside amenity space. This would deliver on several objectives set out within Local Plan Policy H011 and London Plan Policy D6. For instance, the park area is proposed to be increased with more direct sunlight than the approved scheme, and an enhanced connection between Imperial Wharf Station and King's Road will be provided (this point is explained in further detail below).
- 7.5.5. In summary, it is considered that this application will result in a scheme that could provide an acceptable standard of accommodation for future occupiers of the residential accommodation in respect of the living space, aspect and amenity subject to detailed design. Officers are satisfied that the amendments sought by this submission would continue to allow for Phases 4 and 5 to comply with Policy D6 of the London Plan (2021) and Policy HO4 of the Local Plan (2018).

7.6. PUBLIC REALM AND LANDSCAPING

- 7.6.1. 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.
- 7.6.2. 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.
- 7.6.3. The Application proposes to deliver a substantial amount of publicly accessible open and amenity space in addition to communal private amenity space. This space includes a new public park, a new public square, pedestrian-friendly streets, communal amenity space within private courtyard podiums and gardens, and other principal areas of public realm. Amenity space within the development can be defined as: private amenity space, communal private amenity space, and public amenity space.

- 7.6.4. This would make a significant contribution to the open space provision of the Borough, particularly in the context of the deficient levels of such space across the Borough. In particular it should be noted that this open space provision includes a park of nearly 7,000sqm (6,795sqm), excluding Gasholder No. 2 which itself is over 1,000sqm.
- 7.6.5. The proposed open space has been designed in outline the key features are secured through the Development Specification Document and the Design Codes which will control how the open space and public realm will come forward through Reserved Matters Applications.
- 7.6.6. The revised approach to the site layout and orientation of Plots H1 and H2 within Phases 4b, 4c and 4d has enabled the proposed development to increase the area of the central park and create additional smaller scale external spaces. The reduction from three to two development plots delivers betterment to the quality of space around the listed Gasholder and the overall scheme, including but not limited to an additional 488 sqm to the park area. A new focal point has also been created and enhanced on the south and west side of Plot H2, between the central park and listed commercial buildings onsite, which is enhanced further through the provision of retail space and public amenities maximising active frontages at ground level. Officers consider that a balance must be struck between commercial seating and 'free seating' within the public square which can be addressed at reserved matters stage.
- 7.6.7. The re-positioned development plots (H1 and H2) create a proposed amendment to the 'east-West' route from the park to Chelsea Creek; this is now proposed to comprise a single, wider 23m route compared to the previous two narrower 10m and 14m routes, benefitting from an enhanced connection and improved environment in terms of landscaping and visibility.
- 7.6.8. In summary, changes to the overall landscape strategy results in an increase in the quantum of open space by 371 sqm, to a total of 36,690 sqm across the King's Road Park site, including an increase in play provision by 2,111 sqm to a total of 6,745 sqm across all ages. The proposed amended massing to phases 4b, 4c and 4d has also led to a 59% increase of direct sunlight into the central park, with the amount of park area with 4+ hours of sunlight rising from 456 sqm to 726 sqm. Further, the proposed and updated illustrative landscape strategy has an increased Urban Greening Factor (UGF) of 0.4 (consented at 0.37) which complies with Policy G5 of the London Plan.
- 7.6.9. Officers consider that the overarching principals of the landscape and public realm strategy would remain unchanged from the extant scheme, with substantial areas of publicly accessible open space continuing to be delivered. The landscaping and public realm strategy continues to be well-considered and providing a generous quantum of open space within the development. The amendments proposed would enhance both the public

realm offering and the spaces for future residents. This is considered to be in line with Policy D8 of the London Plan and the associated LPG.

