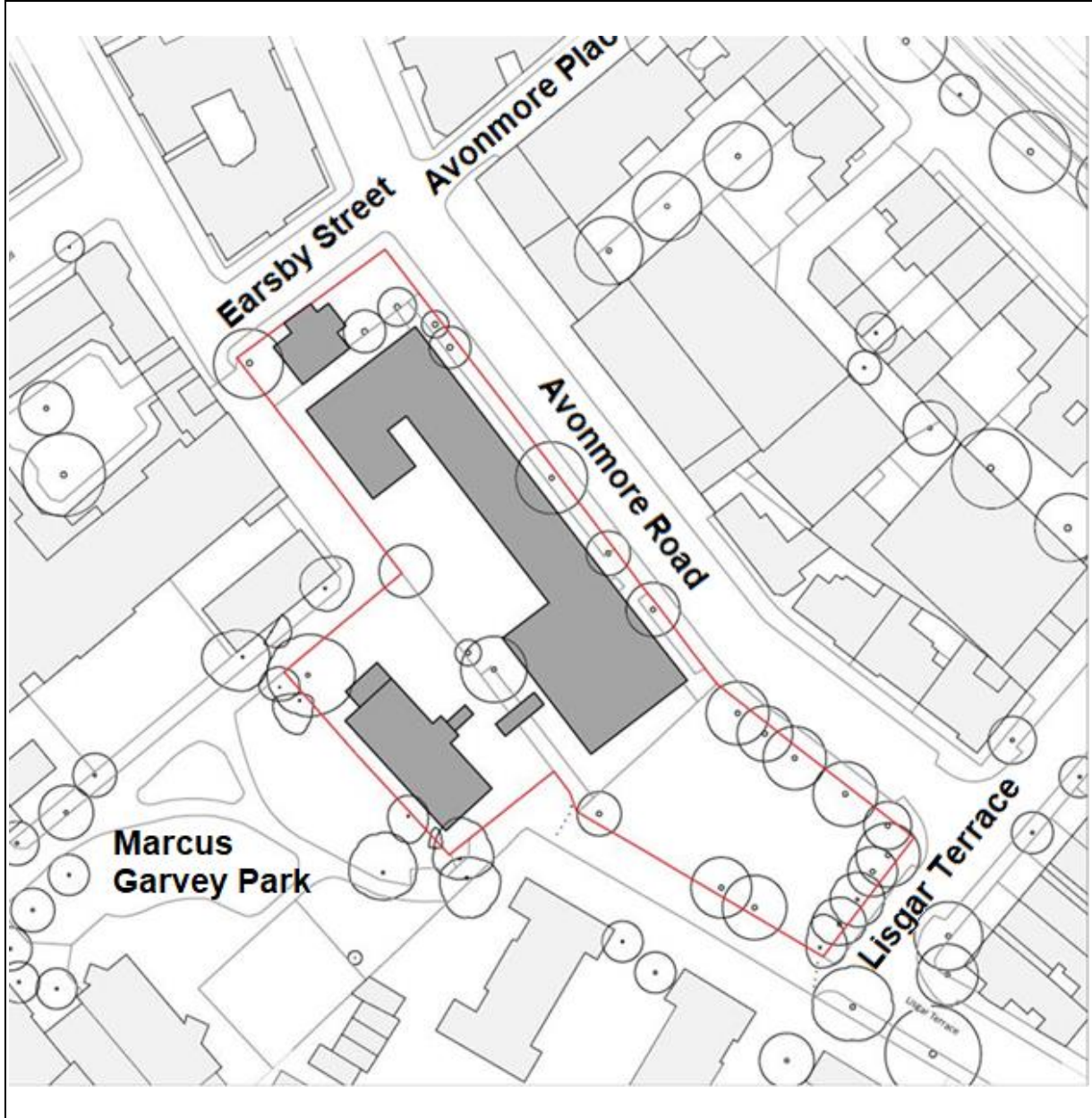

Ward: Avonmore

Site Address:

Avonmore Primary School Avonmore Road, London W14



For identification purposes only - do not scale.

Reg. No:
2023/03051/FR3

Case Officer:
Jacques Du Plessis

Date Valid:
22.11.2023

Conservation Area:
Olympia and Avonmore Conservation Area –
Number 23

Committee Date:
05.11.2024

Applicant:
Hammersmith & Fulham Council
C/o Agent

Description:
Demolition of existing buildings and structures and erection of three new buildings to provide a primary school (Class F1), nursery (Class E[f]) and playground space; 91 residential units (Class C3); together with associated cycle parking, hard and soft landscaping, tree removal, boundary treatment and other associated works.

Drg. Nos: See Condition No.2

Application Type:
Full Regulation 3 - LBHF is Developer

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RECOMMENDATIONS CONDITIONS RECOMMENDED REASONS FOR APPROVAL

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- 27.0 MEMORANDUM OF UNDERSTANDING AND CONDITIONS; THE COUNCIL AS APPLICANT AND DEVELOPER**

- 28.0 CONCLUSION AND RECOMMENDATION**

Officer Recommendation:

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant permission subject to the conditions listed below (as amended or varied in accordance with 2) below) and subject to the completion of a Memorandum of Understanding dealing with the matters set out in Section 27.0 of this Report.
- 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 changes to the conditions listed below, which may include the amendment, addition or deletion of conditions.
- 3) 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 finalise the Memorandum of Understanding to deal with the matters set out in Section 27 below.

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.

Time Limit

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

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

Drawings

- 2) The development hereby permitted shall be constructed in accordance with the approved drawings marked.
 - HFAV-BPTW-03-00-DR-A-0101-C01-A3 Existing Site Plan
 - HFAV-BPTW-03-00-DR-A-0102-C02-A3 Proposed Site Plan
 - HFAV-BPTW-03-00-DR-A-0103-C01-A3 Site Demolition Plan
 - HFAV-BPTW-03-00-DR-A-0104-C01-A3 Proposed Site Location Plan
 - HFAV-BPTW-03-00-DR-A-0105-C01-A3 Existing Site Location Plan

- HFAV-BPTW-03-00-DR-A-1010-C01-A3 Existing Ground floor
- HFAV-BPTW-03-01-DR-A-1011-C01-A3 Existing First floor
- HFAV-BPTW-03-00-DR-A-1020-C02-A3 Proposed Ground Floor
- HFAV-BPTW-03-01-DR-A-1021-C02-A3 Proposed First Floor
- HFAV-BPTW-03-02-DR-A-1022-C02-A3 Proposed Second Floor
- HFAV-BPTW-03-03-DR-A-1023-C02-A3 Proposed Third Floor
- HFAV-BPTW-03-04-DR-A-1024-C02-A3 Proposed Fourth Floor
- HFAV-BPTW-03-05-DR-A-1025-C02-A3 Proposed Fifth Floor
- HFAV-BPTW-03-06-DR-A-1026-C02-A3 Proposed Roof Plan
- HFAV-BPTW-03-ZZ-DR-A-2003-C01-A3 Elevations – Avonmore School
- HFAV-BPTW-03-ZZ-DR-A-2004-C01-A3 Elevations – Extension Building
- HFAV-BPTW-03-ZZ-DR-A-2010-C01-A3 Existing Context Elevations
- HFAV-BPTW-03-ZZ-DR-A-2021-C02-A3 Context Elevation
- HFAV-BPTW-03-ZZ-DR-A-2023-C02-A3 North-East Elevation
- HFAV-BPTW-03-ZZ-DR-A-2024-C02-A3 South-West Elevation
- HFAV-BPTW-03-ZZ-DR-A-2025-C02-A3 South-East and North-West Elevation
- HFAV-BPTW-03-ZZ-DR-A-2026-C01-A3 Party Wall Elevation
- HFAV-BPTW-03-ZZ-DR-A-2210-C01-A3 Existing Section A, B & C
- HFAV-BPTW-03-ZZ-DR-A-2200-C01-A3 Proposed Sections A & B
- HFAV-BPTW-03-ZZ-DR-A-2201-C01-A3 Proposed Section C
- HFAV-BPTW-03-ZZ-DR-A-2212-C01-A3 Stair Core – Roof Hatch
- HFAV-BPTW-03-ZZ-DR-A-2101-C01-A3 Proposed Bay Study 01 – Block A Front
- HFAV-BPTW-03-ZZ-DR-A-2102-C01-A3 Proposed Bay Study 02 – Block A Rear
- HFAV-BPTW-03-ZZ-DR-A-2103-C01-A3 Proposed Bay Study 03 – Block A Side
- HFAV-BPTW-03-ZZ-DR-A-2104-C01-A3 Proposed Bay Study 04 – Block B Front
- HFAV-BPTW-03-ZZ-DR-A-2107-C01-A3 Portal Frame Study
- HFAV-BPTW-03-ZZ-DR-A-3000-C01-A3 Typical External Wall Detail
- HFAV-BPTW-03-01-DR-A-3001-C01-A3 Typical Party Wall Detail
- HFAV-BPTW-03-00-DR-A-3401-C01-A3 Typical Ground Floor Detail
- HFAV-BPTW-03-ZZ-DR-A-3402-C01-A3 Typical Intermediate Floor Detail
- HFAV-BPTW-03-ZZ-DR-A-3601-C01-A3 Typical Roof Detail
- HFAV-BPTW-03-ZZ-DR-A-3900-C01-A3 Typical Window Detail 01
- HFAV-BPTW-03-ZZ-DR-A-3901-C01-A3 Typical Window Detail 02
- HFAV-BPTW-XX-XX-DO-A-0660-C02-A3 Design and Access Statement
- 12175-LD-AVM-PLN-101 (REV. E) Landscape Proposals
- 12175-LD-AVM-SEC-600 (REV. B) Landscape Sections – Boundaries
- 12175-LD-AVM-SEC-601 (REV. B) Landscape Sections – School Upper and Lower Roof
- 12175-LD-AVM-SEC-602 (REV. B) Landscape Sections – School Playground
- 12175-LD-AVM-SEC-612 (REV. B) Landscape Details – School Boundary Walls
- 1918-PD-1025 Ground floor

- 1918-PD-1026 First floor
- 1918-PD-1027 Second floor
- 1918-PD-1028 Third floor
- 1918-PD-1029 Roof plan
- 1918-PD-1300 Elevations – NE & SW
- 1918-PD-1301 Elevations – NW & SE
- 1918-PD-1200 Section AA & BB
- 1918-PD-1201 Section CC
- 1918-PD-1202 Section DD & EE
- 1918-PD-3000 Proposed Bay Study 01
- 1918-PD-3001 Proposed Bay Study 02
- 1918-PD-3050 Typical Details 01
- 1918-PD-3051 Typical Details 02

Reason: To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies D1, D2, D3, D4, D5, D8, D9, D11, D12, D13, HC1, HC3, HC4 and G7 of the London Plan 2021, and Policies DC1, DC2, DC7, DC8 of the Local Plan 2018.

Community Liaison Group

- 3) Prior to commencement of the development hereby permitted, a Community Liaison Group shall be established and maintained for the duration of the construction works hereby approved, having the purpose of:
- a. informing nearby residents and businesses of the building programme and progress of demolition and construction works for the development.
 - b. informing nearby residents and businesses of appropriate mitigation measures being undertaken as part of each phase of the development.
 - c. informing nearby residents and businesses of considerate methods of working such as working hours and site traffic.
 - d. providing advanced notice of exceptional hours of work, if and when appropriate.
 - e. providing nearby residents and businesses with an initial contact for information relating to the works and procedures for receiving/responding to comments or complaints regarding the development with the view of resolving any concerns that might arise.
 - f. providing telephone contacts for nearby residents and businesses 24 hours daily throughout the works for the development; and

- g. producing a leaflet prior to the commencement of the development for distribution to nearby residents and businesses, identifying progress of the development and which shall include an invitation to register an interest in the Liaison Group.

The terms of reference for the Community Liaison Group shall be submitted to the Local Planning Authority for approval prior to commencement of any works on site. The Community Liaison Group shall meet at least once every quarter until completion of the development.

Reason: To ensure satisfactory communication with residents, businesses, and local stakeholders throughout the construction of the development, in accordance with the Policies CC10, CC11, CC12, CC13, DC2, and T7 of the Local Plan 2018.

Building Contract

- 4) No demolition works hereby permitted shall be undertaken before:
 - a. a building contract for the redevelopment of the site for both the school and the housing development hereby permitted has been entered into; and
 - b. notice of demolition in writing and a copy of the signed building contract has been submitted to the Local Planning Authority.

Reason: To ensure that the public benefits are delivered, and demolition does not take place prematurely and to safeguard the character and appearance of the Conservation Area, in accordance with Policy DC8 of the Local Plan 2018.

Historic Building Recording of Gordon Cottage

- 5) Prior to any demolition or dismantling of Gordon Cottage, details of a programme of building recording, set out within a Written Scheme of Investigation, shall be submitted to and approved in writing by the Local Planning Authority. The programme of building recording shall be carried out up to Level 2, as defined in the Historic England document "Understanding Historic Buildings – A Guide to Good Recording Practice". Prior to the first occupation of Building A hereby approved, the findings of the approved programme of building recording shall be set out in a written report and submitted to the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a full record is made of Gordon Cottage in advance of its demolition in accordance with Policy DC8 of the Local Plan 2018.

CONTAMINATED LAND

Preliminary Risk Assessment Report

- 6) No development shall commence 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy SD1 of the London Plan 2021, Policies CC5, CC8, CC9 and CC11 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

Site Investigation Scheme

- 7) No development shall commence 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 provision 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy SD1 of the London Plan 2021, Policies CC5, CC8, CC9 and CC11 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

Quantitative Risk Assessment Report

- 8) No development (other than development which the Local Planning Authority has agreed in writing under Condition 6 and/or Condition 7 that needs to take place for this report to be produced) shall commence until a quantitative risk assessment report has been submitted to and approved in writing by the Local Planning Authority.

This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy SD1 of the London Plan 2021, Policies CC5, CC8, CC9 and CC11 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

Remediation Method Statement

- 9) No development (other than development which the Local Planning Authority has agreed in writing under Condition 6 and/or Condition 7 that needs to take place for this statement to be produced) shall commence until, a remediation method statement has been submitted to and approved in writing by the Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy SD1 of the London Plan 2021, Policies CC5, CC8, CC9 and CC11 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

Verification Report

- 10) No development (other than development which the Local Planning Authority has agreed in writing under Condition 6 and/or Condition 7 that has to take place for this statement to be produced) shall commence 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 Local Planning Authority. This report shall include: Details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement.

If, during development, contamination not previously identified is found to be present at the site, the Local Planning Authority is to be informed immediately and no further development (unless otherwise agreed in writing by the Local Planning Authority) 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 Local Planning Authority. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy SD1 of the London Plan 2021, Policies CC5, CC8, CC9 and CC11 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

Onward Long-Term Monitoring Methodology Report

- 11) No development (other than development which the Local Planning Authority has agreed in writing under Condition 6 and/or Condition 7 that has to take place for this statement to be produced) shall commence until an onward long-term monitoring methodology report has been submitted to and approved in writing by the Local Planning Authority, to deal with cases where further monitoring is required after the completion of development works to verify the success of the remediation undertaken. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy SD1 of the London Plan 2021, Policies CC5, CC8, CC9 and CC11 of the Local Plan 2018 and SPD Key Principles LC1 to LC7 2018.

CONSTRUCTION

Demolition, Ground and Enabling Works

- 12) Prior to the commencement of any demolition, ground and/or enabling works, details of the 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 12 are referred to in other conditions as "Demolition, Ground and Enabling Works"). The enabling works shall proceed in accordance with the approved details.

Reason: 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

- 13) Prior to commencement of the development hereby permitted, a scheme for temporary solid hoarding fencing (minimum height 2.5 m) and/or enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The temporary fencing and/or enclosure shall be installed prior to the start of any site clearance/demolition works and thereafter be retained for the duration of the building works in accordance with the approved details. No part of the temporary fencing and/or enclosure of the site shall be used for the display of commercial advertisement hoardings unless the relevant advertisement consent is sought from the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1 and D8 of the London Plan 2021, Policies DC1, DC2, DC8 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Piling Method Statement

- 14) No 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 (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. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policy SI 5 of the London Plan 2021, and 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.

Demolition Management Plan

- 15) Prior to the commencement of the Demolition, Ground and Enabling Works hereby permitted, a Demolition Management Plan (DMP) shall be submitted to and approved in writing, by the Local Planning Authority. The DMP shall include:
- a. Details of location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking.
 - b. Storage of any skips.
 - c. Oil and chemical storage.
 - d. Membership of the Considerate Contractors Scheme and FORS Silver accreditation.
 - e. Delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300 hrs on Saturdays and not on Sundays or Bank Holidays.
 - f. Community engagement and liaison to be carried prior to submission of the DMP to inform development of the DMP approach. Details of engagement are to be submitted as an appendix to the DMP to identify concerns raised by residents and how these are addressed.
 - g. Details of the named person and contact responsible for advance notification to neighbours and other interested parties of proposed works, and the public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works.
 - h. Details shall also include the use of on road Ultra Low Emission Zone compliant Vehicles e.g. Euro 6 and Euro VI and Direct Vision vehicles to star rating 3
 - i. Provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway.

The works shall be carried out in accordance with the approved DMP.

Reason: To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policy D14 of the London Plan 2021, Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

Demolition Logistics Plan

- 16) Prior to the commencement of the demolition phase of the development, a Demolition Logistics Plan (DLP) shall be submitted, in accordance with TfL CLP Guidance, to and approved in writing by the Local Planning Authority. The works shall cover the following minimum requirements:
- a. Community engagement and liaison to be carried prior to submission of DLP to inform development of the DLP approach. Details of engagement to be submitted as an appendix to the DLP to identify concerns raised by residents and how these are addressed.
 - b. Site logistics and operations.
 - c. Demolition vehicle routing.
 - d. Details of the estimated number, size and routes of demolition vehicles per day/week.
 - e. Details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI, including vehicles compliant with Direct Vision Standard star rating 3
 - f. Details of the access arrangements and delivery locations on the site.
 - g. Details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required.
 - h. Efficiency and sustainability measures to be undertaken for the works; and details on CLOCS compliant site operations.

The works shall be carried out in accordance with the approved DLP.

Reason: To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policy T7 of the London Plan 2021 and T1, T6 and T7 of the Local Plan 2018.

Construction Management Plan

- 17) Prior to commencement of the construction phase of the development hereby permitted, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall provide details of how construction works are to be undertaken and shall include:
- a. A detailed plan showing phasing of relevant foundations, basement, and ground floor structures and, for any other structures below ground level, including piling (temporary and permanent), contractors' method statements.

- b. Waste classification and disposal procedures and locations.
- c. Location of site offices, ancillary buildings, plant, wheel-washing facilities, tacking bays and car parking.
- d. Details of storage and any skips, oil and chemical storage.
- e. Membership of the Considerate Contractors Scheme and contractors accredited to FORS silver.
- f. Delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, and not on Sundays or Bank Holidays.
- g. Community engagement and liaison to be carried prior to submission of the CMP to inform development of the CMP approach. Details of engagement to be submitted as an appendix to the CMP to identify concerns raised by residents and how these are addressed.
- h. Details to include the named person and contact responsible for 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.
- i. Details of the use of on-road Ultra Low Emission Zone compliant Vehicles e.g. Euro 6 and Euro VI and Direct Vision vehicles to star rating 3.
- j. Provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway.

The development shall be carried out in accordance with the approved CMP. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

Reason: 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 GG3, SI 1, SI 8, T7 and SI 10 of the London Plan 2021, and Policies DC1, DC2, CC6, CC7, CC10, CC11, CC12 and CC13 of the Local Plan 2018.

Construction Logistics Plan

- 18) Prior to commencement of the development hereby permitted, a Construction Logistics Plan (CLP) shall be submitted, in accordance with TfL CLP Guidance, to and approved in writing by the Local Planning Authority. The CLP shall be in accordance with Transport for London Guidance. The CLP shall cover the following minimum requirements:
- a. Community engagement and liaison to be carried prior to submission of the CLP to inform development of the CLP approach. Details of engagement to be submitted as appendix to the CLP to identify concerns raised by residents and how these are addressed
 - b. site logistics and operations
 - c. construction vehicle routing
 - d. Details of the estimated number, size and routes of construction vehicles per day/week details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI, including vehicles compliant with Direct Vision Standard star rating 3
 - e. details of the access and egress arrangements
 - f. delivery locations on the site
 - g. details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
 - h. Efficiency and sustainability measures to be undertaken for the works
 - i. membership of the and details on CLOCS compliant site operations
 - j. Details of any vehicle holding areas, and restriction of vehicle numbers to no more than 4 vehicles maximum in any one hour; and other matters relating to traffic management to be agreed as required.

The works shall be carried out in accordance with the approved CLP. Approved details shall be fully implemented and retained and maintained throughout the construction phase of the development.

Reason: To minimise the impacts of construction-related vehicle movements and facilitate sustainable construction travel to the site in accordance with Policy T7 of the London Plan 2021 and Policies T1 and T6 of the Local Plan 2018.

Air Quality Dust Management Plan (Demolition)

- 19) Prior to the commencement of the demolition phase of the development hereby permitted (excluding installation of solid hoarding (minimum height 2.5 m) and MCERTS compliant Particulate (PM₁₀) monitors around the perimeter of the site), an Air Quality Dust Management Plan (AQDMP) to mitigate air pollution from the demolition phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP submitted shall be in accordance with the Councils AQDMP Template 'A' and shall include the following details:
- a. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
 - b. Demolition Site and Equipment Layout Plan
 - c. Inventory and Timetable of dust generating activities during Demolition site activities
 - d. Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM₁₀ (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments
 - e. Site Specific Dust, and NO_x Emission mitigation and control measures (in a table format) including for on-road and off-road construction traffic as required by the overall Medium/High Dust Risk Rating of the site
 - f. Details of installation of solid hoarding (minimum height of 2.5 m) including photographic confirmation of installed hoarding around the perimeter of the site
 - g. Details of Site Particulate (PM₁₀) and Dust Monitoring Procedures and Protocols including locations and photographic confirmation of a minimum of 2 x installed MCERTS compliant Particulate (PM₁₀) monitors on the site boundaries used to prevent levels exceeding predetermined PM₁₀ Site Action Level (SAL) of 190 µg/m⁻³, measured as a 1-hour mean. The submitted details shall provide that before installation of the PM₁₀ monitors on site the calibration certificates of MCERTS compliant PM₁₀ monitors and the internet-based log-in details to enable access to the real-time PM₁₀ monitoring data from the PM₁₀ monitors shall be issued to the Local Planning Authority by e-mail to constructionairqualitymonitoring@lbhf.gov.uk. The submitted details shall also provide that data from the on-site Particulate (PM₁₀) monitors will be made available on the Local Planning Authority's

construction site air quality monitoring register website
<https://www.envimo.uk>

- h. Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum *Stage V NOx 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 NOx and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the London City Hall NRMM register [GLA-NRMM-Register](#) prior to commencement of demolition works and thereafter retained and maintained until occupation of the development
- i. Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 and Euro VI

The demolition works shall be carried out in accordance with the approved AQDMP.

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

Air Quality Dust Management Plan (Construction)

- 20) Prior to the commencement of the construction phase of the development hereby permitted (excluding installation of solid hoarding (minimum height 2.5 m) and MCERTS compliant Particulate (PM₁₀) monitors around the perimeter of the site), an Air Quality Dust Management Plan (AQDMP) to mitigate air pollution from the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP submitted shall be in accordance with the Local Planning Authority AQDMP Template 'C' and shall include the following details:
 - a. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
 - b. Construction Site and Equipment Layout Plan
 - c. Inventory and Timetable of dust generating activities during construction site activities
 - d. Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM₁₀ (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments

- e. Site Specific Dust, and NO_x Emission mitigation and control measures including for on-road and off-road construction traffic as required by the overall Medium/High Dust Risk Rating of the site and shall be in a table format
- f. Details of installation of solid hoarding (minimum height of 2.5 m) including photographic confirmation of installed hoarding around the perimeter of the site
- g. Details of Site Particulate (PM₁₀) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant Particulate (PM₁₀) monitors on the site boundaries used to prevent levels exceeding predetermined PM₁₀ Site Action Level (SAL) of 190 µg/m⁻³, measured as a 1-hour mean. The submitted details shall provide that prior to installation of the PM₁₀ monitors on site the calibration certificates of MCERTS compliant PM₁₀ monitors and the internet-based log-in details to enable access to the real-time PM₁₀ monitoring data from the PM₁₀ monitors shall be issued to Hammersmith & Fulham Council by e-mail to constructionairqualitymonitoring@lbhf.gov.uk. The submitted details shall also provide that data from the on-site Particulate (PM₁₀) monitors will be made available on the construction site air quality monitoring register website <https://www.envimo.uk>
- h. Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum *Stage V 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 London City Hall NRMM register [GLA-NRMM-Register](#) prior to commencement of construction works and thereafter retained and maintained until occupation of the development
- i. Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 and Euro VI

The construction works shall be carried out in accordance with the approved AQDMP.

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

DRAINAGE

Updated Sustainable Drainage Strategy (SuDS)

- 21) Prior to commencement of the development hereby permitted (excluding Demolition, Ground and Enabling Works), an updated Sustainable Drainage Strategy (SuDS), which details 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. Information 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 must also be provided, with the aim of achieving greenfield rates for final discharges. Where feasible, rainwater harvesting should also be integrated to collect rainwater for re-use in the site.

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

Reason: To 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 Policy CC1, CC2, CC3, CC4, CC5, OS1, OS4 and OS5 of the Local Plan 2018.

Water Network

- 22) Prior to first occupation of the development hereby permitted, a housing and infrastructure phasing plan (HIPP) shall be submitted to and approved in writing by the Local Planning Authority.

The HIPP must either:

- a. confirm that all water network upgrades required to accommodate the additional flows from the development have been completed or, if not:
- b. set out how the water network is to be upgraded to accommodate the additional flows, and include the following information:

the number of dwellings in the Development which are permitted to be occupied; the timings for when dwellings in the Development 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.

No occupation shall take place other than in accordance with the approved HIPP.

Reason: 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 Policy SI 5 of the London Plan 2021.

Flood Risk Assessment

- 23) The development hereby permitted shall be carried out in accordance with the measures contained within the submitted Flood Risk and Drainage Strategy (Sept. 2023) prepared by Tully's. No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form and maintained as necessary thereafter.

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

Living Roof

- 24) Prior to commencement of above ground works of the development hereby permitted, details of all living roofs, including a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure the provision of green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with Policies G5, G6 and SI 13 of the London Plan 2021 and Policy OS5 and CC4 of the Local Plan 2018.

ENVIRONMENT

Sustainability Statement

- 25) The development hereby permitted shall be carried out in accordance with the submitted Sustainability Statement (Nov 2023) prepared by XCO2.

Reason: In the interests of energy conservation and wider sustainability, in accordance with Policies SI2, SI3 and SI4 of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

Energy Statement

- 26) The development hereby permitted shall be carried out in accordance with the submitted Energy Statement (November 2023) prepared by XCO2.

Reason: In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policies SI2, SI3 and SI4 of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

BREEAM Excellent rating

- 27) Within 6 months of the occupation of any part of the School building, a BREEAM (Version 6) post-completion assessment and certification, confirming the school building achieves a minimum 'Excellent' BREEAM rating shall be submitted to and approved in writing by the Local Planning Authority, in order to verify that the measures contained within the approved Sustainability Statement document have been implemented in full.

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

AIR QUALITY

Ventilation Strategy

- 28) Prior to commencement of above ground works of the development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the ninety-one self-contained dwellinghouses (Use Class C3) and primary school (Use Class F1), nursery (Use Class E[f]) shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all floors where Hammersmith & Fulham Councils 2030 Annual Mean WHO aligned Air Quality Targets for Nitrogen Dioxide (NO₂) - 10ug/m⁻³, Particulate (PM₁₀) -15ug/m⁻³ and Particulate (PM_{2.5}) - 5 ug/m⁻³ are exceeded and where current and future predicted pollutant concentrations are within 5% of these limits. The report shall include the following information:
- a. Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of each residential floor and School/nursery use floor
 - b. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes on all residential floors, to minimise the potential for the recirculation of extract air through the supply air ventilation intake in accordance with paragraph 8.9 part 'C' of Building Standards, Supporting Guidance, Domestic Ventilation, 2nd Edition, The Scottish Government, 2017

- c. 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 90% 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
- d. Details and locations of restricted opening windows (maximum 200mm for emergency purge ventilation only) for all habitable rooms (Bedrooms, Living Rooms, Study) on all residential floors and classrooms for schools

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.

Reason: To ensure full compliance with Policy D12 of the London Plan 2021.

Ventilation Strategy (Compliance)

- 29) Prior to first occupation of the development hereby permitted, details of a post installation compliance report including photographic confirmation of the mitigation measures as detailed in the approved ventilation strategy as required by condition 28 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Surveyor (MRICS). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: To ensure full compliance with, in accordance with Policy D12 of the London Plan 2021.

Indoor Air Quality

- 30) Prior to occupation of the development hereby permitted, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed electric induction stoves in the kitchens of the ninety-one self-contained dwellinghouses (Use Class C3), the primary school (Use Class F1), and nursery (Use Class E[f]) 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.

Reason: To ensure full compliance with, in accordance with Policy D12 of the London Plan 2021.

Landscaping (Air Quality)

- 31) Prior to the occupation of the development hereby permitted, details of the proposed hard and soft landscape scheme in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance to mitigate existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- a) planting schedules, details of species, height plus maturity of replacement trees and shrubs including sections through the planting areas, depths of tree pits, containers, and shrub beds; hard surfacing materials and an implementation programme; and
 - b) photographic confirmation of installed green vegetation barriers (minimum height of 1 metre) on the site boundaries with Avonmore Road and Earsby Street.

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.

Reason: To ensure full compliance with, in accordance with Policy D12 of the London Plan 2021.

Zero Emission Heating (compliance)

- 32) Prior to occupation of development hereby permitted the development, details (including manufacturer specification, installation/commissioning certificates and photographic confirmation) of the installed Zero Emission MCS certified Air/Water Source Heat Pumps back up Heat Battery electric boilers to be provided for space heating and hot water for the ninety-one self-contained dwellinghouses (Class C3 use) and the non-residential uses (Classes F1 and E (f) uses) 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.

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

Ultra-Low Emission Strategy.

- 33) Prior to first occupation of the development hereby permitted, an Ultra Low Emission Strategy (ULES) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a. Facilities and measures that will minimise the impact of vehicle emissions from increasing personal deliveries for the residential use (Class C3) e.g., carrier agnostic parcel locker, concierge, Cargo bike bays etc.
- b. Procurement policy and processes for contractors and suppliers for the primary school (Use Class F1), and nursery (Use Class E[f]) that will incentivise and prioritise the use of Zero Exhaust Emission Vehicles in accordance with the emission hierarchy of 1) Walking Freight Trolley 2) Cargo bike (3) Electric Vehicle.
- c. Use of Zero Exhaust Emission Vehicles for the primary school (Use Class F1), and nursery (Use Class E[f]) in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle.
- d. Reduction and consolidation of deliveries and collections e.g., Waste.
- e. Re-timing of deliveries and collections outside of peak traffic time periods of 07:00-10:00 and 15:00-19:00 hrs.

The ULES shall be monitored and reviewed on an annual basis and any subsequent modifications or alterations to the ULES should be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation and the ULES hereby permitted shall thereafter operate in accordance with the approved details.

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

NOISE

Background Noise Levels (plant, machinery/ equipment)

- 34) Prior to first occupation of Buildings A/B or School Building hereby permitted, details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate for the relevant Building shall be submitted to and approved in writing by the Local Planning Authority. 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, to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014+A1:2019 at noise sensitive premises, which have the potential to be affected by the development, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the relevant Building and thereafter be permanently retained in this form.

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

Anti- vibration mounts and silencing of machinery etc.

- 35) Prior to first occupation of Buildings A/B or the School Building hereby permitted, details of anti-vibration measures for the relevant Building shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary antivibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the relevant Building and thereafter be permanently retained in this form.

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

Internal/External Room Noise Criteria

- 36) The noise level in rooms of the proposed residential units hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

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

Residential Sound Insulation

- 37) Prior to commencement of development above ground level 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 first occupation and thereafter be permanently retained.

Reason: 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.

Extraction and Odour Control system for non-domestic kitchens

- 38) Prior to the installation of extract and odour systems to the school building, 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 with ePM2.5 (F7) particulate filtration, including the height of the extract duct and vertical discharge outlet, in accordance with Appendix 4G of the LBHF Planning Guidance Supplementary Planning Document - February 2018. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

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

External doors

- 39) Prior to occupation/use of the School Building hereby permitted, all external doors to the school premises shall be fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door be fixed in an open position.

Reason: 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).

Tannoy or Address Systems

- 40) No tannoy or public address systems shall be used in relation to the development hereby permitted.

Reason: 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.

Music/ Loud/ Amplified Voices

- 41) Neither music nor amplified / loud voices emitted from the development shall be audible at any residential/ noise sensitive premises.

Reason: 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.

Floodlights, Security lights and Decorative External Lighting

- 42) Prior to first occupation of Buildings A/B or School Building hereby permitted, details of any proposed external artificial lighting, including security lights of the relevant Building, shall be submitted to and approved in writing by the Local Planning Authority and no occupation shall take place until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design, and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of

the Institution of Lighting Professionals in the 'Guidance Note 01/21: Guidance Notes for the Reduction of Obtrusive Light'. to ensure that any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. The relevant Building shall not be used or occupied until any external lighting provided has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises and natural habitat is not adversely affected by lighting, in accordance with Policies GG1, D3 and D11 of the London Plan 2021, Policies CC12, CC13, DC1, DC2 and DC8 of the Local Plan 2018 and the Council's Planning Guidance Supplementary Planning Document.

Lights off – School Building

- 43) Prior to first occupation/use of the School Building hereby permitted, a scheme for the control and operation of the proposed lighting within the building, 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 and be operated only in accordance with the approved details.

Reason: To ensure that the building does not cause excessive light pollution and to conserve energy when they are not occupied, in accordance with Policies D9 of the London Plan (2021) and Policy CC12 of the Local Plan (2018).

Hours of Use of Roof Terraces – School Building

- 44) The outdoor space / terrace areas serving the School Building hereby approved shall only be used between 07.00 hours and 19:00 hours daily.

Reason: To ensure that control is exercised over the use of the outdoor space / terrace areas so that undue harm is not caused to the amenities of the occupiers of the development and neighbouring residential properties because of noise and disturbance, particularly in the quieter night-time hours, in accordance with policy CC11 and CC13 of the Local Plan 2018 and guidance within the Planning Guidance Supplementary Planning Document 2018.

Ceiling/Wall Insulation

- 45) Prior to commencement of development above ground level hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor/ ceiling/ walls separating the plant room and lift shafts from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and L_{nTw} is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures implemented to contain non-residential noise within the school premises and to achieve the criteria

LAmox,F of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

HIGHWAYS

Highways Works

- 46) Prior to commencement of the development hereby permitted (excluding Demolition and Ground Enabling Works), details of the highway works identified in the Active Travel Zone route assessment (Healthy Streets Transport Assessment by Lime Transport, dated 31 October 2023) shall be submitted to and approved by the Local Planning Authority. The works include; improvements to the pedestrian route between the application site and Mark Garvey Park via Lisgar terrace and Earsby Street; measures to include surface treatment, lighting and wayfinding; footway widening works on the Avonmore Road frontage; tree planting on Avonmore Road and/or the surrounding area; provision of tactile paving at the Avonmore Road / Earsby Street junction; and reinstatement /improvement works to the footways on the site frontage Earsby Street and Lisgar Terrace. The development shall not be occupied until these works have been implemented in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with Policies T1, T2, T3 and T4 of the London Plan and Policy T1 of the Local Plan 2018.

S278 Agreement (Highway Works)

- 47) Prior to 6 months of first occupation of Building A/B or the School Building hereby permitted, an agreement under Section 278 of the Highways Act 1980 shall be entered into with the Local Planning Authority for the Highway Works approved under Condition 46 in line with the Council's Streetsmart standards.

Reason: To ensure safe and accessible pedestrian access and a satisfactory standard of appearance and to maintain pedestrian and highway safety, in accordance with Policy T1 of the Local Plan 2018.

Wayfinding Signage Strategy

- 48) Prior to commencement of development hereby permitted, a Wayfinding Signage Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall set out measures to improve cycling and walking wayfinding in the vicinity of the site; improved connectivity to Marcus Garvey; and clarify how the wayfinding signage will be delivered. The

development shall not be occupied until these works have been implemented in accordance with the approved details.

Reason: To ensure that the proposal provides an inclusive and accessible environment and provided cycle infrastructure within and around the development in accordance with the Policy D5, D8 and T5 of the London Plan 2021 and Policies E3 and T3 of the Local Plan 2018.

Cycle Parking

- 49) Prior to first occupation of Building A/B or the School Building hereby permitted, details of secure, accessible, level and covered cycle storage, including 5% larger storage provision, for the relevant Building, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include type of cycle spaces (Sheffield or two-tier stands) provided and access/security arrangements to the cycle parking facilities. No residential units or the school building shall be occupied until the relevant approved facilities have been provided within the relevant part of development. The cycle parking facilities shall thereafter be retained for the development hereby permitted and not used for any other purpose.

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

Delivery & Servicing Management Plan

- 50) Prior to first occupation of the development hereby permitted, a Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the management and times of deliveries to avoid peak times, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, quiet loading/unloading measures, and vehicle movements.

The development shall take place, and after completion the site shall be managed in accordance with the approved details for the lifetime of the development.

Reason: 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 Policies T2 and T7 of the London Plan 2021 and Policies T2, CC11 and CC13 of the Local Plan 2018 and SPD Key Principle TR28 2018.

Deliveries and Collections

- 51) For the primary school use (Class F1), and nursery use (Class E[f]) hereby permitted no deliveries nor collections/ loading nor unloading shall occur

other than between the hours of 07:30 to 18:00 on Monday to Friday, 10:00 to 18:00 on Saturdays and at no time on Sundays and Public/Bank Holidays.

Reason: To ensure that deliveries and collections occurs without compromising highway safety, in accordance with Policy D5 of the London Plan 2021, Policies HO6, T1 and T5 of the Local Plan 2018 and SPD Key Principle TR6 2018.

Refuse

- 52) Prior to first occupation of Building A/B or the School Building hereby permitted, the refuse storage enclosures for the relevant building, as indicated on the approved drawings, shall be provided for the storage of refuse and recyclable materials. All the refuse/recycling facilities shall be retained thereafter in accordance with the approved details.

Reason: To ensure the satisfactory provision of refuse storage and recycling and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policies DC2, CC6 and CC7 of the Local Plan 2018 and SPD Key Principle WM1 2018.

Waste Management Strategy

- 53) The development hereby permitted shall be undertaken in full accordance with the Operational Waste Strategy by Arcadis dated November 2023 and the site shall be operated thereafter in accordance with the approved details.

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

Demolition and Construction Workers Travel Plan

- 54) Prior to commencement of the development hereby permitted, a Demolition and Construction Workers Travel Plan, which shall include provision for monitoring and action to be taken if targets set out the Plan are not being met, shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall be implemented in full compliance with the approved details.

Reason: To ensure that the existing amenities of residents are safeguarded and to ensure that the operation of the use does not add unduly to existing levels of traffic generation, in accordance with Policies T2, CC11 and CC13 of the Local Plan 2018.

Residential Travel Plan

- 55) Prior to the first occupation of Building A and/or Building B hereby permitted, a BREEAM compliant Residential Travel Plan which shall include provision for monitoring and action to be taken if targets set out the Residential Travel Plan are not being met, shall be submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan shall include information on how alternative methods of transport to and from the development, (other than by car) will be encouraged and details of how this will be reviewed and monitored. The Residential Travel Plan shall be implemented in full compliance with the approved details and shall thereafter be retained whilst the residential use remains in operation.

Reason: To ensure that the existing amenities of residents are safeguarded and to ensure that the operation of the use does not add unduly to existing levels of traffic generation, in accordance with Policy T3 of the Local Plan 2018.

School Travel Plan

- 56) Prior to first occupation or operational use of the primary school (Class F1), and nursery (Class E[f]) hereby permitted, an updated School Travel Plan in line with TfL's STAR framework for the school, which shall include provision for monitoring and action to be taken if targets set out the Travel Plan are not being met, shall be submitted to and approved in writing by the Local Planning Authority. Upon the occupation of the building, the School Travel Plan shall be implemented in full compliance with the approved details and shall thereafter continue to be fully implemented whilst the use remains in operation. Such details shall include information on how alternative methods of transport to and from school other than by car will be encouraged.

Reason: To ensure that the development does not generate an excessive number of car trips which would be contrary to the Council's policies of car restraint set down in Policies T2 and T4 of the Local Plan 2018.

DESIGN

Details and Materials

- 57) Prior to commencement of the development hereby permitted (excluding Demolition and Ground Enabling Works), particulars and samples (where appropriate) of all the materials to be used in all external faces of the residential and school buildings; including details of the colour, composition and texture of the brickwork, details of bond, colour, mortar mix and mortar colour to be used, stonework and metal; details of all surface windows; balustrades to balconies and roof terraces; roof top plant and general plant screening; including window opening and glazing styles and all external hard surfaces including paving, boundary walls, railings, gates, fences, and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority.

External material sample panels, including samples of the brickwork, mortar colour and mix shall be erected on site for the inspection by Local Planning Authority's Conservation Officer and written approval by Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan 2021, Policies DC1 and DC8 of the Local Plan 2018 and guidance contained within the Planning Guidance Supplementary Planning Document 2018.

1:20 Details

- 58) Prior to commencement of the development hereby permitted (excluding Demolition and Ground Enabling Works), 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 thereafter permanently retained in this form.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the surrounding conservation areas and other heritage assets; in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan 2021, Policies DC1, DC2 and DC8 of the Local Plan 2018 and guidance contained within the Planning Guidance Supplementary Planning Document 2018.

1:20 Roof Top Plant Details

- 59) Prior to commencement of the development hereby permitted (excluding Demolition and Ground Enabling Works), details of any enclosure(s) to be fitted to roof mounted equipment at a scale of 1:20 (in plan, section, and elevation) of the rooftop plant enclosures for each building shall be submitted to and approved in writing by the Local Planning Authority. No relevant 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 thereafter be permanently retained in this form.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm and ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan 2021 and Policies DC1, DC8, CC11 and CC13 of the Local Plan 2018.

1:20 Details – Boundaries

- 60) Prior to the commencement of the development hereby permitted (excluding Demolition and Ground and Enabling Works), detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of boundary walls, fences, railings, and gates shall be submitted and approved in writing by the Local Planning Authority and no part of the development shall be used or occupied prior to the completion of the relevant works in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018).

Privacy Strategy

- 61) Prior to commencement of development above ground level hereby permitted, a Privacy Strategy in relation to the privacy of principal windows shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity in accordance with Policy HO4 of the Local Plan 2018.

External alterations

- 62) 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 alterations shall be carried out to the external appearance of Building A/B or School Building, including the installation of air-conditioning units, ventilation fans, extraction equipment, balustrades, fencing, canopies or roof structures not shown on the approved drawings. No plumbing, extract flues or pipes, plant, water tanks, water tank enclosures or other structures that are not shown on the approved plans, shall be erected upon the roofs of the buildings hereby permitted.

Reason: 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.