7.7. TRANSPORT AND HIGHWAYS

- 7.7.1. In determining this application, consideration is given to the Local Plan policies T1, T2, T3, T4, T5 and T7 which relate to traffic impact/transport assessments, car parking standards, cycle parking, encouraging walking and cycling. The previous planning applications were assessed against Transport policies including the National Planning Policy Framework and London Plan Policies T2, T3, T4, T5, T6 and T7. Policy SD1 (opportunity areas) of the London Plan is also relevant along with Policy WCRA of the Local Plan.
- 7.7.2. The Site is in a predominantly residential area which has a good level of access to public transport, particularly by Overground and by bus, with London Underground stations within walking distance. The public transport accessibility of the Site has been reviewed in context of the Proposed Development and new routes available through the Site and found that the northern half of the Site is a PTAL of 5 (Very Good) and the southern half of the site a PTAL 4 (Good).
- 7.7.3. As set out in the approved Development Specification, the site will provide a maximum ratio of 0.25 car parking spaces per residential unit across the development, alongside provision for 6 visitor spaces and 3 blue badge spaces for the proposed non-residential uses. As approved, the overall provision of cycle spaces will also include 3,583 long-stay and 292 short-stay cycle spaces, which accords with London Plan (Policy T5) cycle standards. There is no change to the number of car parking spaces or cycle parking provision.

Transport and servicing

- 7.7.4. No increase in floorspace is proposed as part of this application, so the total number of trips generated by the Proposed Development remains unchanged. The proposals, in this regard, are therefore still in accordance with the Local Development Plan and relevant material considerations.
- 7.7.5. During the construction phase, the temporary Link Road will provide vehicular access to Michael Road from Imperial Road. During the operational phase, service vehicles that are arriving from the south or west of the site will access the basement entrance on Michael Road via the Link Road. This ensures that there is no additional impact in the form of additional vehicle movements to Harwood Terrace. The original intentions of the Link Road as set out Policy SFRR1 are to alleviate traffic flows between Imperial Road, Michael Road and Harwood Terrace and are therefore preserved.
- 7.7.6. However, the ES Addendum submitted confirms that the South Fulham Clean Air Neighbourhood scheme (East), which was made permanent in

December 2021, have resulted in a significant reduction in traffic flows in the vicinity of the site. The Traffic and Transportation assessment had previously identified a significant (moderate) beneficial effect at Harwood Terrace in terms of severance, which is now considered insignificant (minor) beneficial.

- 7.7.7. The proposed development is therefore considered acceptable in accordance with policies T1, T2, T3, T4, T5 and T7 of the Local Plan (2018), policies T2, T3, T4, T5, T6 and T7 of the London Plan (2021) and the Council's supplementary planning guidance.

7.8. AMENITY CONSIDERATIONS

- 7.8.1. Local Plan policies HO11 (Residential Standards), DC1 (Built Environment) and DC3 (Tall Buildings) require development to be well designed and respect of the principles of good neighbourliness.

- 7.8.2. The daylight and sunlight studies included in the 2021 ES Addendum and Light Within Report demonstrate that the proposed changes to the parameters give rise to some

Daylight, Sunlight and Overshadowing

- 7.8.3. All daylight, sunlight and overshadowing sensitive receptors identified in the 2018 ES and subsequent ES addenda and EIA Statements of Conformity have been considered.

Daylight (External Receptors)

- 7.8.4. Only Chelsea Creek (Block H) is in close enough proximity to the Phase 4 to show material daylight changes from the amended development.
- 7.8.5. The screening exercise demonstrated that only the central bank of flats and an isolated instance in middle of the tower would see a material change in daylight. Therefore, the assessment of daylight effects has focussed on the flats located in these areas. The assessment considers the impacts of the Phase 4 amendments to determine if the amended proposed development result in additional significant effects to those reported in the 2018 ES and subsequent ES addenda and EIA Statements of Conformity.
- 7.8.6. The selection of flats at Chelsea Creek Block H comprise 66 windows serving 49 rooms. Of these 49 rooms, five located in the tower would meet BRE's criteria for both VSC and NSL and as such experience a Negligible effect.
- 7.8.7. All other windows and rooms would experience alterations beyond BRE's criteria and so are discussed further to determine whether the effects would alter from the 2018 ES and subsequent ES addenda and EIA Statements of Conformity.

- 7.8.8. For VSC, 15 of the 66 (22.7%) affected windows which have been assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.8.9. Of the 51 affected windows, one would experience an alteration in VSC between 20-29.9% which is considered a minor adverse effect and two would experience an alteration between 30-39.9% which is considered a moderate adverse Effect. The remaining 48 windows would experience an alteration in excess of 40% which is considered a major adverse effect.
- 7.8.10. For NSL, 20 of the 49 (40.8%) rooms assessed would meet BRE's criteria and are therefore considered to experience a Negligible effect.
- 7.8.11. Of the 29 affected rooms, five would experience an alteration in NSL between 20-29.9% which is considered a minor adverse effect and five would experience an alteration between 30-39.9% which is considered a moderate adverse Effect. The remaining 19 rooms would experience an alteration in excess of 40% which is considered a major adverse effect.
- 7.8.12. These alterations in daylight are primarily as a result of the historic baseline being assessed which is a predominantly vacant site so reductions of this magnitude can be anticipated. The majority of windows and rooms are located beneath balconies which inherently limit daylight availability and result in large percentage reductions. Therefore, the overall daylight effect to this receptor will be negligible to major adverse which is unchanged from the 2018 ES and subsequent ES addenda and EIA Statements of Conformity.
- 7.8.13. In conclusions, whilst the number of windows and rooms seeing impacts from the amended proposed development differs slightly from those identified in the 2018 ES and subsequent ES addenda and EIA Statements of Conformity, the overall daylight effect would remain unchanged.
- 7.8.14. Chelsea Island and Imperial Wharf Plot L are noted as new receptors, but they remain unaffected in terms of daylight.

Daylight (Internal Receptors)

- 7.8.15. Only Block G1, given its proximity to Plot H1, would experience a material daylight change from the amended proposed development. Block G1 shows that many windows and rooms would meet the BRE's criteria, but several would experience "minor to major adverse effects".
- 7.8.16. These alterations in daylight are primarily as a result of being located beneath balconies which inherently limit daylight availability and result in large percentage reductions. The dual aspect living kitchen dining rooms (LKDs) which are affected remain well daylighted due to the north east facing windows which are unaffected. The bank of south facing bedrooms and LKDs would see very little difference in the quality of daylight from the 2018 Consented Development (as amended).

- 7.8.17. Therefore, the overall daylight effect to this receptor be negligible to major adverse. These effects are consistent with the previous 2018 ES, and the overall impact is classified as “negligible to major adverse”.
- 7.8.18. The assessment of Block G1 is a new addition as this block wasn't previously identified as a sensitive receptor.

Sunlight (External Receptors)

- 7.8.19. Chelsea Creek Block H and Chelsea Island are the focus here. Both blocks experience minor alterations, with less than 5% APSH (Annual Probable Sunlight Hours) affected. These changes are deemed “negligible to major adverse”, similar to the 2018 baseline.
- 7.8.20. Due to its location south east of the Phase 4 amendments, the majority of Chelsea Creek Block H would not be affected in terms of sunlight by the proposed changes and therefore it has not been reassessed for sunlight. A very small transgression can be seen to occur beyond the 2018 Consented Development (as amended). However, the alteration equates to less than 5% APSH. From review of the floor plans, they appear to occur in rooms on the 6th storey, which are also served by other unaffected windows. As such, it is likely that the room as a whole would not see a material change in sunlight condition.

Sunlight (Internal Receptors)

- 7.8.21. Only Blocks A2, E2, and G1 would experience a material daylight change from the amended proposed development. A majority of windows in these blocks meet the BRE criteria, and where alterations occur, they are mostly due to the presence of balconies limiting sunlight.
- 7.8.22. The impact ranges from “negligible to minor adverse”, with the majority of windows retaining acceptable levels of sunlight.
- 7.8.23. Conclusion: While there are some slight differences in the number of impacted windows and rooms compared to the 2018 ES and subsequent addenda, the overall effects on daylight and sunlight remain consistent. The changes in daylight and sunlight for both external and internal receptors are not considered to be significant beyond what was previously assessed. Most occupants are expected to retain acceptable levels of daylight and sunlight, with any adverse effects largely attributable to design features like balconies.

Overshadowing

- 7.8.24. Following the initial screening exercise, all receptors sensitive to overshadowing assessed would experience no material change following the implementation of the amended development. Therefore, the overshadowing effects of the 2018 ES, the results of which were validated in subsequent ES addenda and EIA Statements of Conformity remains valid.

7.9. ENVIRONMENTAL CONSIDERATIONS

- 7.9.1. The Local Plan is clear in its desire to allow development that makes the fullest contribution to the mitigation of and adaptation to climate change where possible. Local Plan Policy CC2 requires, inter alia, a reduction in pollution and promotion of biodiversity and the natural environment. This too is woven into the NPPF which contains a presumption in favour of sustainable development, and more specifically at Chapter 14 and 15, which relate to climate change and environmental concerns.