Aerials and Satellite Dishes

- 63) Prior to first occupation of Building A/B or the School Building of the development hereby permitted, details of any aerials and satellite dishes for the relevant Building 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 relevant part of the development hereby permitted.

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

Window Cleaning Equipment

- 64) Prior to first occupation of Building A/B or the School Building of the development hereby permitted, details of the proposed window cleaning equipment for the relevant Building 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 relevant Building within the development shall be used or occupied until the equipment has been installed for that Building in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan 2021 and Policies DC1, DC2, DC3 and DC8 of the Local Plan 2018.

Obscured Glass

- 65) The window glass at ground level in the School Building of the development hereby permitted shall not be mirrored, painted or otherwise obscured and shall be retained for the lifetime of the development.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy D8 of The London Plan 2021, and Policies DC1 and DC8 of the Local Plan 2018.

Secure by Design

- 66) Prior to commencement of development above ground level hereby permitted, a statement of how 'Secured by Design' requirements in relation to the new residential and school buildings are to be adequately achieved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be carried out prior to use of the development hereby approved and permanently maintained thereafter.

Reason: To ensure a safe and secure environment for users of the development, in accordance with Policy DC2 of the Local Plan 2018.

Secure by Design (post completion)

- 67) Within 3 months prior to first occupation of Building A/B or School Building, a statement of whether 'Secure by Design' requirements have been adequately achieved and any measures required to ensure those requirements will be achieved shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include, but not be limited to: site wide public realm CCTV and a feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, security measures throughout the site and means to secure the site throughout construction works in accordance with BS8300:2009. The security measures shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy D11 of the London Plan 2021, and Policies DC1, DC2 and DC8 of the Local Plan 2018.

LANDSCAPING

Protection of Existing Trees

- 68) Prior to commencement of the development hereby permitted, all the trees on the development site, identified for retention, shall be protected from damage in accordance with BS5837:2012 during construction works. No construction shall take place until any such trees are adequately protected as per BS5837:2012.

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

Soft and Hard Landscaping

- 69) Prior to first occupation of Building A/B or the School Building hereby permitted, details of the proposed soft and hard landscaping of all areas external to the relevant Building 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 thereafter be permanently retained in this form.

Reason: 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 D5, G1,

G5, G6 and G7 of the London Plan 2021, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

Landscape Management Plan

- 70) Prior to commencement of landscaping works, a Landscape Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority for all the landscaped areas. This shall include details of management responsibilities and maintenance schedules for all landscape areas. The landscape management plan shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure that the development provides an attractive natural and visual environment in accordance with Policies D5, G1, G5, G6 and G7 of the London Plan 2021, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

Urban Greening Strategy

- 71) Prior to commencement of development above ground level 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 buildings 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.

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

Replacement Trees, shrubs etc

- 72) All planting, seeding and turfing approved as part of the agreed soft landscaping scheme 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 others of similar size and species.

Reason: To ensure a satisfactory external appearance in terms of the provision of tree and shrub planting, in accordance with Policy G7 of the London Plan 2021 and Policies OS1, OS2, OS5, DC1, DC2, DC8 of the Local Plan 2018.

Outdoor Play Spaces (School)

- 73) Prior to first occupation of the School Building in the development hereby permitted, a scheme detailing the size of play space, play equipment, boundary treatments and ground surface treatment of the outdoor play spaces shall be submitted to and approved in writing by the Local Planning Authority. Any play equipment must be designed to be fully inclusive to ensure the play areas are accessible to all and must be implemented in accordance with the approved plans, to be permanently retained thereafter.

Reason: To ensure equal life chances for all, and to prevent groups such as blind people and disabled children being excluded from use of public realm and other amenities by designs failing in detail to take specific needs into account, in accordance with Policy S4 of the London Plan 2021, and Policy OS3 of the Local Plan 2018.

Artificial Nesting Opportunities

- 74) Prior to first occupation of Building A/B or the School Building, details of 'artificial nesting opportunities' including bird and bat boxes within the development shall be submitted, and approved in writing by, the Local Planning Authority. The 'artificial nesting opportunities' shall be installed in accordance with the approved details prior to the first occupation of Building A and shall be permanently maintained thereafter.

Reason: To ensure that satisfactory provision is made for 'artificial nesting opportunities' within the development thereby enhancing the biodiversity of the site in accordance with policy G6 of the London Plan 2021, Policy OS4 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

ACCESS

Inclusive Access Management Plan

- 75) Prior to first occupation for Building A/B or the School Building hereby permitted, an Inclusive Access 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 Inclusive Access Management Plan as approved and shall thereafter be permanently retained in this form.

Reason: To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policies D5 and E10 of the London Plan 2021 and Policies DC1, DC2, DC8 and HO6 of the Local Plan 2018.

Entrances

- 76) The ground floor entrance doors to Building A/B and the School Building 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.

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

Lifts

- 77) Prior to first occupation of Building A/B or the School Building of the development hereby permitted, details of fire rated lifts in the relevant Building shall be submitted to and approved in writing by the Local Planning Authority. Details shall include measures aimed at ensuring 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.

Reason: To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with Policy D5 of the London Plan 2021, and Policies DC2 and HO6 of the Local Plan 2018.

Fire Strategy

- 78) The development shall be carried out and completed in accordance with the submitted RIBA Stage 3 Fire Strategy (DL6637/R1 Issue 5) prepared by Jensen Hughes (3 November 2023). The development shall be implemented in accordance with these details prior to occupation and shall thereafter be permanently retained in this form.

Reason: To ensure full compliance with, in accordance with Policy D12 of the London Plan 2021.

Whole Lifecycle Carbon Assessment Post-Construction

- 79) Within 6 months of first occupation of Building A/B or the School Building, a post-construction monitoring report setting out whether the development has met the requirements of the submitted Whole Life-Cycle Carbon Assessment together with any measures necessary to ensure that the Assessment's requirements are met shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of energy conservation and reduction in carbon, in accordance with London Plan Policy SI2 2021.

Circular Economy Assessment Post-Construction Report

- 80) Within 6 months of first occupation of Building A/B or the School Building, a post-construction monitoring report setting out whether the construction process has met the requirements of the Circular Economy Statement by XCO2 dated November 2023 together with any measures necessary to ensure that the Assessment's requirements are met shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of reducing waste and supporting the Circular Economy, in accordance with London Plan Policy SI 7 2021.

SCHOOL

Max. School Capacity

- 81) The number of children enrolled and accommodated at the school shall not exceed 250 (full time equivalent) at any one time.

Reason: To safeguard the amenities of neighbouring occupiers and the area generally, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

School/Nursery Use

- 82) The school and nursery hereby permitted shall be used for no other purpose (including any other purpose in Classes F1 and E[f] of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In granting this permission, the Local Planning Authority has had regard to the special circumstances of the case. Certain other uses within the same use class may be unacceptable due to effect on residential amenity or traffic generation, in accordance with policies

School Community Use Facilities

- 83) Prior to first occupation of the School Building hereby permitted, a Community Facilities Strategy (CFS) shall be submitted to and approved in writing by the Local Planning Authority. The CFS shall provide details relating to securing access to the School Building outside school hours by the local community and cultural groups / organisations, for not less than 70 days of a calendar year. The development hereby permitted shall not be operated otherwise than in accordance with the CFS as approved.

Reason: To secure public access to the School Building, provide a mix of facilities and to maintain a development that will contribute to the vitality of the school, in accordance with Policies DC8 and TLC1 and TLC2 of the Local Plan 2018.

School (PD Rights)

- 84) 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), Part 32 of Schedule 2 of the said Order (being development within the curtilage of Schools, Colleges, Universities and Hospitals) (or any similar provision in any Order revoking or re-enacting that Order) shall not apply to the school site to which this planning permission relates.

Reason: To enable the Council to retain control over any future development in view of the overall design and integrated appearance of the scheme and the effect of any such development on the external recreational areas of the school and the amenities of the surrounding properties, in accordance with Policy CF1 of the Local Plan 2018.

School Management Plan

- 85) Prior to first occupation of the School Building hereby permitted, full details of a School Management Plan for the school and associated community uses have been submitted to, and approved in writing by, the Local Planning Authority. Upon the commencement of the use, the School Management Plan shall be implemented in full compliance with the approved details and shall thereafter continue to be fully implemented whilst the use remains in operation. Such details shall include information on the school hours of use; the number and times of recreation breaks; and a plan for staff supervision at arrival and leaving times and recreation times including after school and pre-school activities to include management of school for out of hours community uses.

Reason: To ensure that the use does not result in loss of amenity to neighbouring residents in terms of noise and disturbance, in accordance with Policies T1, HO11, CC10, CC11, CC12, CC13, of the Local Plan 2018.

RECOMMENDED REASONS FOR APPROVAL

- 1) **Land Use:** The proposed land use for school and residential purposes is supported by adopted policy. Officers consider that the replacement school and residential use development is appropriate in this location. The proposal is therefore supported in land use terms subject to the satisfaction of other development plan policies and is considered to be in accordance with the NPPF; Policies SD1 and H1 of the London Plan 2021; and Policies HO1, HO3 and HO4 of the Local Plan 2018.
- 2) **Affordable Housing:** The proposal would help to regenerate the wider area whilst maximising the value of the existing site. The development provides a policy compliant proportion of affordable housing on site. This is supported in order to maximise the delivery of much needed affordable housing within the borough. The proposal is therefore considered to be in accordance with the NPPF; Policies H1, H4, H6 and H10 of the London Plan 2021; and Policy HO3 of the Local Plan 2018.
- 3) **Housing:** The proposal provides a range of unit sizes which are considered to respond positively to the site characteristics and the wider demographics and would lead to a development that would maintain a mixed and balanced ward. The residential element of the Proposed Development would provide private amenity for future occupants together with a high standard of residential accommodation. Residents will have access to the adjacent Marcus Garvey Park for play with improvements to the park secured by condition. The density is acceptable, given the location and transport accessibility of the site and the acceptable quality of the residential accommodation, which will deliver 91 homes. The proposal is therefore supported and is considered to be in accordance with the NPPF; Policies H1, H4, H6 and H10 of the London Plan 2021; and Policies HO1, HO3, HO4, HO5 and HO6 of the Local Plan 2018.
- 4) **Design and Heritage:** The proposed scheme represents an opportunity to regenerate the site in accordance with the Council's Local Plan policies. It is considered that the proposal would result in an overall positive outcome in terms of its regeneration and in accordance with relevant national guidance and regional and local policies. In relation to heritage matters, some harm (at the lower end of less than substantial harm) would be caused to the designated heritage asset of the Olympia and Avonmore Conservation Area. Furthermore, the proposal would result in local heritage harm through demolition of Gordon Cottage (a non-designated heritage asset). Other than this, the proposals are not considered to result in any harm to the setting of any other adjacent heritage assets. Overall, having regard to the public benefits of the proposal, and applying the statutory provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, the proposal is considered to be acceptable having balanced these benefits against this harm. The proposal is also considered to be in

line with national guidance in the NPPF as a whole and with strategic local policies on the historic environment and urban design. Although some elements of conflict with policy have been identified above, the Proposed Development is considered acceptable having regard to the NPPF, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan 2021 and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan 2018.

- 5) **Transport:** There would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network as the proposals are secured as car permit free. Conditions would secure satisfactory provision of cycle and refuse storage, construction and logistics and management while a Travel Plan is secured by condition. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is very good and is well served by public transport. External impacts of the development would be controlled by conditions. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The Proposed Development therefore accords with Policies T1, T2, T3, T4, T5, T6, T6.1 and T7 and T9 of the London Plan 2021; and Policies T1, T2, T3, T4 and T5 of the Local Plan 2018.
- 6) **Impact on Neighbouring Properties:** The impact of the Proposed Development upon adjoining occupiers is considered acceptable with no significant worsening of noise/disturbance and overlooking, no unacceptable loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The Proposed Development therefore accords with Policies T4, D4, D11 and D14 of the London Plan 2021; and Policies DC1 and DC2 of the Local Plan 2018.
- 7) **Safety and Access:** A condition would ensure the development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and Policy DC1 of the Local Plan 2018. The development would provide 10% of all units as wheelchair units, level access, a lift to all levels and suitable circulation space. Level access will be provided to all school building entrances and from playground to outdoor classrooms. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policies D5 and D11 of the London Plan 2021; and Policy H06 of the Local Plan 2018.
- 8) **Sustainability and Energy:** The application proposes a number of measures to reduce CO2 emissions with a carbon offset payment secured. A revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The Proposed Development therefore accords with Policies SI 2, SI 3, SI 4 and G5 of the London Plan 2021; and Policies CC1 and CC2 of the Local Plan 2018.

- 9) **Flood Risk:** The development hereby permitted shall be carried out in accordance with the submitted Flood Risk and Drainage Strategy (Sept 2023) prepared by Tully's. 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. The development would therefore be acceptable in accordance with the NPPF; Policies SI 12 and SI 13 the London Plan 2021; and Policies CC3 and CC4 of the Local Plan 2018.
- 10) **Land Contamination:** Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The Proposed Development therefore accords with Policy CC9 of the Local Plan 2018.
- 11) **Mitigation Measures:** Proposals include 55.5% (measured by habitable room) Affordable Housing, 10% Wheelchair User Dwellings, 11 trees within the local area, travel plans, carbon offset payment and local training, and employment opportunities and procurement are secured. The Proposed Development would therefore mitigate external impacts and would accord with Policy INFRA 1 of the Local Plan 2018.
- 12) **The Development Plan:** In the light of the policies referred to earlier in this section and in the rest of this Report, the Proposed Development accords with the Development Plan taken as a whole.
- 13) 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.

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

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

Application form received: 21st November 2023
Drawing Nos: As listed in condition 2 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

Date:

Comments from:

Historic England London Region	22.12.23
Greater London Archaeological Advisory Service (GLAAS)	15.12.23
Transport For London - Land Use Planning Team	03.01.24
London Underground Limited	18.12.23
Network Rail	18.12.23
Thames Water - Development Control	18.12.23
Active Travel England	12.12.23
London Heliport	19.12.23
Councillor David Morton (Avonmore Ward) x8	29.01.24
	06.02.24
	08.02.24
	16.02.24
	26.02.24
	28.06.24
	23.08.24
	18.10.24
The Hammersmith Society	29.02.24
	25.10.24
Avonmore Residents Association	23.03.24

Neighbour Comments:**Date:****Comments from:**

(OBJECTIONS)

Avonmore Road W14	12.01.24
3-11 Avonmore Road W14	23.01.24
Flat 5, 13 Avonmore Road W14	19.08.24
Flat 11, Leigh Court 6 Avonmore Road W14	12.01.24
8 Avonmore Road W14	09.01.24
Flat 10 Avonmore Road W14	09.01.24
Flat 5, 13 Avonmore Road W14	23.01.24
15 Avonmore Road W14	06.12.23
17 Avonmore Gardens W14	09.01.24
22 Avonmore Road W14	11.01.24
37, Avonmore Road W14	10.01.24
Flat 2 44 Avonmore Road W14	27.01.24
74 Avonmore Road W14	19.01.24
76 Avonmore Road W14	09.01.24
Avonmore Mansions London W14	18.01.24
Flat 8 Avonmore Mansions W14	09.01.24
Flat 9 Avonmore Mansions, W14	11.01.24
9A Avonmore Mansions Avonmore Road W14	08.12.23
Flat 10 Avonmore Mansions, Avonmore Road W14	12.12.23
10A Avonmore Mansions Avonmore Road W14	08.12.23
Flat 11 Avonmore Mansions Avonmore Road W14	11.12.23
12 Avonmore Mansions Avonmore Road W14	15.01.24
19 Briar Court, W14	17.01.24
8 Palace Mansions W14	18.01.24
Flat 34 Palace Mansions Earsby Street W14	14.12.23
37 Palace Mansions Earsby Street W14	18.01.24
Flat 18 Palace Mansions W14	10.12.23
24 Palace Mansions W14	10.01.24
Flat 42 Palace Mansions W14	19.01.24
41A Palace Mansions Earsby Street W14	28.01.24
22 Palace Mansions Earsby Street W14	18.01.24
Flat 43 Palace Mansions Earsby Street W14	16.01.24
41 Palace Mansions Earsby Street W14	11.01.24
22 Palace Mansions Earsby Street W14	11.12.23
36 Palace Mansions Earsby Street W14	10.01.24
Flat 4 Palace Mansions Earsby Street W14	06.12.23
Flat 47, Palace Mansions, Earsby Street W14	07.12.23
50 Palace Mansions Earsby Street W14	18.01.24
21a Palace Mansions Earsby Street W14	08.12.23
Flat B 13A Hammersmith Road W14	19.12.23
Flat 9, Argyll Mansions Hammersmith Road W14	18.01.24
19 Argyll Mansions Hammersmith Road W14	10.01.24
Flat 35 Argyll Mansions Hammersmith Road W14	27.01.24
4 Glyn Mansions Hammersmith Road W14	11.01.24
Flat 20A Glyn Mansions W14	29.01.24

Flat 22, Glyn Mansions Earsby Street W14	10.01.24
24 Glyn Mansions Hammersmith Road W14	20.01.24
27 Glyn Mansions Hammersmith Road W14	18.01.24
Flat 28, Glyn Mansions Earsby Street W14	10.01.24
30 Glyn Mansions Hammersmith Road W14	17.01.24
Flat 1, 64 Addison Road W14	20.12.23
1B Colet Gardens W14	11.01.24
15 Gwendwr Road W14	20.01.24
5 Autumn Court, Lisgar Terrace W14	20.01.24
9 Autumn Court, Lisgar Terrace W14	16.01.24
8 Lisgar Terrace W14	31.01.24
12 Lisgar Terrace W14	28.01.24
Flat B, The Grange, Lisgar Terrace W14	09.01.24
23 Madeline Court Lisgar Terrace West Kensington W14	29.01.24
17 Rugby Mansions Bishop King's Road W14	09.01.24
23 Rugby Mansions Bishop Kings Road W14	30.01.24
20 Rugby Mansions Bishop Kings Road W14	12.01.24
22 Rugby Mansions Bishop King's Road W14	08.01.24
12 Stonor Road W14	20.12.23
9 Matheson Road W14	18.01.24
Flats 1 & 2, 33 Matheson Road W14	11.03.24
93A North End House W14	09.01.24
3 Sabra Court London W14	30.01.24
7 Peacock Court West Kensington W14	07.12.23
8 St Peters Grove W6	28.02.24
115 Sulgrave Road W6	20.12.23
2a Mcgregor Road London W11	20.12.23
61 Apsley House 2 Holford Way London SW15	20.12.23
94 Oaklands Avenue, Sidcup, Kent DA15	26.01.24
Rose Cottage, Cusop, Hay-On-Wye Hereford HR3	11.01.24
45 Bradmore Park Road	23.10.24

(SUPPORT)

Petition in support 116 signatories (84 Properties)	31.01.24
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Avonmore Road W14	23.01.24
Avonmore Primary School, Avonmore Road W14	23.01.24
30 Avonmore Road W14	09.01.24
Flat 5, 83 Edith Road W14	30.01.24
Flat 29, Glyn Mansions Hammersmith Road W14	26.01.24
41 Castletown Road West Kensington W14	29.01.24
Cheesemans Terrace W14	29.01.24
132 Cheesemans Terrace W14	29.01.24
10 Portland Mansions, Addison Bridge Place W14	19.01.24
Old Courthouse Flat 2, 45 North End Road W14	09.01.24
79 Lily Close W14	29.01.24
22 Autumn Court Lisgar Terrace W14	08.12.23
9 Madeline Court 9 Lisgar Terrace W14	08.12.23
Flat C 5 Beaconsfield Terrace Road W14	30.01.24

Flat A 129 Blythe Road W14	28.01.24
32 Pelham House Mornington Avenue W14	19.01.24
1 Russell Road W14	23.01.24
5 Sinclair Gardens W14	29.01.24
1 Sun Road W14	29.01.24
47 Park Close Ilchester Place W14	30.01.24
25 Clifford House Edith Villas W14	08.12.23
Flat 61 Kensington West Blythe Road W14	29.01.24
Flat 2 152 - 154 Holland Road W14	25.01.24
Flat 1 North End House Fitzjames Avenue W14	08.12.23
389, Kensington High Street W14	29.01.24
25 Cardross Street W6	31.01.24
Studio 1, Latymer Court W6	30.01.24
44b Overstone Road W6	29.01.24
59 Tasso Road W6	29.01.24
133 Faulkner House Tierney Lane W6	22.01.24
10 Westcroft Square London W6	23.01.24
Flat 11, 49 Atalanta Street SW6	02.01.24
2 Pellant Road SW6	23.01.24
155 Fulham Palace Road SW6	02.01.24
Top Floor Flat, 1 Hildyard Road SW6	30.01.24
13 Maltings Place SW6	29.01.24
191b Munster Road Fulham SW6	31.01.24
Flat 14, M Block Lillie Road SW6	30.01.24
61 Stephendale Road Fulham SW6	25.01.24
6 Gironde Road SW6	19.01.24
371 Samuel Lewis Trust Dwellings, Vanston Place SW6	31.01.24
Flat 1, 188/190 Wandsworth Bridge Road SW6	30.01.24
Flat 132 Latymer Court Hammersmith Road W6	08.12.23
11 Spackman House 12 Townmead Road SW6	08.12.23
85b Adelaide Grove W12	31.01.24
Ground/1st Floor Flat, 26 Askew Road W12	30.01.24
118G Coningham Road W12	23.01.24
Flat 204 Calyx Building 41A Joslings Close W12	30.01.24
120 Percy Road W12	24.01.24
5 Stokesley Street W12	29.01.24
1 Warwick Road London SW5	30.01.24
Flat B 11 Cremorne Road London SW10	30.01.24
Flat 1 163 Seymour Place London W1H	30.01.24
Flat 11, 61-69 Chepstow Place London W2	30.01.24
25 Pembridge Gardens London W2	26.01.24
Flat 43 The Westbourne, 1 Artesian Road London W2	29.01.24
14 Clifford Court Westbourne Park Villas London W2	30.01.24
Flat 3 18 Acton Lane London W4	31.01.24
First Floor Flat, 29 Marlborough Crescent London W4	26.01.24
Flat 9 Queens Walk House Queens Walk Ealing W5	31.01.24
18 Brentham Way London W5	30.01.24
Kensington Place London W8	20.01.24
8 Kensington Place London W8	30.01.24
5 Campden Hill Gardens London W8	26.01.24

7A Campden Grove London W8	30.01.24
24 Campden Grove London W8	21.01.24
42 Campden Hill Square London W8	28.01.24
Ground Floor Flat, 2 Berkeley Gardens London W8	30.01.24
16 Campden Street London W8	30.01.24
21 Adam & Eve Mews London W8	31.01.24
Flat 1, 11 Hornton Street London W8	02.02.24
2 Airlie Gardens London W8	23.01.24
11 Hornton Street London W8	30.01.24
42 Aubrey Walk London W8	26.01.24
67 Hillgate Place London W8	30.01.24
14 Stratford Road London W8	31.01.24
14 Farmer Street London W8	30.01.24
70 Kensington Heights 91-96 Camp Den Hill Road London W8	30.01.24
Flat 3, 52 South Edwardes Square London W8	27.01.24
5 Phillimore Court London W8	20.01.24
Fox Primary School London W8	24.01.24
Flat 10, Lee Court, 13 Logan Place London W8	29.01.24
4 Peel Street, London W8	30.01.24
40A Warrington Crescent London W9	30.01.24
25 Cobham Road London W9	30.01.24
43 Edenham Way North Kensington W10	30.01.24
Flat 9, 7 Faraday Road London W10	31.01.24
18 Atrium Apartments 12 West Row London W10	31.01.24
Apartment 1, 279 Kensal Road London W10	30.01.24
78 Palace Gardens Terrace London W8	30.01.24
Flat 26 Whitstable House Silchester Road London W10	23.01.24
27 Chepstow Villas London W11	29.01.24
41 Chepstow Villas London W11	30.01.24
Flat 1, 12 Kensington Park Gardens London W11	30.01.24
48 Portland Road London W11	19.01.24
Nottingwood House London W11	27.01.24
145 Ledbury Road London W11	30.01.24
14 Ladbroke Square London W11	30.01.24
47 Ladbroke Road London W11	22.01.24
61 Ladbroke Road London W11	30.01.24
29 Blenheim Crescent London W11	20.01.24
56 Pembridge Road London W11	30.01.24
9 Hayne House Penzance Place London W11	23.01.24
12 Holland Park Avenue London W11	30.01.24
Flat 16 Burke House, Maysoule Road London SW11	02.01.24
165, Northfield Avenue London W13	30.01.24
40 Stane Grove London SW9	29.01.24
144 Bedford Hill London SW12	31.01.24
16 Pentlow Street London SW15	02.01.24
45 Barrow Rd London SW16	23.01.24
94 The High, Streatham High Road London SW16	30.01.24
31 Moffat Road London SW17	29.01.24
25 Barmouth Road London SW18	26.01.24
10 Haldon Road East Putney SW18	30.01.24

24 Lyon House 104 Wandsworth High Street London SW18	22.01.24
36 Thornby Road London E5	22.01.24
14 Atherton Road Forest Gate London E7	30.01.24
70 Cambria Road London SE5	29.01.24
11 Oxley Close London SE1	31.01.24
50 Lyme Farm Road Lee Greenwich London SE12	30.01.24
98 Holly Park Estate Crouch Hill London N4	30.01.24
65 Anson Road London N7	30.01.24
4c Huddleston Road London N7	03.01.24
15 Sandstone Place London N19	26.01.24
1 Frognal Close London NW3	30.01.24
Flat 6 Sidney Boyd Court West End Lane London NW6	30.01.24
12 Trevelyan Garden Kensal Rise London NW10	30.01.24
Flat 508, Windsor House Cumberland Market London NW14	30.01.24
Flat 2 152 - 154 Holland Road W14	25.01.24
8c Woodlands Road Isleworth London TW7	22.01.24
72 Myrtle Road Hampton Hill TW12	30.01.24
36 Bushy Park Road Teddington TW11	29.01.24
82 Railway Road Teddington TW11	30.01.24
129 Munster Road Teddington London TW11	30.01.24
Flat 5 McMillan Ho. 12a Surbiton Rd, Kingston upon Thames KT1	30.01.24
29 Beresford Road New Malden KT3	29.01.24
Flat 18 Riverholme Hampton Court Road East Molesey KT8	28.01.24
215 Cerulean House 450 Oldfield Lane North Greenford UB6	27.01.24
22 Hummerston Close Buntingford SG9	23.01.24
No Address Given	22.02.24

1.0 BACKGROUND

Cabinet Decision

- 1.1 On the 4 March 2019, LBHF's Cabinet approved the outline strategic case for a self-funding school renewal programme and agreed that Avonmore Primary School would be the first projects within this programme to come forward. Cabinet therefore approved a procurement strategy to appoint a design team, client design advisor and cost consultant to progress proposals for each site up to submission of a planning application. BPTW were appointed as the lead designer and planning consultant, with Walters & Cohen acting as the specialist school architect.

Community Schools Programme

- 1.2 Due to the lack of central government investment for renewing or refurbishing existing schools, LBHF, in collaboration with headteachers and governing bodies across the borough, initiated the Community Schools Programme. This programme aims to renew some of the borough's primary schools, by utilizing existing school sites to develop a mix of genuinely affordable and private housing. The core aims of the Community Schools Programme are:
- a) To provide modern, fit-for-purpose schools supporting the borough's ambition to offer children the best start in life.
 - b) To support educational funding in the borough, including future repair and maintenance needs.
 - c) To fund school development through site optimization.

Section 77 Application

- 1.3 Apart from planning application approval, there is a requirement to apply for the Secretary of State's consent to change the use of part of the school land under Section 77 of the Schools Standard and Framework Act 1998. This application was submitted on 22 May 2023 and is still pending a decision at the date of this report but must be approved before any works related to the planning approval can commence on the site.

2.0 SITE AND SURROUNDINGS

Site

- 2.1 The site, approximately 0.39 hectares, currently houses a one-form entry primary school (Use Class F1) with 30 pupil places per year group from Reception to Year 6. The main single-storey school building, constructed in the 1950s, is centrally located on the site and set back from Avonmore Road. The site also includes two modular buildings used as a classroom and a 26-place nursery. Additionally, a 19th-century house known as Gordon Cottage (Building of Merit) used by the school as a science laboratory and sensory room. A small garden and pond are next to Gordon Cottage. The main playground is situated in at the southern end of the site, enclosed by several existing trees.

2.2 The main school entrance is on Avonmore Road. A secondary pupil pick-up and drop-off point is managed through a gate along the southwest boundary of the site. Various boundary treatments surround the site. Include low-rise fencing along Avonmore Road, a brick wall adjacent to Earsby Street, a chain-link fence around the playground, and a solid brick wall abutting Marcus Garvey Park to the south.

Surroundings

2.3 The site is bordered by roads on three sides: Avonmore Road to the north, Earsby Street to the west, and Lisgar Terrace to the east, with Marcus Garvey Park to the south. The St James Preparatory School lies to the southwest, separated by a pedestrian footpath. The Lisgar Terrace estate is to the southeast, separated by a footpath.

2.4 The surrounding area is predominantly residential, with buildings typically following a mansion block typology. North of the site, across Avonmore Road, are residential buildings ranging from three to five storeys. Glyn Mansions to the west is five storeys high, while the townhouses along Lisgar Terrace to the east are four storeys, and the Lisgar Terrace Estate buildings to the southeast are five storeys. The current single-storey school building is the lowest structure in the area.

2.5 Northwest of the site is Kensington High Street, featuring commercial units at ground level with residential accommodation above, and the Kensington Olympia exhibition centre complex is also located in this area.

Designations

2.6 The site is located within the Olympia and Avonmore Conservation Area. There are no statutory listed buildings on the site, but Gordon Cottage is a Local Building of Merit. There are several other Buildings of Merit within the vicinity of the site. Include St James Preparatory School and the residential mansion blocks Glyn Mansions, Leigh Court, Kingsley House, Palace Mansions, Argyll Mansions, and Rugby Mansions.

2.7 Marcus Garvey Park is designated as 'Public Open Space' in LBHF's Local Plan and provides play and amenity space for the surrounding residents. The school is separated from the park by an existing brick wall, which has a mural on the side facing the park. The application site boundary as shown in Figure 1 (below) includes this brick wall but does not include any of the land occupied by Marcus Garvey Park.

2.8 According to the Environment Agency's Flood Zone Maps, the Site is in Flood Zone 1 (low risk of flooding).

2.9 None of the existing trees on the Site are covered by a Tree Preservation Order (TPO) although they are afforded similar protection within the Olympia and Avonmore Conservation Area.

2.10 The site is not located within an Archaeological Priority Area.

Transport

- 2.11** The site is in a highly sustainable location and is near bus stops on Hammersmith Road/Kensington High Street and within easy walking distance of Kensington (Olympia) station.
- 2.12** The site is located on Avonmore Road and is currently occupied by Avonmore Primary School. The site is bounded by Avonmore Road to the east, Lisgar Terrace to the south, Earsby Street to the north, and Marcus Garvey Park to the west.
- 2.13** Pedestrians and cyclists can access the site from Avonmore Road and Earsby Street. Access for vehicles, including refuse and servicing vehicles can be gained from Avonmore Road or Earsby Street. The site also has two pedestrian connections to Marcus Garvey Park accessed from the northern and south-eastern edge of the site.
- 2.14** The site has a PTAL rating of 6a which is an excellent level of connectivity to public transport. The closest bus stop to the site is located on Hammersmith Road (A315), approximately 190m to the north of the site. This bus stop is served by routes 9, 23, 28, N9, N27 and N28, An additional bus stop is provided on North End Road, approximately 250m to the west of the site, and is served by routes 28, 306 and N28, There is also a bus stop provided approximately 440m to the north-east of the site on A3220 Warwick Road, served by routes 49 and C1.
- 2.15** The closest railway station is Kensington (Olympia) railway, overground and underground station, located approximately 350m to the north of the site, West Kensington Underground is located approximately 650m to the south of the site and is on the London District Line. Barons Court underground station is 920m to the south-west of the site and is located on the District and Piccadilly Lines.
- 2.16** The Site is located within Controlled Parking Zone (CPZ) EE.

3.0 SITE HISTORY

- 3.1** There is no recent relevant planning history related to the Site.

4.0 PROPOSED DEVELOPMENT

- 4.1** This application seeks planning permission for the demolition of the existing buildings and structures and redevelopment providing a replacement Primary School, Nursery and playground space; 91 residential units, together with associated cycle parking, hard and soft landscaping, boundary treatment and other associated works.

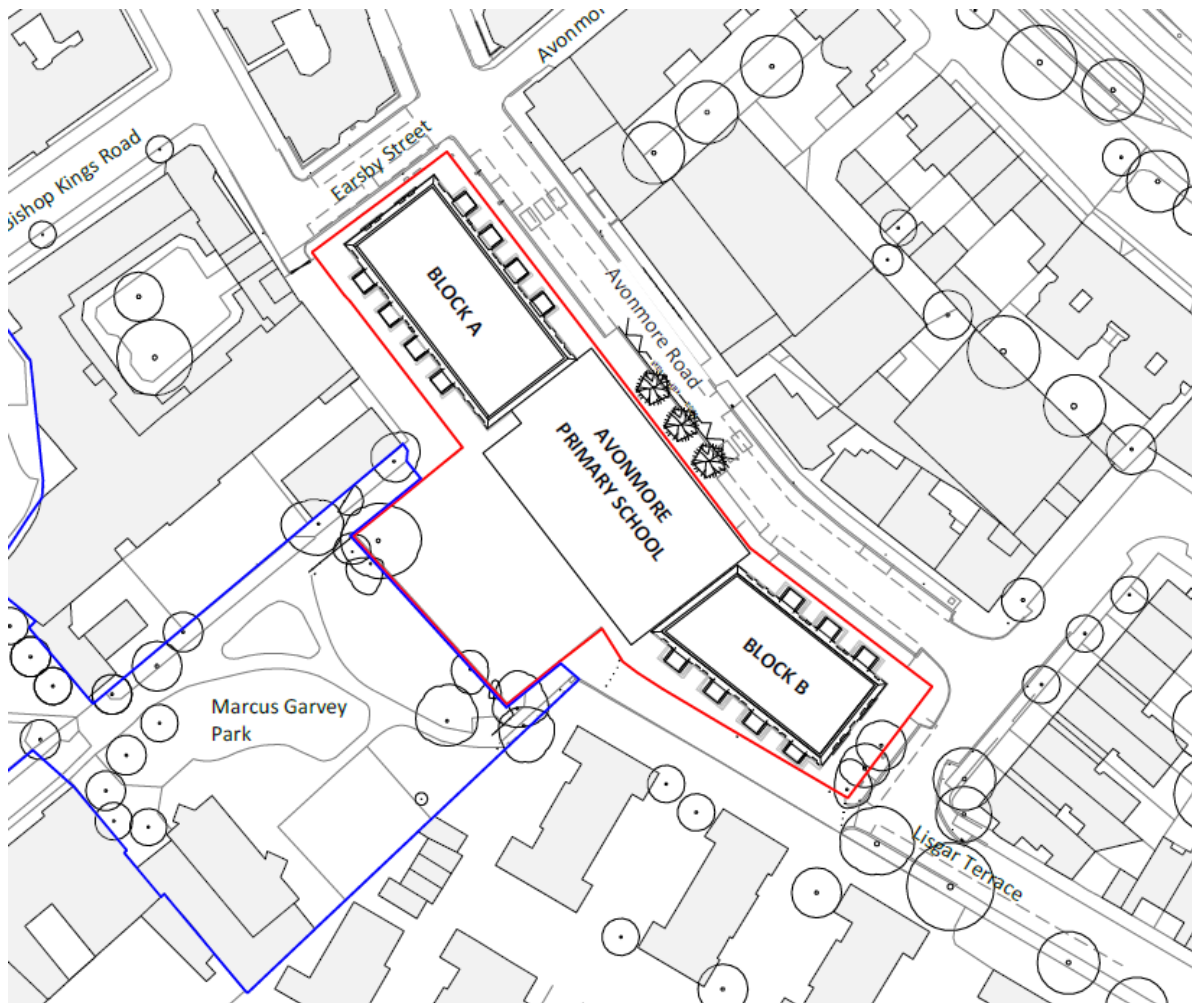


Figure 1: Site Location Plan

Education Provision

- 4.2** The new school building will be centrally located on the site, spanning three levels. It will remain a single-form entry primary school and include the existing 26-place nursery. No reduction or increase in the capacity of the existing school roll is proposed. The new building will provide 2,352 sqm (GIA) of educational and nursery space, an increase of 953 sqm from the current 1,399 sqm. The design meets and exceeds the Department of Education's Building Bulletin 103 standards for internal and external areas.
- 4.3** The school will have 1,560 sqm of external space provision which is equal to the existing 1,560 sqm. The quality of the outdoor space will be enhanced, offering a variety of play, sport, and learning areas. The current yard is disjointed, whereas the new design is multifunctional and created in collaboration with the school. Additionally, the school will have access to Marcus Garvey Park.



Image 1: View of the school building from Avonmore Road

- 4.4** The ground floor will feature an enlarged school hall and ancillary studio facing Avonmore Road, serving multiple purposes such as dining, sports, and performances. A central atrium will connect all levels, acting as a focal hub. Early years classrooms (nursery, reception, and year one) will be at the rear with direct playground access, including a ball games court, play equipment, and scooter/cycle storage to promote active travel.
- 4.5** The first floor will have dedicated staff spaces, including a large meeting room and smaller breakout areas. Classrooms will be located mainly be at the rear, overlooking the playground.
- 4.6** The second floor will host classrooms and ancillary spaces, including larger rooms for art, science, and food technology. It will also feature a terrace with a running track, trim trail, and table tennis equipment.
- 4.7** The roof will be primarily open and flexible, designed for various activities such as play, outdoor learning, and plant growing.



Image 2: View of a classroom in Avonmore Primary School



Image 3: Rear of new school and proposed residential Buildings A and B

Community Space

4.8 The new school would be an important civic building, and LBHF want to ensure the redevelopment of the Site not only benefits current and future users of the school, but also the wider community. Certain spaces within the school are therefore proposed to be made available for the wider community use:

- The community meeting room space at ground floor level.
- The school hall and atrium.
- The science and food technology teaching spaces at second floor level.
- The ground floor external playground space, including the ball court.

4.9 The use of these spaces, including the proposed hours of operation, would be secured via a condition (Condition 88 - School Community Use Facilities). The Design and Access Statement provides a plan illustrating the areas of the school which are envisaged to be provided as community space.

Civic Importance and Community Benefit

4.10 The new school is designed to be a significant civic building, ensuring benefits for both current and future school users and the broader community. To this end, specific areas within the school will be accessible for community use:

- Ground floor community meeting room.
- School hall and atrium.
- Science and food technology teaching spaces on the second floor.
- Ground floor external playground space, including the ball court.



Image 4: View of atrium staircase in Avonmore Primary School



Image 5: View of main hall space in Avonmore Primary School

- 4.11** The availability and operational hours of these spaces will be regulated by condition attached to any planning approval. The Design and Access Statement includes a plan detailing the school areas designated for community use.

Residential Provision

- 4.12** The proposed 91 units has the following unit mix:

Unit Type	Number	Percentage
1 Bed	48	53%
2 Bed	32	35%
3 Bed	11	12%
Total	91	100%

Table 1: Unit Mix

- 4.13** The 91 residential units will be provided across two buildings (Building A and Building B). The revenue from these market-sale units will help finance the new school's construction, aligning with the Community Schools Programme's objective to self-fund through housing development.



Image 6: Avonmore Road: View south towards Building A with School beyond.



Image 7: View of Building B from Lisgar Terrace

- 4.14** The affordable housing provision can be broken down as follows:
- 49.5% by unit count (45 affordable units vs. 46 private units).
 - 55.5% by habitable rooms (145 affordable habitable rooms vs. 116 private habitable rooms).
 - 51.4% by Gross Internal Area (GIA) floorspace (2,859 sqm affordable vs. 2,702 sqm private).
- 4.15** The 45 affordable units will be split into 60% Social Rent and 40% intermediate (London shared ownership). These units will be distributed throughout Building B and the ground floor of Building A, with the buildings designed to be tenure-blind in appearance and operation.
- 4.16** All units will be flats, with the following distribution:
- 38 units (42%) as 1-bed.
 - 40 units (44%) as 2-bed.
 - 13 units (14%) as 3-bed.
- 4.17** All the units would meet or exceed the National Technical Standards in terms of overall unit sizes and the internal space standards of individual rooms and storage space. Each unit will have private amenity space (terrace or balcony) that exceeds minimum standards.
- 4.18** Of the 91 units, 10 (10.9%) will meet Building Regulation requirement Part M4(3) for 'wheelchair user dwellings.' The remaining units will comply with Part M4(2) for 'accessible and adaptable dwellings.'

Submitted Documents

- 4.19** The following documents have been submitted in support of the applications
- Cover Letter 16 November 2023
 - Cover Letter, 15 July 2024
 - Arboricultural Impact Assessment & Method Statement Report
 - Archaeology Assessment MOLA
 - Biodiversity Mitigation and Enhancement Strategy Geosphere Environmental
 - Circular Economy Statement XCO2
 - Daylight and Sunlight Impact Assessment Point 2
 - Demolition and Construction Management Plan Arcadis
 - Design and Access Statement, BPTW (Architecture)
 - Accessibility Statement, Accommodation Schedule, Designing Out Crime, Materials Schedule, Photographs / Photomontages, Sustainable Design and Construction Statement, Landscape Strategy, Indicative Lighting Assessment
 - Architectural Drawings
 - Ecological Impact Assessment Report (Incl. Bat Survey)
 - Energy Statement (Incl. School and Residential Overheating Assessments)
 - Financial Viability Appraisal

- Fire Strategy
- Flood Risk Assessment and Drainage Strategy
- Ground Investigations
- Heritage Statement
- Noise /Acoustic Report
- Operational Waste Strategy
- Planning Statement
- Pre-Demolition Audit
- School Operational Energy Performance
- Statement of Community Involvement
- Sustainability Statement (Incl. BREEAM pre-assessment)
- Townscape and Visual Impact Assessment
- Transport Assessment (Incl. Healthy Streets Assessment, Delivery and Servicing Plan, School and Residential, Travel Plans)
- Whole-life Cycle Carbon Assessment

5.0 PUBLICITY AND CONSULTATION

- 5.1** The Applicant has undertaken a comprehensive programme of community and stakeholder engagement including discussion with community groups and residents surrounding the site.

PRE-APPLICATION PUBLIC ENGAGEMENT

- 5.2** In accordance with the National Planning Policy Framework (NPPF revised December 2023), the Applicant has engaged with the Local Planning Authority (LPA) and a number of other statutory consultees to ensure an integrated design process prior to the submission of this planning application.
- 5.3** The Applicant has discussed the evolving proposals with the London Borough of Hammersmith & Fulham Planning. In addition, the Applicant has sought to engage the local community, details of which are provided in the Statement of Community Involvement submitted in support of this application.
- 5.4** Key comments provided by the London Borough of Hammersmith & Fulham throughout the pre-application process are set out below, the way in which the Applicant team has responded to these comments and the scheme has evolved accordingly is set out in the Design and Access Statement.
- 5.5** An extensive pre-application programme with LBHF officers has been undertaken. The first meeting was held in November 2019, and the concluding meeting was held in July 2023.