Noise and Vibration

- 7.9.2. Policy CC11 (Noise) states that Noise (including vibration) impacts of development will be controlled by locating development in the most appropriate locations and protect against existing and proposed sources of noise and vibration through careful design, layout and use of materials, and by ensuring adequate insulation of the building envelope and internal walls, floors and ceilings as well as protecting external amenity areas.
- 7.9.3. Given that the latest noise survey of the site was carried out in 2015, and a lot of new developments have been completed around the King's Road Park site, a new noise survey was carried out in the vicinity of the scheme in 2023 to ensure accuracy of the assessment. The proposals include a revised minimum construction programme which is 5 years shorter than the programmed outline in the extant permission. Although construction noise will be slightly more intense because of the reduced programme timescales, it will occur for approximately half the estimated construction time during the worst-case peak construction phases. Therefore, the construction noise assessment for the previously assessed construction programme is considered equivalent to the new proposed construction programme. Hence, it is expected that the impact and significance of the construction noise and vibration assessment conducted in the April 2021 ES Addendum, and subsequent EIA Statements of Conformity, remain valid, and that the assessment conclusions therefore remain unchanged.
- 7.9.4. The conditions imposed on the extant permission would ensure that this policy can be broadly complied with, without fundamentally changing the permission. There would be no additional considerations arising as a result of the amendments proposed by this application.

Air Quality

- 7.9.5. Policy (CC10 Air Quality) states that the council will seek to reduce the potential adverse air quality impacts of new developments by requiring all major developments to provide an air quality assessment, mitigation measures to be implemented to reduce emissions, reduce exposure to acceptable levels and be 'air quality neutral'. The Policy states that the council will resist development proposals which would materially increase exceedances of local air pollutants and have an unacceptable impact on

amenity or health unless the development mitigates this impact through physical measures and/or financial contributions to implement proposals in the Council's Local Air Quality Management Plan; and requires all decentralised energy schemes to demonstrate that they can be used without having an unacceptable impact on air quality.

- 7.9.6. Owing to the introduction of the South Fulham (East) Clean Air Neighbourhood project (SFCANP), the reduction in traffic has resulted in lower traffic emissions in the area. Regarding combustion plant emissions, owing to the proposed changes in building massing the impact from proposed combustion plant emissions has been remodelled at proposed onsite receptors. There are no changes to the scale of emissions or emissions parameters previously assessed, therefore it can be assumed that the impact at offsite receptors will remain as previously reported in the July 2021 ES Addendum.

Wind Microclimate

- 7.9.7. Policy D9 of the London Plan requires proposals for tall buildings to make proper consideration of the wind and microclimate impacts. A robust assessment of pedestrian safety and comfort has been provided within Chapter 10.12 of the addendum to the ES and associated appendix. The assessment covers the impacts that would likely arise as a result of the amendments to Phase 4.
- 7.9.8. Phase 4 site benefits from protection at lower levels against prevailing south-westerly and westerly winds due to earlier phases of development. However, mid-to-upper levels of both Plots H1 and H2 remain exposed to these strong winds, which could result in wind-related effects.
- 7.9.9. Plot H1 is particularly exposed to west-south-west winds, which could lead to downdraughts and wind acceleration around building corners. While the stepped facades help reduce wind effects in some areas, there is still potential for wind channelling between Plots H1 and G. Additionally, the building faces north-easterly winds, which are lighter but common in spring.
- 7.9.10. Plot H2 is better oriented to handle south-westerly winds due to its stepped design, which lessens the chance of downdraughts at ground level. However, wind channelling may still occur between Plot H2 and the nearby Chelsea Creek Blocks G and H, especially from south-westerly and westerly winds.
- 7.9.11. Overall, the Phase 4 development obstructs north-westerly and south-easterly winds, which are generally lighter and less frequent. There is some risk of wind downdraughts channelling between Plots H1 and H2, but the impact is expected to be minimal due to the infrequency and lighter nature of these winds.