School Involvement

- 5.6** Fundamental to the successful implementation of the Community Schools Programme is the need to ensure the school's support for the initiative as they will be directly impacted by any proposed redevelopment. To assist with this, and to ensure they were represented throughout the design process, an

independent Client Design Advisor has been appointed to work directly with Avonmore Primary School. Their role has been to ensure the development is led by the needs of the school and that the proposals are tailored to the particular vision and ethos of the school and the opportunities of its existing site.

Design Review Panel (DRP)

- 5.7** Given the site's prominence, the design underwent independent scrutiny through presentations to the Council's Design Review Panel (DRP) on two occasions. The scheme was presented to the Design Review Panel on 27 May 2020 and 20 October 2020.
- 5.8** The initial DRP session focused on establishing design principles, such as layout, mass, and scale. The design team presented their approach to integrating the school with the residential elements and addressing the relationship with Avonmore Road.
- 5.9** The second DRP session, held in October 2020, delved into the detailed design of the proposals. The Panel noted that the scheme had evolved considerably between the two presentations and supported the key design principles of the scheme. The panel noted positive progress in the residential design, particularly in elevation treatment. The panel highlighted the need for a more celebratory façade along Earsby Street. The panel commented that further detailed reviews were required with regards to the relationship between the school and residential buildings to provide a positive detailing to both schemes, providing an integrated appearance overall. Details of the mansard roofscape, internal arrangements, entrances and balcony treatments to the residential Buildings also required additional detailed reviews.
- 5.10** For the school design, the panel appreciated the progress in design, materiality, and façade rhythm but suggested increasing transparency along Avonmore Road. They also felt the rear boundary treatment was too defensive and needed to be more playful. Additionally, the panel suggested that creating a new route between the school and Marcus Garvey Park would significantly enhance the scheme's permeability.
- 5.11** Regarding the demolition and replacement of Gordon Cottage, the panel recommended further review of the northern residential building to ensure that any replacement development is of the highest quality possible.
- 5.12** Officer comments: The scheme has been subject to additional review and amendments post the DRP sessions. These changes to the detail of the scheme are considered to address the comments raised at the earlier DRP sessions and enhance the quality of both the residential and school buildings delivering a scheme of high quality which has a consistent and integrated appearance overall. Comments upon these elements are made in the design section of this report.

Inclusive Design Review Panel

- 5.13** The scheme was presented to the co-chair of the IDRP ahead of the establishment of the panel. A further formal panel review took place at a session on 19 September 2023. Given the earlier engagement on the scheme, the panel were generally supportive of the approach to development of the site.
- 5.14** The panel queried the how the school building would deliver an inclusive design both in terms of the access to the building, internal spaces and external play spaces. Review of the scheme would be helpful to ensure that future requirements for children with specific needs can be met, for example children with autism or wheelchair users. Clarification was also sought as to whether and all spaces are accessible and usable throughout the year.
- 5.15** The panel supported the approach to the quantum of accessible housing units and delivery of affordable housing in the scheme. The main questions from the panel related to how the future residents can easily access refuse and storage areas, and how fire evacuation would work in instances of power failure. Confirmation was also sought as to whether future residents would have access to Marcus Garvey Park.
- 5.16** Confirmation of accessible parking/access within Avonmore Road was questioned alongside any landscaping improvements to ensure that these features work successfully to allow for easy access to entrances of all buildings.
- 5.17** Officer comment: Further revisions have been made to the scheme and the Design and Access statement accompanying the current planning application, provides a detailed response to the queries raised by the panel. The development offers a level of inclusive design that exceeds the minimum access requirements of the Building Regulations, local and London-wide access policies. These comments are referenced later in this report.

School Stakeholder Engagement

- 5.18** The proposals have undergone detailed consultation with a wide number of school representatives, who have actively participated in the collaborative process. The design development included extensive discussions with the applicant team, starting with site visits to understand the school's operational methods. Articulate Architecture supported the school throughout, acting as the initial contact and creating a brief that compiled feedback from pupils, staff, and parents.
- 5.19** Regular workshops with the school's Senior Leadership Team and governors further developed the brief and provided a platform for options appraisals. Feedback from these meetings and staff consultations was incorporated into the proposals. In September 2020, Walters & Cohen presented a developed design to the school, pupils/parents across various year groups and the council.

- 5.20** The applicant team conducted a series of in-depth meetings and presentations with the public and key community stakeholders, including the Hammersmith Society. Since January 2020, there have been three main stages of public consultation events, an interim 'Listening Phase', and focused engagement sessions with stakeholder groups.
- 5.21** A Statement of Community Involvement was submitted by the applicant, detailing the feedback analysis and how the applicant team addressed public comments in the proposals. This document outlines the steps taken to incorporate community feedback into the final design.

Secured by Design

- 5.22** The applicant liaised with the Met Police Secured by Design Officer to discuss secured by design measures which have been implemented within the Proposed Development.

Application Stage

- 5.23** The planning application has been publicised by the Council as the local planning authority, in accordance with statutory requirements.
- 5.24** The application has been advertised on the following basis
- The scheme comprises a Major Development
 - The proposed development is within a conservation area and may affect its character or appearance.

RESIDENTS

First Public Consultation (6 Dec 20203 – 31 Jan 2024)

- 5.25** The application has been advertised by way of site notices posted around the site (dated: 6 December 2023) and a publicised press notice (6 December 2023) with an expiry date for comments of 31 January 2024. In addition, 874 individual notification letters were sent to neighbouring properties.
- 5.26** A petition in support of the proposals was received signed by 116 signatories. The petition represents 84 properties as 17 signatories have also sent in separate comments against duplicate addresses and 15 signatories used the application site Avonmore School as their address.
- 5.27** 136 letters (excluding the petition) have been received in support and 75 letters raising objections on the grounds of massing; loss of trees; loss of light or overshadowing; construction noise; overlooking/loss of privacy; the design does not allow cargo-bikes given the restriction placed to prevent mopeds. These comments have been addressed in the main assessment sections of this report.

Second Public Consultation (19 July – 23 Aug 2024)

- 5.28** Following changes made to landscaping and the introduction of a 'Forrest Classroom' another round of public consultation was carried out. This was by way of site notices posted around the site (dated: 18 July 2024) and a publicised press notice (24 July 2024) with an expiry date for comments of 23 August 2024. A total of 874 individual notification letters were sent to neighbouring properties.
- 5.29** One additional letter has been received in support and four additional letters raising objections on the grounds of opposing the principle of redevelopment, excessive massing; loss of trees; loss of light or overshadowing; and loss of school playground space. These comments have been addressed in the main assessment sections of this report.
- 5.30** The Council has received comments and representation post this date. All the representations received up to the publication of the report have been recorded and summarised below. In summary the following representations were received:
- 76 objections.
 - 140 in support
 - One petition in support representing 84 properties.
- 5.31** The various objections are summarised as follows under the following categories:

Principle of Development

- Permanently sacrifices valuable school land.
- Community Schools Programme seen as flawed, with negative impacts on the community, environment, and safety.
- A modern school with additional facilities like GP and dental practices is needed.
- Loss of school land hinders future expansion to a two-form entry.
- Potential conflict of interest with the council being both applicant and approver.
- Council should seek alternative funding sources.

Housing

- No affordable housing included.
- Concerns about the affordability of the supposed affordable housing.
- Lack of family housing in the proposals.

Design and Heritage

- Overdevelopment concerns, particularly with two six-story buildings.
- Issues with building layout, density, and safety.
- School will be overlooked, affecting privacy.
- Quality of the proposed playground is questioned.
- Demolition of Gordon Cottage, a listed Building of Merit, is opposed.
- Negative impact on the conservation area's appearance and character.
- Loss of light and overshadowing issues.

Residential Amenity

- Loss of amenity and open character of the area.
- Concerns about overlooking.

Highways

- Problems with parking, traffic, and road safety.
- Loss of on-street parking spaces.
- Increase in parked e-bikes and e-scooters.
- Allocated accessible parking spaces not used, affecting residents.

Environmental/Biodiversity Matters

- Loss of mature trees, playgrounds, and open areas.
- Reduced biodiversity.
- Increased pressure on local services.
- Concerns about low mains water pressure at peak times.
- Lack of clear disclosure regarding tree health; an independent survey in 2018 stated all trees were healthy.
- Miscommunication about tree quality.

School Playgrounds

- Children playing in Marcus Garvey Park will lose their anonymity due to overlooking.

Financial Viability

- Financial viability of the scheme is questioned, with concerns about recklessness and lack of transparency.

Other

- Inadequate consultation on the application.
- Concerns about construction noise, dust, traffic, and disruption.
- Worries about short-term let properties.
- Uncertainty about interim arrangements for school children and nursery.
- Ongoing noise, pollution, and disruption from the redevelopment of Olympia.

Representations received in Support

5.32 140 individual representations received in support of the proposals. The grounds of support are summarised as follows:

Existing School

- The school is difficult to manage due to its old, maze-like structure.
- It requires rebuilding as it is no longer functional.
- There is support for demolishing the outdated building.
- The school has poor energy efficiency and lacks basic amenities.
- The property is in desperate need of improvement and is currently unfit for use.

- The building is deteriorating, with leaks damaging resources such as books.

Proposed School

- The project is seen as a valuable investment that will benefit the local community.
- The design is high-quality, suitable for inner-city London, and aims to enhance learning experiences.
- The new school will offer larger classrooms, playgrounds, and modern facilities.
- It will significantly improve amenities for children, staff, and families.
- The school will incorporate energy-efficient features like air-source heat pumps and solar panels.
- The project will provide first-class facilities and be a community asset.
- It aims to deliver excellent education with modern, well-designed spaces.
- The school will support all children, including those with special needs, and will have accessible facilities.

Proposed Housing

- The project includes 91 new homes, with half designated as affordable housing.
- The development is well-designed in terms of height and form.
- It offers a substantial number of well-proportioned, good-quality homes.

Landscape

- The project includes new landscaping and biodiversity features, enhancing the area's amenities.
- Increased outdoor space will promote exercise and improve children's mental health, which is crucial for their development and learning.

Councillor Morton

5.33 Cllr. Morton made separate comments objecting to the proposals which can be summarised as follows:

- 1) A clear failure of the applicant to consult appropriately with residents, who have overwhelmingly confirmed their opposition to the scheme.
- 2) A lack of financial viability - as stated in the applicant's Viability Assessment.
- 3) An inadequate transport assessment. (Incorrect road reference to 'Kensington High Street'; Too many assumptions and selective data; Availability of 'car clubs' is exaggerated; Inadequate traffic survey; Deliberate lack of provision for Blue Badge holders; Parking restrictions are incorrect; Misleading key to graphic; Inadequate provision for cars; and Over emphasis on cycling)
- 4) A disastrous environmental and heritage impact, involving the loss of 19 mature trees and over 60 metres of hedge, plus the demolition of a listed building (a council asset valued at £2m).

- 5) A financially imprudent school design which appears to be 40% bigger than it needs to be and carries a disproportionate fitout cost.
- 6) Fails to comply with London Plan Policy 3.6, which requires adequate play and recreation space for children. The development offers only 18% of the required play area, with a significant shortfall for children over five years old. The suggestion that nearby parks could compensate for this deficiency is impractical and attempts to reallocate the 70m² <5y old play space to a school habitat garden further undermine the proposal.

Avonmore Residents' Association (ARA)

- 5.34** The management committee of the ARA, on behalf of all the residents who have objected to the planning application, find the proposals for Avonmore Primary School ill-conceived and key 'evidence' presented in support of the application to be unsound.
- 5.35** Considers that the scheme it is not compliant with statutory planning policy. The application scheme fails to comply with the fundamental planning principle that new developments should uphold or enhance the qualities listed in the LBHF and NPPF policies for development in a Conservation Area: a) It would be a dominant presence which would not integrate with the street; b) It would not recreate the sense of place currently associated with the school site; c) It fails to engage with the urban grain of its surroundings, and d) The development proposal offers nothing to mitigate for the loss of the landscape, light and variety brought to the street by the existing school site. These points were set out in full in Appendix 1 – Evaluation, Architecture and Streetscape, Hammersmith Society letter of 29 February.
- 5.36** Failure to consult appropriately: The ARA state they are deeply disappointed by applicants' failure to engage openly and inclusively with residents, and more so, as the Cabinet minutes of 1st July 2019 specifically stated that; That Cabinet notes the approach to consultation and engagement including: (a) the principle that no individual scheme can proceed without substantial resident involvement (c) the establishment of a resident panel to provide oversight of consultation on individual schemes as an integral part of the development gateway process. That the applicant has not involved residents in a meaningful way is a breach of the Council's own policy. In the absence of meaningful involvement and an unwillingness to respond transparently to requests for evidence of public support for the scheme, the ARA, supported by the Hammersmith Society and Ravenscourt Action, carried out its own consultation, in the form of a quantified survey. More than 80% of more than 100 respondents confirmed their opposition to the proposed development. The survey and results are set out in Cllr. Morton's letter of 6th February "Objection - Statement of Community Involvement".
- 5.37** Ignored significant and robust expressions of public opposition: a) Over 800 people signed a 2019 online petition against the demolition of Gordon Cottage; and b) 555 people signed a 2023 online petition supported by the Avonmore Residents Association, The Avonmore Action Group, Ravenscourt Action, Friends of Marcus Garvey Park, Argyll and Glyn Mansions, Friends of

Ravenscourt Park, and the Brackenbury Residents Association to Stop the Sacrifice of School Land, opposed to the development. Further, local resident groups have repeatedly minuted their opposition to the scheme: a) The minutes of the Council sponsored Avonmore & Brook Green Ward Action Group [WAG] consistently recorded unanimous opposition to the redevelopment scheme 'in its current format'. [Minutes 20/07/2021, 20/09/2021, 14/12.2021 and 15/02/2022]; b) After the Council discontinued WAGs, Avonmore residents continued throughout 2022 with regular meetings as the Avonmore Action Group [AAG]. The meeting of 13/09/2022 again voted unanimously to oppose the current Community Schools Programme.

- 5.38** Viability and risk: The applicants own Financial Feasibility Appraisal concludes that the project is 'unviable' – even though essential variable factors have been omitted. Support the various inaccuracies, material omissions and a lack of transparency noted by Cllr. Morton in relation to: Right to Buy sales receipts, Disposal Fees, and construction inflation. Importantly, the destruction of Gordon Cottage, an asset valued at £2m is not accounted for. This project has already been flagged as "at risk": in Cabinet minutes of March 2019 for the Community Schools Programme approval stating: There are a number of programme risks associated, as follows: a) Risk that architect will not be appointed; b) Risk of challenge by consultants not on the DPS; c) Risk of tender price being unaffordable; d) Risk of delay; e) Wider risks within the programme which will be the subject of discussion and decision at later stages e.g. sales risk, rental risk etc.
- 5.39** The Council's own Local Plan, Section 4 – Delivery & Implementation, and Appendix 9 'Viability Protocol' set out rigorous measures for ensuring that projects are financially viable. These measures seem to have been ignored.

Hammersmith Society

- 5.40** The Hammersmith Society recognises the need to improve the school but do not believe that the proposals represent an appropriate development, and that consent should be refused for the following reasons:
- a. The proposed scheme does not meet planning policy requirements, specifically DC1 and DC2, which call for a high-quality urban environment with a design sensitivity wholly absent from this proposal.
 - b. The scale and quality of the development represents substantial change in a conservation area that fails to comply with the stated requirement to enhance the townscape and local environment.
 - c. The proposal is not viable, according to the proposal's own financial viability appraisal, underlined by our detailed analysis, including questions about the sizing and specification of the school. Increasing the number of units intended for Social Rent tenure renders the scheme less viable and a revised FVA must be produced for review.
 - d. Consultation with residents, a mainstay of LBHF's stated values, has been inadequate. Detailed questions from us and our affiliates over many months and years have been left unanswered, leaving us to

- conclude that the applicant does not have answers to reasonable concerns
- e. Viable alternatives offered proactively by local residents have not been responded to
 - f. The impacts on the environment are excessive and unacceptable, due to the destruction of mature trees and overbuilding of green space. Particularly, the proposal fails to meet the minimum Urban Greening Factor (UGF) of the London Plan, and recently introduced Biodiversity Net Gain requirements.
 - g. We believe that the project is compromised by an attempt to fund a substantial housing development by building on school land, a local policy on which we have expressed material concerns for over four years. We are aware that other boroughs have found ways to redevelop schools without resorting to such extreme measures.
 - h. Objects to the proposed revision to change residential doorstep play space located adjacent to Building B to a fenced outdoor 'Forest School Area'. The policy expectation is that (play space) provision is to be made on-site in new development and regeneration schemes wherever possible. The proposal to make use of Marcus Garvey Park puts unreasonable pressure on a small public space. The applicant has not shown in its proposal that it has duly worked through and provided the results of applying the process and benchmarks set out in the SPG Guidance.

The Old Courthouse RTM company

- 5.41** Represents their leaseholders and supports the proposal.

STATUTORY CONSULTATIONS

Historic England (GLAAS)

- 5.42** GLAAS considered the proposals with reference to information held in the Greater London Historic Environment Record and made available in connection with this application and conclude that the proposals are unlikely to have a significant effect on heritage assets of archaeological interest and don't recommend any archaeological conditions to be attached to any approval. GLAAS confirmed that the Site is not in an Archaeological Priority Area.

Historic England (HE)

- 5.43** Proposals and their impact on the historic environment: The demolition of a building of merit would be a loss to the character and appearance of the conservation area. It erodes part of its cherished historic character and appearance and impacts on one's ability to understand and appreciate its evolution. This loss would cause some harm to the designated heritage asset. The height, bulk and scale of the new residential buildings is of concern, particularly the mansard detailing which is out of scale and character with the roofscape of the local area. Its relative scale within the building's design exacerbates its impact giving it undue prominence in views through the conservation area. Its height, scale and bulk would cause some harm.

5.44 HE does not object to the loss of the school buildings or principle of its redevelopment. However, they have concerns regarding the loss of a Building of Merit within the conservation area. It is unclear to HE what the extent efforts have been made to retain and reuse Gordon Cottage within the development site. Heritage assets, including those which are non-designated, are irreplaceable. It is important that proper weight be given to the merit of Gordon Cottage both in its own right and as a positive contributor to the significance of a designated heritage asset. HE would like to remind the council of the duty to pay 'special attention' to the desirability of preserving or enhancing the character or appearance of the conservation area. HE considers the scale and proportion of the proposed development, particularly the double storey roof, are not within the established the character and appearance of the Olympia and Avonmore Conservation Area. HE advises that a reduction in overall height of the building, with particular emphasis on the double-height mansard style upper floors, would help reduce the impact of the proposed development. In its current form, it would, in their view, cause less than substantial harm to the designated heritage asset.

Thames Water (TW)

5.45 TW raise no objection to the proposals but made the following comments;

- a. Waste Comments: With regard to Combined Wastewater network infrastructure capacity, TW do not have any objection to the planning application, based on the information provided. The proposed development is located within 15 metres of a strategic sewer and TW requests that a condition be attached to any approval requiring the submission of a Piling Method Statement for approval.
- b. Groundwater discharges: TW would like an informative be attached to any approval advising that a Groundwater Risk Management Permit is required from TW for discharging groundwater into a public sewer.
- c. Water Comments: With regard to water network infrastructure capacity, TW do not have any objection to the planning application. TW recommend an informative be attached to any approval stating that TW will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- d. The proposed development is located within 15m of Tw's underground water assets and as such they would like an informative be attached to any approval advising that the applicant should read their guide 'working near our assets' to ensure workings are in line with the necessary processes.

Transport for London (TfL)

5.46 TfL raise no objection to the proposals but made the following comments.

- a. **Healthy Street and Active Travel:** As identified in Policy T2 of the London Plan, all developments should seek to deliver improvements that support the Mayor's Healthy Streets approach. The Healthy Streets approach seeks to improve air quality, reduce congestion, and make attractive places to live and work. There are ten Healthy Streets indicators which put people and their health at the heart of decision making and aim to result in a more inclusive city where people choose to walk, cycle, and use public transport.
- b. **An ATZ (Active Travel Zone) assessment** has been conducted on routes to key destinations and assessed against the Healthy Street Indicators. The following routes have been assessed as part of the ATZ assessment: Route 1 – to Kensington Olympia railway, underground and overground station and Santander Cycle Stands; Route 2 – to bus stops and Kensington High Street/A315; and, Route 3 – to Marcus Garvey Park and bus stops on North End Road.
- c. Given the nature of the scheme TfL would expect an hours of darkness ATZ assessment to be undertaken. In addition, routing to the nearest places of worship should also be undertaken.
- d. In line with London Plan policy T2, TfL would support Hammersmith and Fulham in securing contributions/works in kind to deliver improvements which will benefit future occupiers, staff and visitors of the site, support the 10 Healthy Street indicators, and will further encourage active travel.
- e. **Cycle Parking (Residential):** The quantum of residential long stay cycle parking (158 spaces) is compliant with London Plan Policy T5. The quantum of residential short stay cycle parking (5 spaces) is also compliant. The long stay cycle parking spaces are located within the ground floors of Core A and Core B of the residential buildings. Core A is to have 88 spaces and Core B to have 70 spaces. These spaces are mainly two tier spacing with the remaining spaces (5%) accessible for larger or adapted vehicles. TfL question the split of these larger or adapted cycle spaces, with Core A having only two spaces, and Core B having six spaces despite more units being in Core A – it is essential that cycle parking is attractive, accessible and convenient to encourage uptake of cycling.
- f. **Cycle Parking (Education):** Staff Cycle Parking is to the rear of the school building in an external store comprising a total of 20 cycle parking stands. The quantum of long stay cycle parking is compliant with London Plan Policy T5. Students Cycle Parking has been replaced by scooter parking at the rear of the school building in a designated scooter store. TfL question the flexibility of the store and encourage LBHF to ensure the applicant provides a variety of cycle parking in addition to the scooter parking, noting the applicant has indicated many students arrive by scooter. There should still be some provision for cycles. The application indicates the use of some of the school's facilities will be available to book/hire out as a community facility. TfL

request further information to ensure that the cycle parking for this use can be used by external visitors.

- g. Car Parking: The proposed development is to be car-free which is compliant with London Plan Policy T6. The application has not proposed any disabled persons parking bays for either the residential or educational uses. However, the applicant has conducted a parking stress study of nearby roads which indicates the availability of spaces for users with a blue badge. The applicant also indicated that disabled persons parking bays could be applied for if a resident needed a designated parking bay. In this instance this approach is acceptable if the Council also endorses this approach. TfL would expect a permit free agreement is secured by condition for this development.
- h. Deliveries and Servicing: The proposal is for on-street servicing and deliveries for both the educational use and the new residential use. The approach is not compliant with London Plan Policy T7. However, Avonmore Road is a borough highway, and it is unlikely that servicing trips from this scale of development would affect the nearest part of the TLRN (Transport for London Road Network) or SRN (Strategic Road Network). Therefore, it is for LBHF Highways to agree to the acceptability of on street servicing from the proposed development.
- i. Demolition and Construction: An outline Construction Logistics Plan has been submitted in line with London Plan Policy T7. It is understood that the students will move out of the site once demolition takes places and will use the recently vacated Fulham Boys School. It is anticipated that between 20 and 30 construction vehicles movements will occur at peak times during the demolition phase and between 18 and 22 vehicle movements per day during the construction phase. During construction it appears from the swept path analysis that construction vehicles will not comply with London Plan Policy T7 which states that construction vehicles must enter and exit in a forward gear. The proposals indicate that there would be a reversing manoeuvre into the site. Given that Avonmore Road is a borough highway it is for Hammersmith and Fulham to decide the acceptability of the arrangement. However, TfL would strongly recommend that banksmen are identified on the plans.
- j. Residential Travel Plan: A residential travel plan has been submitted alongside this application. TfL are satisfied that the Travel Plan has been produced in line with guidance and is acceptable.
- k. School Travel Plan: A school travel plan has also been submitted which is an existing school travel plan. TfL are satisfied that the School Travel Plan has been produced in line with guidance and is acceptable.

The Environment Agency (EA)

- 5.47** The EA reviewed the proposals and confirmed they have no comments to make regarding this application as it falls under their Flood Risk Standing Advice and is therefore outside of our consultation remit.

The London Heliport

- 5.48** The proposed development has been examined from a physical safeguarding perspective only. If cranes are required as part of the installation of the equipment, the applicant will need to liaise directly with the Heliport in accordance with current Civil Aviation Authority guidelines

Active Travel England

- 5.49** Given the role of Transport for London (TfL) in promoting and supporting active travel through the planning process, Active Travel England (ATE) will not be providing detailed comments on development proposals in Greater London at the current time.

London Underground DLR Infrastructure Protection

- 5.50** London Underground/DLR Infrastructure Protection commented that they have no comments to make on this planning application as submitted.

Network Rail

- 5.51** Network Rail confirm they have no objections to the proposal.

6.0 POLICY CONTEXT AND PLANNING CONSIDERATIONS

Planning Framework

- 6.1** The Town and Country Planning Act 1990 (referred to as 'the Act'), the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England and Wales. Collectively, the three Acts create a 'plan led' system, which requires local planning authorities to determine planning applications in accordance with an adopted statutory Development Plan, unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

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

National Planning Policy Framework 2023 (NPPF)

- 6.3** National Planning Policy Framework 2023 (NPPF) is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

- 6.4** The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed Development that accords with an up-to-date Local Plan should be approved and Proposed Development that conflicts should be refused unless other material considerations indicate otherwise.

- 6.5** With regard to this application, all planning policies in the NPPF, London Plan 2021, Local Plan 2018 and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report

have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in officers' assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

The London Plan (2021)

- 6.6** 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)

- 6.7** 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).

Planning Considerations

- 6.8** The proceeding sections considers the following key planning considerations:
- Principle of Development
 - Layout, Height, and Massing
 - New Housing (Density, Housing Mix, Affordable Housing, Tenure, Affordability, Delivery, Financial Viability Assessment)
 - Standard of accommodation (Security, Internal size layout, Aspect, Amenity space, Accessible Homes, Privacy, Daylight/Sunlight (within the development))
 - Landscape and Play Space
 - New School
 - Design, Appearance and Heritage (Scale and Massing, Architectural Character, Heritage and Townscape, Application site – Heritage constraints, Demolition of the buildings currently occupying the site, Other heritage assets impacted by the proposals, Townscape, Conclusion)
 - Amenity Impacts (Overlooking/Privacy, Daylight, Sunlight, and Overshadowing, Daylight and Sunlight, Daylight Assessment, Open Space/Overshadowing, Conclusion)
 - Highways and Transport (Access, Car Parking, Cycle Parking, Trip Generation, Healthy Streets, Construction Logistics, Delivery and servicing, Travel Plan, Mitigation)
 - Sustainability and Energy
 - Flood Risk Drainage and Water Resources
 - Waste and Recycling
 - Ground Conditions
 - Air Quality

- Noise and Vibration
- Ecology
- Archaeology
- Fire Safety
- Designing out crime
- Socio Economics / Social Value

PLANNING ASSESSMENT

7.0 PRINCIPLE OF DEVELOPMENT

Policy Context

7.1 The NPPF 2023 states that applications should be considered in the context of a presumption in favour of sustainable development and that development proposals which accord with the development plan should be approved without delay. The NPPF requires planning policies and decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

7.2 NPPF Para. 60 states: “to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

7.3 NPPF Para. 95 states that LPA’s should take a proactive, positive and collaborative approach to meeting the requirement for a sufficient choice of school places to meet the needs of existing and new communities. It adds that they should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications

The London Plan (2021)

7.4 The London Plan Policy focuses on optimising brownfield sites, particularly for new housing development, removing the restrictive density matrix and placing the emphasis on design-led sustainable development. The following strategic policies are considered most relevant to the application:

7.5 Policy GG2 (Making the Best Use of Land) sets out the criteria that must be addressed in order to create successful sustainable mixed-use places that make the best use of land. This includes

- enabling the development of brownfield land, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites;
- prioritising sites which are well-connected by existing or planned public transport;
- proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs,

services, infrastructure and amenities by public transport, walking and cycling; and

- applying a design-led approach to determine the optimum development capacity of sites.

7.6 Policy GG4 (Delivering the Homes Londoners Need) sets out the criteria that must be addressed in order to create a housing market that works better for all Londoners. This includes:

- ensuring that more homes are delivered; and
- supporting the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable.

7.7 Policy GG6 (Increasing efficiency and resilience) states that those involved in planning and development must:

- A. seek to improve energy efficiency and support the move towards a low carbon circular economy.
- B. ensure buildings and infrastructure are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards, while mitigating and avoiding contributing to the urban heat island effect.
- C. create a safe and secure environment which is resilient the impact of emergencies.
- D. take an integrated and smart approach to the delivery of strategic and local infrastructure by ensuring that public, private, community and voluntary sectors plan and work together.

7.8 Policy D3 (Optimising Site Capacity through a Design-led Approach) requires all development to make the best use of land by following a design-led approach. This policy contains a number of design principles which developments should incorporate, which whilst not repeated verbatim, are summarised below:

- Enhance the local context by delivering buildings which respond to local distinctiveness and character through their layout, orientation, scale, appearance and shape, whilst having regard to the existing and emerging street hierarchy, building types, forms and proportions;
- Be of high design quality, using attractive and robust materials;
- Be street-based with a clearly defined public and private environment;
- Deliver appropriate outlook, privacy and amenity.

7.9 Policy H1 (Increasing Housing Supply) set out annualised housing targets for London Boroughs over the next 10 years, with a strategic target to deliver 64,935 homes in London per annum. The Borough of Hammersmith & Fulham has been assigned with a ten-year housing target of 16,090. To optimise the potential for housing delivery, the Plan promotes delivery of housing on small sites, brownfield land, in areas with PTAL equal or superior to 3, on car park and low-density retail park sites, on public sector owned sites, and on identified industrial sites.

- 7.10 Policy S3 (Education and childcare facilities)** aims to guide the development of education and childcare facilities to meet community needs effectively. Facilities should have entrances and playgrounds away from busy roads and link to footpath and cycle networks to encourage active travel for children. Designs should support shared use for community and recreational purposes, be inclusive and accessible to all, and incorporate outdoor space. Ideally, facilities should be situated near parks or green spaces, and existing facilities should not be reduced unless future demand is lacking.
- 7.11 Policy S4 (Play and informal recreation)** addresses the need for play and informal recreation spaces, especially in developments used by children and young people. It calls for increased opportunities for play and independent mobility and ensures residential developments include at least 10 square meters of accessible, quality play space per child. Play areas should integrate with the surrounding neighbourhood, be safe and inclusive, and be accessible from the street.
- 7.12 Policy S5 (Sports and recreation facilities)** focuses on sports and recreation facilities, encouraging accessible locations connected by public transport, walking, and cycling routes. The policy promotes multi-use facilities and collaboration between schools, universities, and community providers, as well as supportive measures like sports lighting where appropriate. Existing sports and recreational spaces should be preserved unless assessments show they are no longer needed, are replaced with equivalent facilities, or the new development provides greater community benefits through alternative sports or recreational uses.

The Hammersmith & Fulham Local Plan (2018)

- 7.13 Policy HO1 (Housing Supply)** states that the council will work with partner organisations and landowners to exceed the London Plan (2016) minimum target of 1,031 additional dwellings a year up to 2025 and to continue to seek at least 1,031 additional dwellings a year in the period up to 2035. It adds that new homes to meet London's housing need will be achieved by a number of measures, including the development of windfall sites.
- 7.14 Policy CF1 (Supporting Community Facilities and Services)** states that council will work with its strategic partners to provide borough-wide high quality accessible and inclusive facilities and services for the community by seeking the improvement of school provision, including the improvement and/or expansion of primary schools through the primary school capital programme.

Supplementary Planning Documents and Guidance

- 7.15 BM2 (Proposals affecting buildings of merit)** states that development will not be permitted if it would result in the demolition, loss or harmful alteration to any buildings identified on the council's Register of Buildings of Merit unless:
- a) The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or

- b) The proposed development would outweigh the loss or harm to the significance of the non-designated heritage asset; and
- c) The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses; and
- d) The existing building or structure has been fully recorded.

Principle of Redevelopment of Avonmore Primary School

- 7.16** **NPPF Paragraph 95** highlights the necessity of providing adequate school places and encourages local planning authorities to prioritize the creation, expansion, or alteration of schools in their planning decisions.
- 7.17** **London Plan Policy S3** mandates that development projects should not result in a loss of education or childcare facilities. The supporting text underscores the critical role of high-quality education in enhancing life opportunities and promoting social mobility. It also emphasizes the importance of well-designed educational facilities for creating an effective learning environment.
- 7.18** **Local Plan Policy CF1** aims to improve school facilities, including expanding primary schools. Although Avonmore Primary School wasn't initially targeted for improvements, the Community Schools Programme now supports its redevelopment.
- 7.19** The existing school and nursery buildings are outdated and inadequate for providing an optimal learning environment. Significant improvements are needed, but the costs are prohibitively high and unsustainable in the long term.
- 7.20** The new building will maintain the current capacity, offering a single form entry from Reception to Year 6 and a 26-place nursery.
- 7.21** The new school will be larger, meeting or exceeding Department for Education space standards (Note BB103) with larger internal spaces, such as a hall and studio. The proposals will deliver the same amount of school outdoor play space comprising of innovative multi-level outdoor areas plus a 'Forest School' garden comprising an outdoor classroom with a mix of formal and informal seating to accommodate up to 30 students.
- 7.22** The school will also have scheduled access to the nearby Marcus Garvey Park Multi Use Games Area (MUGA), providing additional outdoor space as needed.

Principle of Residential/Mixed-Use Development

- 7.23** **NPPF Paragraph 8** emphasizes the importance of supporting vibrant communities by providing a sufficient number and range of homes to meet the needs of current and future generations. Paragraph 59 highlights the need to significantly boost the supply of homes by ensuring sufficient land is available where it is needed. Paragraph 118 encourages the development of

under-utilized land and buildings to meet housing needs, especially in areas with constrained land supply. Paragraph 121 advocates a positive approach to alternative uses of developed land to meet identified development needs, supporting proposals that make efficient use of sites providing community services, such as schools, while maintaining or improving service quality and access to open space.

- 7.24 The London Plan** sets an ambitious ten-year housing target for the borough of 16,090 new homes (1,609 new homes annually). This is an increase from the current adopted London Plan target of 1,031 new homes annually. Policy H1 sets out that for these housing targets to be met, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites. Sites with existing or planned PTAL's of 3-6 are identified specially as a potential source of increased housing capacity.
- 7.25 Local Plan Policy HO1** states that the Council will work to exceed the London Plan (2016) minimum target of 1,031 new homes per annum. Given this version of the London Plan is replaced, the Council should now be aiming to provide 1,609 new homes annually, an uplift of 578 new homes.
- 7.26 London Plan Policy H1** sets a ten-year housing target for the borough of 16,090 new homes, emphasizing the need to optimize brownfield sites and areas with high public transport accessibility levels (PTAL 3-6). Policy HO1 aims to exceed the previous target of 1,031 new homes annually, now targeting 1,609 new homes per year as required by the London Plan 2021.
- 7.27** The Proposed Development would make better and effective use of brownfield land to create homes that would directly support the economic growth and competitiveness of the capital and support the regeneration of inner London generally. In doing so it can unlock social benefits and enable opportunities for environmental improvements
- 7.28** Although the Community Schools Programme is a Council initiative and does not form part of the Development Plan framework, this initiative aims to regenerate and improve school assets in the borough, aligning with the Local Plan's goals for education and affordable housing.
- 7.29** The housing development is essential to fund the new Avonmore school and community space, fulfilling the programme's ambitions to improve educational outcomes, address funding challenges, support local communities, and deliver affordable housing.
- 7.30** The new school and associated improvements will be funded in part by the housing development, serving as a template for future cost-effective improvements across the borough and London. the quality and usability of the new play areas will be significantly enhanced, providing:
- New ball courts, climbing structures, and seating-integrated planters.
 - Running tracks, interactive walls, and sports/play areas on the lower roof.

- Table tennis tables, log trails, jumping discs, and outdoor seating/social areas on the upper roof.
- An outdoor classroom and habitat zone with growing areas and planters.

- 7.31** The cross-subsidy enabled through housing development will support a school building, improved and useable outside spaces and can provide a template for how future improvements can be made in a cost-effective way across Hammersmith and Fulham and the wider London area. This cross-subsidy model is already commonplace in other areas of Government, at both local and national levels.
- 7.32** Whilst the LBHF 2018/22 Business Plan does not form part of the adopted Development Plan Framework, there is a commitment contained within this that LBHF will directly deliver 1,500 new affordable homes during this period. The development of this site would directly contribute towards achieving this target.
- 7.33** The Proposed Development would make better and effective use of brownfield land to create homes that would directly support the economic growth and competitiveness of the capital and support the regeneration of inner London generally. In doing so it can unlock social benefits and enable opportunities for environmental improvements.
- 7.34** In summary, the principle of a residential development is considered to be in line with the core planning principles in the NPPF which places particular focus of stimulating economic growth. The provision of the additional employment connected with the construction, design, and development processes (including on-going project management and open space maintenance) would be considered to encourage economic growth in accordance with the NPPF.
- 7.35** On balance, it is concluded that the principle of the proposed development, subject to appropriate conditions, would accord with National Policies within the NPPF, London Plan 2021 and Policies H01, H03, DC1, DC2 and DC3 of the Local Plan 2018. The proposal would also assist with achieving the regeneration aspirations for the site and wider area and resulting significant public benefits in accordance with the Local Plan 2018.

8.0 LAYOUT, HEIGHT, AND MASSING

Layout

- 8.1** All existing buildings and structures on the site, including Gordon Cottage, will be demolished to make way for new educational and residential spaces.
- 8.2** The Design and Access Statement submitted in support of this application reveals multiple layout options were considered, with input from the Avonmore School Steering Group, and to ensure separate buildings for the school and residential areas.

- 8.3** The proposed site arrangement is guided by these principles:
- Separate buildings for education and residential uses, with no residential units above the school.
 - Maintain the civic presence of Avonmore Primary School by placing the new school building centrally, ensuring a strong sense of arrival.
 - Preserve openness around Marcus Garvey Park.
 - Enhance street edges in response to the surrounding residential area's tight-knit pattern.
 - Establish a new building line and active frontage along Avonmore Road.
 - Retain as many high-quality Category-A trees as possible.
- 8.4** The layout includes three new buildings: the school at the centre, flanked by two residential buildings (Building A to the northwest and Building B to the southeast), with the school playground at the rear, adjacent to Marcus Garvey Park. The school building line will be moved forward along Avonmore Road to maximize the school footprint and create a prominent entrance.
- 8.5** This arrangement allows for the retention of Category A trees along the northeast boundary facing Lisgar Terrace. Building B's building line is adjusted for this purpose. Trees along Avonmore Road will be removed, but replacement planting is planned.
- 8.6** Officers consider that the layout of the scheme would provide a positive contribution towards the wider area and integrate the development within the surrounding context.
- Height, Scale and Massing**
- 8.7** The design of the three new buildings aims to meet two objectives: provide adequate space for the school's educational needs and generate sufficient private housing to help fund the new school, while respecting the surrounding environment.
- 8.8** The buildings will vary in height: the school will be three storeys tall (including roof level), while the residential buildings will be six storeys (four to the parapet level plus two recessed upper floors). Despite being taller, the residential buildings will not overshadow the school. The school's design follows a multi-level urban school typology, different from the previous single-storey setup.
- 8.9** The residential buildings' scale is balanced to avoid dominating adjacent mansion blocks. The roof forms are designed to be lightweight, with the upper two storeys sculpted to reduce visual impact.
- 8.10** Extensive pre-application discussions with the Local Planning Authority and the Design Review Panel have ensured the height, scale, and massing are suitable for the site.

8.11 Officers conclude that the proposal optimizes the site's use and aligns well with the surrounding townscape, complying with Local Plan policies DC1 and DC8.

9.0 NEW HOUSING

9.1 **Paragraph 63 of the NPPF** states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site.

9.2 At the regional level, the **London Plan** emphasises the need for more homes in the capital at a range of tenures and of a range of sizes. As such there are several planning policies that seek to support the development of residential properties across the city.

9.3 **London Plan Policy GG4 (Delivering the homes Londoners need)** seeks to create a housing market that works better for all Londoners and create mixed and inclusive communities that meet high standards of design and provide for identified housing needs. **Policy H1** recognises the pressing unmet need for housing across London and sets out the strategic approach for significantly increasing housing supply. In Hammersmith and Fulham, Table 4.1 of the London Plan specifies a minimum ten-year housing target of 16,090 homes, which is equivalent to 1,609 homes per annum.

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

Density

9.5 The London Plan focuses on optimising brownfield sites, particularly for new housing development, removing the restrictive density matrix and placing the emphasis on design-led sustainable development.

9.6 **London Plan Policy GG2 (Making the Best Use of Land)** sets out the criteria that must be addressed in order to create successful sustainable mixed-use places that make the best use of land. This includes

- enabling the development of brownfield land, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites;
- prioritising sites which are well-connected by existing or planned public transport;
- proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling; and
- applying a design-led approach to determine the optimum development capacity of sites.

- 9.7 London Plan Policy GG4 (Delivering the Homes Londoners Need)** sets out the criteria that must be addressed in order to create a housing market that works better for all Londoners. This includes:
- ensuring that more homes are delivered; and
 - supporting the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable.
- 9.8 London Plan Policy D3 (Optimising site capacity through the design-led approach)** does not seek to rigidly apply a density matrix but rather states that development proposals ‘must make the most efficient use of land and be developed at the optimum density’ (with consideration being given to site context, connectivity and accessibility, and the capacity of surrounding infrastructure). Proposals that do not demonstrably optimise the housing density of a site should be refused, and greater scrutiny of design is required the greater the level on density.
- 9.9 Local Plan Policy HO4 (Housing quality and density)** expects housing in existing residential areas to be predominantly low to medium density and to consist of low to medium rise developments, it recognises that high density development may be appropriate in highly accessible areas, subject to design, compatibility with local contexts and transport impacts and highway capacity. It adds that high density housing with limited car parking can help ensure housing output is optimised and may be appropriate in locations with high levels of PTAL, provided it is compatible with the local context and principles of good design and is satisfactory in other respects. The Site has a Public Transport Accessibility Level (PTAL) range rating of 5 which is highly accessible.
- 9.10** Site dimensions and surrounding context are determining factors to establish the most suitable building layout, internal arrangement, and density configuration for the Proposed Development. The design has been developed by assessing the site opportunities and constraints and has been amended further to discussions with officers, local residents and key stakeholders.
- 9.11** Officers are mindful of the fact that density is a guide to ensure optimisation of brownfield sites, and other issues should be considered, such as quality of design, sensitivity of works, new linkages and public routes through the site and other regeneration benefits of the scheme. Both London Plan 2021 and Local Plan 2018 policies are clear that density ranges should not be applied mechanistically, and developments should make efficient use of land to optimise housing delivery. Overall, the proposed density is considered acceptable, given the high quality of design (discussed further below), the site’s characteristics, its capacity to accommodate growth and takes the form of a mid-rise development, in line with Policy HO4.