7.10. SUSTAINABILITY AND ENERGY

- 7.10.1. London Plan Policy SI 2 requires all major developments to be net-zero, and to deliver a minimum on-site reduction in emissions of at least 35% beyond Building Regulations.
- 7.10.2. Fundamentally, the proposed amendments will allow for a modified scheme that is better aligned with these strategic policy objectives in relation to energy efficiency. In particular, the revised design supports the energy hierarchy in London Plan Policy SI 2, by using less energy and managing demand during operation. The proposed layout and massing rearrangements, including the diagonal orientation of the buildings and floor plate geometry, mean there is a greater opportunity for the new buildings to adopt an energy efficient design through passive (cooling, heating and lighting) design measures. This includes, for example, utilising the layout for natural cross-ventilation potential and a greater capacity to address overheating. In addition, there are also clear benefits in terms of minimising energy demand and reducing the overall carbon footprint associated with the proposed omission of the H3 plot and construction of an additional building/core.
- 7.10.3. As required by Condition 37 of the hybrid permission and in accordance with London Plan Policy SI2, a detailed Energy Strategy to (1) show how the zero-carbon target will be met within the framework of the energy hierarchy, and (2) demonstrate compliance with the approved Energy Strategy for the site will be submitted prior to commencement of the proposed development plots (H1 and H2) in phases 4b, 4c and 4d.

7.11. FIRE STRATEGY

- 7.11.1. Policy D12 (Fire Safety) of the London Plan requires developments to achieve the highest standards of fire safety. The policy requires development proposals should consider how they will function in terms of the building's construction methods, products and materials, means of escape for all building users, features which reduce the risk to life, access for fire service personnel and provision within the curtilage of the Site to enable fire appliances to gain access to the building.
- 7.11.2. The proposed amendments are borne primarily out of necessity to amend the design of taller buildings to comply with amended fire safety regulations. The revised design has been developed to include the provision of two staircases per core, a third lift to provide dignified escape, and a range of other measures such as individual smoke shafts to each smoke compartment within a core. The proposed development plots will therefore be constructed in a manner which will minimise the risk of fire spread, have a suitable and convenient means of escape for all building users and will provide suitable access, water supplies and equipment for use by the Fire Service in the event of an emergency.

- 7.11.3. This is a considerable and important benefit compared to the approved scheme, the parameters of which did not allow for buildings to be delivered in accordance with the amended fire regulations.

8.0 FINANCIAL VIABILITY ASSESSMENT

- 8.1 The proposed amendments do not seek to change the overall provision of affordable housing either site-wide or for phases 4b, 4c and 4d. In addition, phases 4b, 4c and 4d of the development remain to be proposed as entirely market housing, which is in accordance with the S106 agreement associated with the hybrid permission, and future phases will achieve the approved level of affordable housing (a minimum of 35%) across the whole King's Road Park allocation. In short, this application will not change the overall mix or number of units to be provided across the site or the provision of affordable housing.
- 8.2 In this context, i.e. the proposed amendments are in accordance with the consented provision for affordable housing both site-wide and in development phases 4b, 4c and 4d, it is clear that the housing provision accords with the extant permission and S106 agreement, as well as the London Plan which does not seek a viability assessment where relevant schemes deliver 35% affordable housing. The proposed amendments would maintain the delivery of 35% affordable housing, and the London Plan (Policy H5, paragraph H) confirms that with regards to S73 applications determined before the threshold approach, any subsequent applications to vary the consent will not be required to submit viability information, providing the resultant development continues to meet the relevant thresholds. A financial viability review is therefore not required to be submitted with this application.

9.0 SECTION 106 / HEADS OF TERMS AND CIL

Section 106 / Heads of Terms

- 9.1 The extant planning permission was approved subject to a section 106 legal agreement. There has been one subsequent Deeds of Variation to the legal agreement since the extant permission was granted in 2019, which altered the phasing of development and introduced a temporary link road.
- 9.2 At each stage in amending the Section 106 Agreement, officers have considered if the Section 106 obligations were required in order to make the development acceptable in planning terms and were compliant with the CIL regulations (at the time), given the obligations are/were reasonable, proportionate and would be directly related to the development.
- 9.3 It is considered that the extent of the potential impacts to arise from the current proposed development (as amended) would not be more extensive than those attributed to the former scheme. No new obligations are proposed but planning obligations set out in the extant Section 106 Agreement would still apply in the event of approving this section 73