Housing Mix

- 9.12** The NPPF requires local planning authorities to deliver a wide choice of high-quality homes and to plan for a mix of housing in terms of size, type, tenure and range based on local demand.
- 9.13** **London Plan Policy H10 (Housing size mix)** considers that schemes should consist of a range of unit sizes and should seek to deliver mixed and inclusive neighbourhoods. The policy further acknowledges the role that an appropriate housing mix can play in optimising the housing potential on sites. The supporting policy text also recognises that well designed 1 and 2-bed units have an important function as they can attract those wanting to downsize from their existing homes and free up existing family housing stock. 2-bed/4-person units are further considered to play a role in delivering homes which are suitable for families.
- 9.14** **Local Plan Policy HO5 (Housing Mix)** sets out the housing mix which developments should aim to meet subject to viability, locational characteristics and site constraints being considered on a site-by-site basis.
- 9.15** The proposed mix of unit sizes has been arrived at through careful consideration of the actual housing demand in the area, as well as the need to maximise the provision of new affordable units given the Council's housing waiting list. The proposed mix has been assessed by LBHF's Housing Allocations team who have confirmed that it reflects local need. Although the proposed housing mix does not fully align with Policy HO5, the policy wording does stipulate that the housing mix stated for each tenure is approximate and should be considered on a site-by-site basis. This is the approach which has been taken for the Proposed Development to ensure the proposed housing mix would respond to local need.
- 9.16** The housing mix for the Proposed Development is stipulated in the following table:

Unit Type	Number	Percentage
1 Bed	48	53%
2 Bed / 3 Person	24	26%
2 Bed / 4 Person	8	9%
3 Bed / 4 Person	5	5%
3 Bed / 5 Person	6	7%
Total	91	100%

Table 2: Dwelling Mix of Proposed Development

- 9.17** Officers consider that the proposed range of unit types will create a balanced community. The proposed mix is acceptable and considers the wider strategic requirements of the Council in accordance with the NPPF, Policy H10 of the London Plan 2021 and Policy HO5 of the Local Plan 2018.

Affordable Housing

- 9.18 Paragraph 63 of the NPPF** states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site.
- 9.19 London Plan Policy H4 (Delivering affordable housing)** sets a minimum threshold of 50% affordable housing provision on public sector land where there is no portfolio agreement with the London Mayor.
- 9.20 London Plan Policy H5** supporting paragraph 4.5.3 clarifies that the percentage of affordable housing on a scheme should be measured in habitable rooms, however it may also be appropriate to measure the provision using habitable floorspace and that the affordable housing figures should be presented as a percentage of total residential provision in habitable rooms, floorspace and units to enable comparison.
- 9.21 Policy HO3 of the Local Plan (Affordable Housing)** states that affordable housing will be sought on all developments capable of providing 11 or more self-contained dwellings and will be negotiated based on a borough wide target of 50% provision.
- 9.22** A total of 91 residential units would be delivered of which a 45 would be provided as affordable units. The remaining 46 units would be provided for private sale.
- 9.23** The Proposed Development would provide the following affordable housing provision:
- 49.5% when measured by unit
 - 55.5% when measured by habitable room.
- 9.24** The proposed quantum would therefore meet and exceed the 50% affordable housing provision required by the London Plan and the Local Plan. As well as complying with policy, the proposed provision positively responds to both the objective of the Community Schools Programme to provide affordable housing and LBHF's Business Plan 2018/22 to directly deliver 1,500 new affordable homes.

Tenure

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

9.26 The proposed accommodation schedule, setting out the proposed unit numbers, mix and tenure is provided in Table 3 below.

	Social Rent	London Shared Ownership (S/O)	Private Sale	Total
1-bed/2-person	16	7	25	48
2-bed/3-person	6	5	13	24
2-bed/4-person	-	-	8	8
3-bed/4-person	3	2	-	5
3-bed/5-person	2	4	-	6
Total no. units	27	18	46	91
% units	30%	20%	50%	100%

Table 3: Proposed Accommodation Schedule

9.27 For the 45 affordable units, 27 would be provided at Social Rent levels and 18 would be provided as Shared Ownership (S/O) units. This equates to a tenure split within the affordable provision of 60% affordable rent (SR/LAR) and 40% intermediate tenure (S/O) when measured by unit.

9.28 The affordable housing unit mix is provided in Table 4 below.

	Social Rent		Intermediate		Total 45 units %
	Proposal	Policy	Proposal	Policy	
1-bed	37%	10%	33%	50%	50%
2-bed	30%	40%	45%	35%	25%
3-bed	33%	35%	22%	15%	25%
4-bed	0%	15%			

Table 4: Proposed Housing Mix by Tenure

9.29 The supporting text (paragraph 6.53) to Local Plan Policy H05 acknowledges that for the intermediate housing, the council's SHMA has identified a high need for 1-bedroom properties (64%) and 2-bedroom properties (30%), based on the council's HomeBuy Register. The proposed unit mix will deliver 50% one-bedroom units and 25% two-bedroom units.

9.30 Officers consider that with regards to affordable housing mix, the Proposed Development is in line with Policy HO5 of the Local Plan 2018 and Policy H6 the London Plan 2021.

Affordable Housing Affordability

9.31 For the units to be delivered as Social Rent and the rent would be in line with the prevailing benchmarks set out in the Local Housing Allowance (LHA) (currently £140-£155 per week for a one bed, £160-£175 for a two bed and £185-£205 for a three bed). These weekly rents are exclusive of service charge.

9.32 The SO units would be available to households with a combined per annum income of up to circa £60k for the 1-bedroom units, up to circa £70k for the

2-bedroom units; and up to £90k max for the 3-bedroom units which is in accordance with the London Plan 2021. The Proposed Development will deliver 55.5% affordable floorspace measured by habitable rooms with 60% of the total units proposed delivered at affordable rent levels.

- 9.33** The Proposed Development is considered to be in accordance with Policies H4 and H6 of the London Plan 2021, Policies HO3 of the Local Plan 2018 Policy HO3, and The Affordable Housing and Viability Supplementary Planning Guidance (SPG) 2017.

Affordable Housing Delivery

- 9.34** It is currently anticipated that the Proposed Development will come forward as two phases and the indicative delivery programme for the development has been estimated at approx. 2 years, with construction works commencing in Q2 of 2025 and completion anticipated in Q2 of 2027.

Financial Viability Assessment

- 9.35** **London Plan Policy H5 (Threshold approach to applications)** states that in order to follow the Fast Track Route of the threshold approach, applications must meet all listed criteria which include meeting or exceeding the relevant threshold level of affordable housing on site without public subsidy. Instead, the Proposed Development has followed the Viability Tested Route outlined in London Plan Policy H5 and the Mayor's Affordable Housing and Viability SPG to demonstrate that the maximum reasonable amount of affordable housing is provided.

Applicant's Financial Viability Assessment

- 9.36** The application was submitted with a Financial Viability Assessment (FVA). Two scenarios have been modelled by comparing the Residual Land Value of the Proposed Development against the Benchmark Land Value of the existing site:

- Scenario 1: self-delivery by the Council (the project is being delivered under this scenario).
- Scenario 2: developer-led delivery

- 9.37** The differences modelled here are focused on profit requirement, commercial income and funding costs. Aim for Scenario 1 is break even and Scenario 2 requires a developer's profit (20% of private residential GDV and 6% of affordable housing GDV).

- 9.38** The applicant's appraisals conclude that the Council delivery scenario is the most viable displaying a deficit of -£12,663,000 compared to a deficit of -£23,801,000 outlined in the developer-led appraisal. On this basis the scheme is technically unviable, but it is noted that the Applicant is committed to providing 50% affordable housing which is considered to be in excess of the maximum reasonable amount based on the appraisals.

Assessment

- 9.39** The FVA submitted has been reviewed by independent consultants Aspinall Verdi (AV). The purpose of this independent review is to determine, whether the submitted FVA represents a reasonable assessment of site viability and whether the proposed scheme is sufficiently viable to support LBHF's policy requirements.
- 9.40** The Residual Land Values (RLV) generated by AV's appraisals differ from the Applicant's, due to varying costs and values. Their appraisals conclude that the Council delivery scenario (Scenario 1), with a policy-compliant level of affordable housing, generates a deficit of -£2,495,491 which represents an improvement in viability of c.£10,100,000 when compared to the outcome of the Applicant's appraisal. Unlike Scenario 1, the appraisal for the developer-led scenario includes income for the proposed school, however a profit allowance is made and funding income is not included in this instance. Due to these changes inputs the viability of the scheme has worsened significantly. AV's independent appraisals showed a considerably larger deficit of -£13,500,403 if the scheme were to be delivered privately by the market. This represents an improvement of £10,300,00 upon the outcome of the Applicant's assessment, due to favourable adjustments to the Benchmark Land Value (BLV), build costs and residential Gross Development Value (GDV). Based on their review of the Applicant's viability assessment and analysis of the proposed development, AV conclude that the scheme as a Council-led scenario is significantly more viable than if it was brought forward by the private sector.
- 9.41** The RICS Practice Statement requires that all FVAs and subsequent reviews must provide a sensitivity analysis of the results and an accompanying explanation and interpretation in respective calculations on viability, having regard to risks and an appropriate return(s). AV's sensitivity analyses have demonstrated how the viability can change subject to adjustments to appraisal inputs – notably the sales values and construction costs. With increases in sales values of 5.0% and decreases in construction costs by the same amount, a Council-led scheme becomes viable, producing a surplus of c.£1,500,000. As such, if there are favourable shifts to the market over the development period, there may be scope to provide additional contributions towards financial obligations.

Deliverability

- 9.42** The Council considers that by applying its own internal performance metrics, which are based on a long-term cashflow model, this scheme is viable and deliverable. This approach is common in local authority and housing association development projects and is used across the country.
- 9.43** This long-term cashflow model is used consistently for all schemes in the Council's development programme and adopts specific assumptions which are different to the parameters of a commercial appraisal that are used by private/market developers.

9.44 The main differences are as follows:

- No land value allowance as the Council owns the site and consequently, there are no site acquisition costs.
- There is no allowance for profit, as the Council is the developer. The Council is not applying the usual profit margin of 20-25% on cost which would typically be included by a commercial developer and is tested as part of viability assessment required for planning.
- Long term residential affordable housing rental income is included which supports repayment of the costs of construction.

9.45 A single design & build contract is proposed for delivery of the entire project. The build is funded through a combination of Housing Revenue Account and General Fund borrowing, Right to Buy (RTB) receipts and sales receipts from shared ownership and private leasehold sales. RTB receipts are available now for use on the project and can be supplemented by future receipts.

9.46 The Council as developer/applicant has committed to delivering the proposed new school, nursery and new through the following approvals:

- Cabinet Report (March 2019) - Community Schools Programme - approval for school renewal strategy and procurement of inclusive design team including Avonmore Primary School.
- Cabinet Report (June 2024)– Avonmore Primary School – Construction contractor procurement strategy budget and request - approval given and the decision also “Notes that Full Council approval will be sought for a total Development capital budget, including contingencies, to deliver the proposed new one form entry school and associated nursery and SEND facilities and new homes, to be funded through a combination of HRA and GF borrowing, Right to Buy receipts and capital sales receipts from shared ownership and private leasehold sales, as set out in exempt Appendix 2.”

9.47 Additionally, planning conditions are proposed which includes requirements to provide evidence of a building contract before the development commences to control and manage demolition and the construction stages to ensure full delivery of both school and residential elements.

9.48 In summary, officers consider that although the proposed 55.5% by habitable room affordable housing split into 60% Social Rent and 40% Shared Ownership tenures represents in excess of the maximum reasonable level of affordable housing the scheme can viably support, the applicant is committed to delivering the scheme as proposed and recognise that there are longer term objectives. The project is being delivered under the council-led Scenario 1.

9.49 The proposals would secure an uplift in housing provision, including affordable homes, representing a substantial benefit to the Council where, like most of London, there is a considerable need for new homes particularly affordable homes. The Proposed Development would accord with Policies

HO1, HO3 and HO4 of the Local Plan 2018, as well as the suite of housing policies in the London Plan 2021.

10.0 STANDARD OF ACCOMMODATION

- 10.1** Housing quality is a key consideration in the assessment of applications for new developments. **London Plan Policy D6 (Housing quality and standards)** requires all new dwellings to have 'high quality design and adequately sized rooms' in line with space standards. This is reinforced in **Local Plan Policy HO4 (Housing Quality and Density)**. All the homes would comply and, in some cases, exceed the relevant space standards set in Policy D6 of the London Plan, which are consistent with the Nationally Described Space Standard.
- 10.2** **The Mayor's Supplementary Planning Guidance** on 'Housing' makes clear that a key priority is to 'improve standards for the quality and design of housing, making sure that homes meet the needs of a changing population throughout their lives and are built to the highest environmental standards'.
- 10.3** **Local Plan Policy DC2 (Design of New Build) and Policy DC3 (Tall Buildings)** state that all new builds and tall buildings must be designed to respect good neighbourliness and the principles of residential amenity. Local Plan Policy DC2, at part E states that all proposals must be designed to respect good neighbourliness and the principles of residential amenity. Key Principle HS6 and HS7 (iii) of the Planning Guidance SPD are also applicable.
- 10.4** **Local Plan Policy HO11 (Detailed Residential Standards)** states several criteria which should be taken into account when ensuring that the design and quality of all new housing is of a high standard, meets the needs of future occupants and respects the principles of good neighbourliness.
- 10.5** In terms of privacy and outlook, Policies D6 and D9 of the London Plan plus Policy HO11 of the Local Plan requires the existing residential amenities to be protected, including levels of privacy and outlook. More detailed design guidance is included in the Council's Planning Guidance SPD. The residential layouts have also been assessed in terms of daylight and sunlight levels which are summarised below. Overall, officers are satisfied that the proposal would provide an acceptable standard of accommodation for its residents in accordance with Policies D6 of the London Plan 2021 and Policies DC2 and HO11 of the Local Plan 2018.
- Security**
- 10.6** **The NPPF 2023** seeks to ensure that planning decisions promote public safety and take into account wider security and defence requirements. They should anticipate and address all plausible malicious threats and natural hazards and create safe, inclusive and accessible places that have high levels of amenity and do not undermine quality of life, community cohesion and resilience to crime and disorder.

- 10.7 London Plan Policy D11 (Safety, security and resilience to emergency)** states that Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area.
- 10.8 Local Plan Policy DC1 (Built Environment)** seeks to ensure that new developments, new publicly accessible open spaces and new community and leisure facilities are inclusive and accessible, contribute to improving quality of life and reducing the incidence of crime and anti-social behaviour (paragraphs 2.57, 10.5 and 12.3).
- 10.9** Secured by Design principles have been applied throughout the proposals. Appropriate lighting, railings and gates are proposed to ensure the security and privacy of the school, as well as private and communal residential spaces. All entrance doors as well as ground and first floor windows will be PAS24 certified and refuse and cycle stores will be LPS rated. The proposals have been designed such that ground floor entrances achieve a good level of natural surveillance, and CCTV will be installed on all main entry and exit points.
- 10.10** Residential cores will also be well lit and prominently positioned with recessed entrances only used in specific locations. It is considered that collectively these design measures have been carefully considered to reduce the likelihood and fear of crime on the Site and, accordingly, the Proposed Development should be considered acceptable in this respect.
- 10.11** The proposals are considered to be well designed and in accordance with the NPPF, Local Plan, and Policy DC1 of the Local Plan which requires development to reduce the opportunities for criminal behaviour.
- Internal Size Layout**
- 10.12** All the of the units have been designed to meet or exceed the National Technical Standards and London Plan Policy D6 space standards in terms of overall unit sizes and the internal space standards of individual rooms and storage space.
- Aspect**
- 10.13 London Plan policy D6** requires development proposals to maximise the provision of dual aspect dwellings. It goes on to state that single aspect dwellings should only be provided where it is considered a more appropriate design solution to meet the requirements of Policy D3 (Design-led Approach), and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.
- 10.14** The designs aim to respect the built heritage of the Olympia and Avonmore Conservation Area and enhance the area's character, in line with London Plan Policy D3. The mansion block typology was identified as the most appropriate building form to achieve this. While this form limits the potential

for dual aspect units, efforts were made to maximize their number as much as feasible. Overall, 26% of units, across various tenures, will be dual aspect, with Building A having 23% and Building B having 31%, measured in accordance with the Residential Housing Design LPG part C4.

Amenity Space

- 10.15 The London Plan policy D6** states that a minimum of 5sqm of private outdoor space should be provided for each 1- 2 person dwelling, plus an additional 1sqm for each additional occupant.
- 10.16 Key principle HS1 (Amenity Space)** states the Council will expect to see a more generous provision of outdoor amenity space than the minimum provision standards in the London Plan Housing SPG and the Play and Informal Recreation SPG. Key Principle HS1 states that:
- Every new family (3 or more bedrooms) dwelling should have access to amenity or garden space of no less than 36 sqm;
 - Family dwellings with accommodation at garden level should have at least one area of private open space with direct access to it from the dwelling;
 - For family dwellings on upper floors this space may be provided either as a balcony or terrace and/or communally within the building's curtilage.
- 10.17** Each new home is provided with private amenity space, in accordance with the requirements of the LPG and London Plan, in the form of a terrace for ground floor units or a balcony for upper floor units.
- 10.18** Officers consider that the proposals represent an appropriate balance between communal and private open space and an appropriate level of space provision in accordance with Key Principle HS1.

Accessible Homes

- 10.19 Both London Plan Policy D7 (Accessible housing) and Local Plan Policy HO6 (Accessible housing)** require residential development to ensure that at least 10% of all units meet Building Regulation requirement M4(3) 'wheelchair user dwellings' with the remaining 90% to be designed to M4(2) 'accessible and adaptable dwellings'.
- 10.20** The Proposed Development accords with London Plan Policies S4, D6 and D7, and H&FLP Policies HO6 and HO11. It also accords with Standards 4, 11, 26 and 27 of the Mayor's Housing SPG and PGSPD Key Principles HS2, HS8, DA1, DA2 and DA3.

Privacy

- 10.21** The design of the buildings aims to minimize the potential for overlooking and decrease the sense of enclosure while staying true to the historic street pattern and character of the conservation area. The re-introduction of residential buildings will inevitably change the existing views across this underutilized plot, resulting in massing appropriate to the surrounding area

and reflecting the existing levels of privacy enjoyed by residents in this highly urbanized area.

10.22 The proposed levels of window-to-window distances compare to or exceed the current levels on Avonmore Place, Earsby Street, and Bishop Kings Road, for example.

10.23 Overall officers are satisfied that the proposal would provide acceptable amenity and environmental standards for existing and future residents. The proposals are considered to be well designed and in accordance with the NPPF, Local Plan, and Policy DC1 of the Local Plan which requires development to reduce the opportunities for criminal behaviour.

Daylight / Sunlight / Overshadowing within the Development

10.24 **Paragraph 129c of the NPPF** states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land for housing, and in this context, authorities should take a flexible approach in applying policies of guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site. This signals a policy shift away from rigid application of such guidance, which may unduly preclude new housing development.

10.25 A Daylight and Sunlight Impact Assessment has been submitted in support of this application in relation to the guidelines set out in the 2022 Building Research Establishment (BRE) Report 'Site layout planning for daylight and sunlight - A guide to good practice'.

10.26 In the light of the above, the proposed development accords with NPPF paragraph 129c and London Plan Policy D6, Local plan HO4, HO11, DC1 and 2 and SPD HS8.

10.27 Officers have considered the internal effects. The policy framework clearly supports the flexible application of daylight, sunlight and overshadowing guidance in order to make efficient use of land, and not to inhibit density. These policy documents resist the rigid application of guidelines and signal a clear recognition that there may be circumstances in which the benefits of not meeting them are justifiable, so long as acceptable levels of amenity are still enjoyed. The Proposed Development would provide acceptable internal levels of amenity.

11.0 LANDSCAPING AND PLAY SPACE

11.1 **London Plan Policy D6 (Housing quality and standards)** requires developments to consider the provision of public, communal and open spaces. **Policy G5 (Urban Greening)** states that major development should contribute to the greening of London, incorporating measures such as high-quality landscaping, green roads, green walls and nature-based sustainable drainage. **Policy S4 (Play and informal recreation)** further requires the provision of good quality, well-designed and stimulating play and informal

recreation provision for children, including trees and greenery where possible.

11.2 Local Plan Policy OS1 (Parks and Open Spaces) states that the Council will protect, enhance, and increase the provision of parks, open space and biodiversity in the borough. **Policy OS3 (Play space for Children and Young People)** states that proposals should not result in the loss of existing play space or the increased deficiency in the availability of such play space. It requires on well-designed provision of accessible, inclusive, safe and secure communal play space in new residential developments to cater to the needs of all children. The scale and nature of its provision should be proportionate to the scale and nature of the Proposed Development. **Policy OS5 (Greening the Borough)** seeks to enhance biodiversity and green infrastructure in the borough by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm.

Landscaping

11.3 The landscaping strategy for the development aims to:

- Provide quality outdoor play space for the school to enable curriculum delivery.
- Create a positive interface between the site and surrounding streets and properties.
- Facilitate an enhanced public realm with clear definitions between public and private space.
- Provide ground floor amenity space for residents.
- Promote biodiversity enhancement features.
- Retain the existing Category A trees.

11.4 Ground floor thresholds will be greened with hedge planting to reinforce boundary proposals and provide some shelter from street activity.

11.5 The southern end of Building B includes understorey planting to complement the overhead tree canopy. Grasses and flowering herbaceous plants will reinforce the playable route to Marcus Garvey Park. In the school, vertical greening is proposed on the boundaries, with climbers against walls in the lower playground. Raised planters will create a green threshold between the classrooms and the ball court.

11.6 At roof level, the school spaces will have raised beds on the northern and southern edges, which together with raised parapets, help to screen views from the neighbouring residential properties. Other planters are proposed to contain outdoor classrooms and promote learning opportunities.

11.7 On the residential roofs, opportunities exist to incorporate biodiverse brown roofs, which can complement potential PV provision.