application, which would create a new planning permission to supersede the previous one. The applicant has agreed to enter into a Deed of Variation to the Section 106 Agreement to reflect this amendment and which carries over the provisions of the previous legal agreements and other relevant approved applications and deeds of variation under Section 106 of the Town and Country Planning Act 1990 (As Amended) and S278 of the Highways Act 1980 that will relate to the new planning permission. The non-financial contributions which formed a part of the previous planning permissions will be secured to mitigate the impacts of the development (as amended) and to make the modified scheme acceptable in planning terms. As is standard practice within LBHF, officers will recover costs involved with the preparation and signing of the Deed of Variation to the Section 106 Agreement.

Mayoral CIL

- 9.4 This development would be subject to a London-wide community infrastructure levy (Mayoral CIL2). MCIL2 will also be chargeable at a rate of £80/sqm for new development except for health and education. Relief is available on residential floorspace for social housing. The GLA expect the Council, as the collecting authority, to secure the levy in accordance with Policy 8.3 of The London Plan.

Borough CIL

- 9.5 The Proposed Development would also be liable for Borough CIL (BCIL). The LBHF CIL Charging Schedule identifies the type of developments liable to pay BCIL. BCIL is chargeable on the Proposed Development at the rates of £400 per sqm (/sqm) for new residential floorspace and £80/sqm for Use Class A floorspace and for health and fitness leisure centres.

10 SECTION 73 APPLICATION PROCESS

- 10.1 With respect with the process of addressing the proposed amendments by way of a Section 73 application for variation of condition, it is considered that the scale and nature of the proposed amendments would result in a scheme that is not substantially different from the approved scheme.
- 10.2 It is therefore considered that the proposed amendments would accord with the relevant guidance for minor material amendments to approved schemes and that it would be appropriate for these to be addressed by way of approval under Section 73 of the Town and Country Planning Act.

11. SUMMARY OF BENEFITS

- 11.1. This Planning Statement provides an assessment of the proposed minor material amendments to planning application (ref. 2018/02100/COMB) at the King's Road Park development, in the context of the approved documents for the outline component of the hybrid permission and updated relevant national, regional and local planning policy and guidance.

- 11.2. The proposed amendments relate to the design of Phase 4 (b, c and d) of King's Road Park, which currently comprise Plots H1, H2 and H3, and the landscape strategy only.
- 11.3. The changes proposed arise from the need to ensure the development can come forward in line with emerging Building Regulations and relevant planning policy. However, they have also resulted in improvements to the approved scheme, which will generate notable planning and regeneration benefits to the local area and are considered to be appropriate and in keeping with the key principles of the approved development. Some of the benefits to the amenity and design of the approved scheme sought via the proposed amendments include the following:
- An increased park area and significantly improved sunlight into the park
 - Improved sky visibility and outdoor space from inside the proposed buildings
 - An enhanced connection between the listed buildings and the park, as well as between Imperial Wharf Station and King's Road
 - Improved long distance views from sensitive viewpoints
 - Improved residential amenity, including reduced overlooking and increased number of dual aspect units
 - Improved living environment for future occupants
 - A sensitive massing approach to comply with amended fire safety regulations
- 11.4. When considering the scheme as a whole, the proposed changes are considered to be acceptable as minor material changes under S73. Overall, the proposed amendments will result in improvements to the approved scheme, in terms of design quality and the proposed development will continue to deliver significant benefits for the local area.
- 11.5. Officers have considered all the representations received when assessing the proposal against the relevant national, regional and local planning policies and guidance. For the reasons detailed in this report, officers conclude that the proposal is acceptable in accordance with the relevant planning policies set out in the London Plan, Core Strategy, Local Plan and NPPF.

12. CONCLUSION AND RECOMMENDATION

- 12.1. This S73 application has been assessed in terms of potential environmental impacts and having regard to design / amenity related impacts and the proposed changes to the detailed component of the scheme are acceptable in all respects. The application has been assessed against all relevant planning policies in the Development Plan including the Local Plan (2018) and London Plan (2021) and against the guidance set out in the National Planning Policy Framework (2021).

12.2. Officers support the proposed development in line with the recommendations at the start of the report.