Biodiversity

- 11.8** An Ecological Impact Assessment Report and Biodiversity Mitigation and Enhancement Strategy have been submitted in support of the application.
- 11.9** Changes to the Environment Act introduced a mandatory 10% Biodiversity Nett Gain (BNG) target for planning applications submitted from Monday 12 February 2024. This requirement is not retrospective and does not apply to any major schemes already submitted before February 2024.
- 11.10** The reports note that the proposals will not adversely impact any statutory or non-statutory designated nature conservation sites. The reports find that as none of the habitats that occur within the survey area were considered to have high ecological importance the main focus on the local level are the mature native trees on site.
- 11.11** The findings of the habitat survey and subsequent bat surveys confirm the likely absence of roosting bats and other legally protected species, apart from breeding birds in the nesting season.
- 11.12** Given the mitigation and avoidance measures to be put in place there will be no residual effects on birds and bats. The residual significant effects are due to the loss of seven native mature trees, which provide habitat for invertebrates, birds, and bats. Residual effects exist for the loss of non-native mature trees and native young trees from the development, but these are considered negligible in magnitude. The residual effect on native mature trees will be adequately compensated by planting new trees on a minimum 1:1 ratio of lost: planted that are native to England in the local area.
- 11.13** Biodiversity enhancements, including the provision of brown/green roofs, a green wall, a log pile in the area of ground planting, bug hotels and areas of flower-rich perennial planting are designed into the proposals for the scheme. Accordingly, the Ecological Impact Assessment Report concludes that provided its recommendations are followed and the mitigation and enhancements implemented, potential negative effects from development on important ecological features will be negligible, and the proposal would have a positive effect on biodiversity.
- 11.14** In the light of the above, the proposed development accords with NPPF paragraph 17, H&FLP Policies OS4 and OS5, and PGSPD Key Principles BD1 and BD7.

Trees

- 11.15** A Tree Survey and Arboriculture Impact Assessment (AIA) has been provided by the applicant. The survey identified a total of 33 individual trees and one group of trees. Of these, 4 were classified as Category A, 12 as Category B, and 17 as Category C. The only group of trees was categorized as a Category C feature.
- 11.16** The Proposed Development will require the removal of several trees that are located on the footprint of the planned buildings. The design of the

development has been carefully considered to retain all Category A trees and, where possible, to retain Category B and C trees. However, a total of 19 trees, along with all trees in group G1, will need to be removed to facilitate the development. These include 8 Category B trees and 11 Category C trees, as well as 1 group of Category C trees.

- 11.17** The removal of some street trees will diminish the green presence currently provided along parts of Avonmore Road and Earsby Street. The AIA notes that the loss of trees within the site footprint will result in a modest decrease in local canopy cover. Therefore, the landscape proposals should include replacement planting along the streets, selecting well-suited species and using engineered planting pits to ensure the new trees can thrive. The proposed landscape scheme addresses these losses and aims to enhance the area with a long-term perspective.
- 11.18** The AIA outlines a series of recommendations to minimize any construction-related impacts on the trees that are being retained. It also ensures that the materials used in the root protection areas of existing trees will not interfere with their growth.
- 11.19** Officers acknowledge that while the proposal does not allow for the retention of all existing trees, many of which contribute positively to the surrounding area's greenery, the overall benefits of providing a new school and much-needed housing, along with the replacement landscape scheme, mean that the Proposed Development is broadly compliant with Local Plan Policy OS5, as a number of new trees will be planted.

Urban Greening Factor ('UGF')

- 11.20** An UGF assessment has been prepared based on Policy G5 of the London Plan. The policy recommends target scores of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development. For the purposes of the assessment, they have been split into separate scores for both the residential and school areas.
- Residential Areas: 0.3263
 - School Site: 0.2333
 - Whole Site (Residential and School): 0.2809
- 11.21** The UGF score for the whole site at 0.2809 is below the 0.4 target. Extensive work has been carried out to demonstrate the playground and other external uses proposed for the school limit the potential to further green the site as the harder spaces are required for recreational purposes. Planting and greening features have been maximised across the site including the use of vertical greening and biodiverse roofs.
- 11.22** Additional trees with a combined canopy measure of 590m² would be needed to elevate the UGF score to 0.4. Accordingly, it is proposed to plant an additional 11 trees (which will have a combined canopy measure of 590 m²) in the adjacent Marcus Garvey Park in addition to the new street trees on Avonmore Road.

11.23 Extensive work has been undertaken, and every feasible landscape measure used, to maximise the UGF. Though within the development itself a UGF of 0.4 cannot be achieved, the planting of trees in the adjacent park and or surrounding are ensures that the aims of London Plan Policy G5 are achieved overall.

Play Space

11.24 The Mayor's Play and Informal Recreation SPG (2012) and London Plan require developments to provide 10sqm of play space per child generated by the scheme.

11.25 The site is adjacent to Marcus Garvey Park, which has a range of play facilities including a small MUGA. Further recreational opportunities also exist in nearby open spaces such as Hollard Park. Using the GLA Population Yield Calculator, the proposed residential mix generates a child yield of 25.2. Multiplying this by the recommended benchmark play space requirement of 10m² per child, the total play space area needed is 252m².

11.26 Given the density of the proposed development and proportion of the site occupied by the school, it is not possible to accommodate the play provision on site. Given the proximity of the park it is envisaged most children will utilise this space for general play. Upgrades to the park facilities will be agreed through appropriate obligations in the Memorandum of Understanding to adequately accommodate the increased demand generated by the development.

11.27 Officers consider that subject to an off-site contribution towards public realm improvement and play provision/improvements, the proposals for the provision of communal space and play space comply with planning policy at all levels. In view of the above and subject to the Memorandum of Understanding and securing a Landscape Management Plan the Proposed Development is judged to accord with London Plan Policies S4 and S5 and Local Plan Policies OS1, OS2 and OS3.

12.0 DESIGN, HERITAGE, AND TOWNSCAPE

Design

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

12.2 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Part 12 of the NPPF outlines the requirement for good design and Paragraph 135 sets out that planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b)

are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

12.3 Chapter 3 (Design) of the London Plan 2021 seeks to secure the delivery of good design through a variety of ways. Policies D3 (Optimising Site Capacity through the Design-Led Approach), D4 (Delivering Good Design), D6 (Housing Quality and Standards) and D8 (Public Realm) are particularly relevant to the consideration of this application. Policy D3 highlights that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, through careful consideration of issues such as form and layout, experience, alongside consideration of quality and character. Policy D4 highlights that where appropriate, visual, environmental and movement modelling / assessments should be undertaken to analyse potential design options for an area, site, or development proposal. These models, particularly 3D virtual reality and other interactive digital models alongside use of design review should, where possible, be used to inform decision-taking, and to engage Londoners in the planning process. Policy D6, promotes a series of quality and standards new housing development should aim to achieve. Policy D8 sets a series of criteria to ensure that ensure the public realm is well-designed, safe, accessible, inclusive, attractive and well-connected.

12.4 Local Plan Policies DC1 and DC2 are particularly relevant to the assessment of design. Policy DC1 (Built Environment) states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. Policy DC2 (Design of New Build) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting.

Scale and Massing

12.5 The proposal scheme seeks to bring forward redevelopment of the site consisting of three buildings. The northern and southern residential buildings which have a 6-storey massing; and the replacement school

building occupying the central portion of the site, which has a part 2/3 storey massing.

- 12.6** Whilst it is noted that the application site currently features the single storey school building, and the 2 storey Gordon Cottage, the wider context of the site features a mix of building typologies and a mixed scale of development. In terms of the residential buildings, there are existing mansion blocks varying between 5 and 6 storeys in the local context, including Glyn Mansions, Avonmore Mansions, The Samuel Lewis apartments, and the more modern Kinsley House development. Although it is noted that there are other buildings of a smaller scale in the local area too, it is considered that development to 6 storeys would not be out of character within the local townscape context and would optimise the development potential of the site in an urban setting.
- 12.7** Considering the new school building, this element of the development would largely be screened by the adjacent residential buildings. However, the development would be largely visible within the streetscene of Avonmore Road and from views within Marcus Garvey Park. Within the Avonmore Road aspect, the development would have an acceptable and compatible relationship with the varied scale of other developments along this streetscene. Similarly, when viewed from Marcus Garvey Park, the new school building would have a similar framing of this space to that of the existing St James school building.
- 12.8** Overall, the scale and massing of the proposal scheme is considered to be acceptable, allowing for the optimisation of the development capacity of the site, whilst also responding well to the character of similar historic developments, including mansion blocks and other education buildings found within the local area.

Architectural Character

- 12.9** The architectural character of the proposal scheme is informed by and seeks to complement the architectural approaches of adjacent developments within the local area, whilst also by bringing forward a scheme of its own architectural character. Their style reflecting the contemporary nature of the new build residential and education buildings.

Education Building – the new Avonmore Primary school

- 12.10** The architectural approach of the new school follows an urban typology school model. This includes providing a stepped form of development to allow for external playspace to be provided at ground, second, and third floor levels. The massing of the school building has also been designed to enable the creation of efficient internal floorplans, including a double height sports hall and triple height amphitheatre space, from which majority of teaching spaces and ancillary spaces are accessed.
- 12.11** The external architecture of this element of the development seeks to provide a strong animated frontage onto Avonmore Road and a calmer stepped façade to Marcus Garvey Park. The Avonmore Road façade has

been informed by the surrounding character of historic buildings, whilst providing a more contemporary building in this setting. The expression of the façade is broken-up through use of vertical red brick fins and a solid precast concrete cornice to the crown of the building. The façade is layered to include secondary white brick detailing, vertically organised fenestration and a centrally grouped window arrangement to highlight and frame the internal sports hall use. The main entrance of the building is formed by a double height projecting portal and would incorporate public art to celebrate the education function/use of the building.

12.12 The layered approach to the elevation facing Marcus Garvey Park includes alternative detailing, which again references the surrounding context of St James school. Within this elevation, brick is again used as the main facing material. The façades are calmer and provide a focus to the external play space at upper floor levels, providing a visual and functional connection to the park. The façades are complemented by an external timber canopy structure to provide shading and additional interest to the scheme.

12.13 Detailed bay studies of the fenestration detailing of the school building have been provided, which illustrate how both mechanical and natural ventilation would be provided across the scheme. Aluminium windows are complemented by framed aluminium louvres. Overall, these features would give the proposal a high-quality appearance, which would provide visual interest, complement the character of the local area; whilst also celebrating the function of the school building.

Residential buildings

12.14 The residential buildings take a similar approach to the education building, using local context to inform their design, whilst also providing a contemporary architectural approach to delivery of modern mansion blocks.

12.15 The lower levels of both residential buildings are detailed in brick and intervening stone banding to reference the adjacent mansion blocks. This approach is capped off by a consistent stone parapet detailing at the fourth floor of the building. The upper two floors are then treated as a 'Dutch-barn' style roofscape detailed in grey roof tiles.

12.16 Throughout the evolution of the design of the residential proposals, the design team have worked hard to bring forward a contemporary approach to reinterpret to character of the projecting gable features within surrounding developments. This approach has resulted in the introduction of portal framing elements to the parapets on the main façades of the buildings, and gable frontages to both the northern and southern façades. These features are complemented by building entrances featuring portal stone framing and fenestration set in deep reveals. Detailed sections and elevations of these elements have been submitted to illustrate the quality of the development.

12.17 Further details of the proposed materials and sample panels are proposed to be secured by condition as part of the suggested conditions attached to

this report. This is to ensure that the development would achieve a high quality of design.

Design Review and Inclusive Design Review Panels

- 12.18** Proposals were presented to both the Design Review and Inclusive Design Review Panels. Both panels gave support to the principles of the design concept for both the replacement school and residential elements of the scheme. A series of detailed observations were made by both panels, to assist in the refinement of the detailed design of the scheme. These recommendations, alongside officer feedback were taken forward through revisions to the proposals ahead of planning submission.
- 12.19** The development is considered to represent a high quality of design, which would complement the character of the surrounding area; and provide a scheme with its own contemporary character overall.

Heritage and Townscape

- 12.20** The Planning (Listed Buildings and Conservation areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.
- 12.21** It is key to the assessment of these applications that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation areas required by the relevant legislation, particularly the duties in sections 66 and 72 of the Planning (Listed Buildings and Conservation areas) Act 1990 and the requirements set out in the NPPF.
- 12.22** **Section 72 of the Planning (Listed Buildings and Conservation areas) Act 1990** requires that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2) (which includes the planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 12.23** **Paragraph 195 of the NPPF** states: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 12.24** **Paragraph 201 of the NPPF** states: Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact

of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

- 12.25 Paragraph 203 of the NPPF** states: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 12.26 Paragraph 205 of the NPPF** states: When considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 12.27 Paragraph 206 of the NPPF** states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 12.28 Paragraph 207 of the NPPF** states that where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 12.29 Paragraph 208 of the NPPF** states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 12.30 Paragraph 209 of the NPPF** states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement

will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 12.31** The NPPF makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).
- 12.32** The NPPF also makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 12.33** Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraph 208, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 12.34** The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 12.35** The scheme would impact directly on heritage assets. These impacts are considered separately in the following sections.
- 12.36** Impacts are mainly focused upon the Olympia and Avonmore conservation area, and Gordon Cottage, a locally listed, (building of merit). In order to fully assess the proposal scheme, officers have agreed the scope of supporting documents with the applicant. The applicant's statements submitted with the application, identifies the significance of designated/non-designated heritage assets within a study area surrounding the application site, within Hammersmith & Fulham.
- 12.37** In the first instance, the assessment to be made is whether the development within the setting of a designated heritage asset will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 208 and 209 of the NPPF as appropriate.
- 12.38** **Local Plan Policy DC8 (Heritage and Conservation)** states that the council will conserve the significance of the borough's historic environment by protecting, restoring, and enhancing its heritage assets. These assets include listed buildings, conservation areas historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When

determining applications affecting heritage assets, the council will apply the following principles:

- a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long-term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation;
- b. applications affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced;
- c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting;
- d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 209 of the National planning Policy Framework;
- e. particular regard will be given to matters of scale, height, massing, alignment, materials and use;
- f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's significance, including securing its optimum viable use;
- g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposal upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation;
- h. proposals which involve substantial harm, or less than substantial harm to the significance of a heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 207 and 208 of the National Planning Policy Framework;
- i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;
- j. the proposal respects the principles of accessible and inclusive design;
- k. where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;

- l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and
- m. securing the future of heritage assets at risk identified on Historic England's national register, as part of a positive strategy for the historic environment.

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

Application site – Heritage constraints

12.40 The application site is situated in the Olympia and Avonmore conservation area and Gordon Cottage (Earsby Street) is a locally listed building, (building of merit). Given that the scheme would result in demolition of the existing buildings onsite, the assessment will cover the impacts of demolition in the first instance.

Demolition of the buildings currently occupying the site.

Avonmore School

12.41 The current school building occupying the site was developed post-World War II to replace the original school occupying the site. The building is of a single storey, with a flat roofed prefabricated construction and has simple architectural detailing. Internally there are no notable features to the school building, and furthermore the building is not locally listed. The character profile for the conservation area notes that the current building 'stands somewhat incongruously' within the local area.

12.42 The current school building is considered to make a neutral contribution to the character of the local area, and to the Olympia and Avonmore conservation area. Consequently, the demolition of the current school building is considered acceptable and would not result in any harm to surrounding heritage assets.

Gordon Cottage

12.43 Gordon Cottage is a locally listed, (building of merit) which has occupied the site from around 1845-1869. The building is the last of a group of 8 pairs of semi-detached residential properties which occupied the site from this time, fronting onto William Street, (currently known as Earsby Street). As part of the continued evolution of the area, the southern part of the group of properties were demolished to allow for the development of the original infant school occupying the central portion of the application site. Around this time, Avonmore Road was also established, and the southern portion of the application site was also developed as terrace of residential properties.

- 12.44** In the early 1900s the remaining 3 properties linked to Gordon Cottage were demolished, to allow for external play space for the school. Post World War II the original school building and southern terrace of residential properties were also demolished to allow for the redevelopment of the school building, currently occupying the site; with Gordon Cottage remaining since this time.
- 12.45** Clearly Gordon Cottage has an important role in illustrating how the local area has evolved and has been intensified over time, with its wider context changing significantly to include several mansion blocks. Beyond this significance the architectural character of the building is of a high-quality Italianate character, featuring detailing and materials typical and consistent with other developments around this period. The legibility of the building of the building has already been lost in part, owing to the earlier demolition of the linked property and wider group of semi-detached properties.
- 12.46** Officers have undertaken visits to the site and note that the internal environment of the building has been subject to substantial changes over time, (in part to facilitate the continued education use of the site), and as such little original detailing remains. The Heritage Statement submitted in support of application illustrates the evolution of the site and external/internal photograph with descriptions showing the current arrangement of the building.
- 12.47** The building's interior has been significantly altered, with few original decorative features remaining. The layout seems mostly historic, but modern replacements are evident, such as the staircase balustrade, skirtings, doors, and surrounds. Some original elements, like chimneybreasts, a window box, moulded window surrounds, and a niche, still survive. However, the addition of modern features, such as a bathroom and kitchen, diminishes its historic character.
- 12.48** During pre-application discussions, options were considered to enable the retention of the building. As described in section 5.07 of the Design and Access Statement submitted in support of the current application; it was not considered that retention of the building would allow for optimisation of the development capacity of the site, and would not maximise delivery of public benefits, including affordable housing and a new school with public access. (Further commentary upon these benefits can be reviewed at section 25 of this report).
- 12.49** The proposals would result in the complete demolition of Gordon Cottage, a total loss of an asset of local heritage significance. Whilst the cottage does represent an important understanding and remnant of the early evolution of the built form of the local area, and is of high-quality architecture, this is not considered to be a unique or noteworthy development in the wider context. The building has been subject of significant changes to its setting over time and has been adapted/remodelled internally to facilitate its continued education use. Taking into account the provisions of paragraph 209 of the NPPF, alongside Local Plan Policy DC8, a balanced judgement should be

made with regard to the scale of any harm or loss and the significance of the heritage asset. Further commentary upon how this judgement has been applied is made elsewhere in this report, including the concluding sections. However overall, it is concluded that the loss of Gordon Cottage and associated local heritage harm can be justified in this instance, having regard to the benefits of the proposal.

- 12.50** Whilst there is limited scope to provide mitigation of this harm from a heritage perspective, should planning permission be granted for the development, a condition is suggested to seek a fuller recording of the existing building to be made. This would include a detailed understanding of the evolution of site, (including Gordon Cottage), its setting and detailed external and internal photographic surveys for public records.

Olympia and Avonmore conservation area

- 12.51** The Olympia and Avonmore conservation area was designated in 1988. The conservation area covers a large area, and its significance mainly relates to the presence of the Olympia campus, Avonmore trading estate, and the residential areas creating the context between these spaces.

- 12.52** As such, the conservation area is split into several sub-areas, which have their own distinctive character, as part of the wider conservation area designation. The area within which the application site is found is referred to as the 'Bishop King's Road' sub-area, which is typified by Victorian mansion block development, with the urban grain and street hierarchy giving the area a highly compact and high-density appearance. More recently, development of Kinsley House has introduced a more modern mansion block within this setting. These elements form the focus of the character and significance of this element of the conservation area.



Aerial photographs of the site from 1928 and 1935 showing the scale and extent of previous development of the site

- 12.53** As part of the evolution of the area, it is noted that the application site historically accommodated more substantial developments including the original William Street school and adjacent residential developments; of which only Gordon Cottage remains. The single storey school building makes no meaningful contribution to character or significance of the

conservation area; however, the presence of several mature trees adds to local character.

Assessment of harm to the conservation area

12.54 The demolition of Gordon Cottage and removal of Category B mature trees would result in some harm to the conservation area. This harm would be particularly focused on the loss of a positive element of character which serves to exemplify both the evolution of the area and the high-quality of the original building form. However, as discussed above, given that this element of the conservation area has previously accommodated more significant developments, the extent of harm would be mitigated in part. The current scheme reflects the higher density approaches to historic site coverage. The proposals also represent a high quality of design, and officers do not agree with Historic England's assertion that the height, scale and bulk of the proposed development would cause harm to the Conservation Area.

12.55 Therefore, taking a balanced approach to the consideration of harm in this context; officers conclude that the harm would be less than substantial harm, towards the lower end of the spectrum of less than substantial harm.

Other heritage assets impacted by the proposals

12.56 There are several locally listed, (buildings of merit) surrounding the application site. These include:

- St James' Independent School
- Kingsley House
- Glyn Mansions
- Leigh Court
- Palace Mansions
- Argyll Mansions
- Rugby Mansions

12.57 The proposed development would in some instances result in some significant changes to the setting of these assets. However, given the scale, massing and architectural detailing of each individual asset when considered in isolation, the proposals would not negatively impact upon the appreciation, or significance and setting of these assets either individually or overall. Each asset and its contribution towards local heritage significance, alongside its group contribution within the wider Olympia and Avonmore conservation area, would remain clearly legible.

12.58 Consequently, the proposed development is not considered to result in any detrimental impact or harm to the setting of these assets.

Townscape

12.59 Given the scale of the proposed development, and the tight grain of surrounding developments, proposals are not considered to have any significant townscape impacts upon mid and long-range townscape views. Any change to townscape views would mainly be within localised views, particularly those from Marcus Garvey Park Avonmore Road, Lisgar Terrace, and North End Road. Notwithstanding this limited extent of

visibility, the application is supported by a Townscape and Visual Impact Assessment which includes viewpoints of the site from 8 key views within 100m of the site boundary.

- 12.60** In these views, whilst the proposed development would represent a significant change within this context, given the scale of other residential mansion blocks and education buildings in close proximity to the site, coupled with the design and materials choices of the scheme, the townscape impact would be neutral to beneficial overall.

Design, Heritage, and Townscape Conclusion

- 12.61** The proposal scheme would bring forward a scheme of a high-quality of design with rich and well-articulated façades and architecture. The scale and massing of the proposal scheme is considered to be acceptable and would represent a high quality of design.
- 12.62** From a heritage perspective, it is noted that the development would result in loss of Gordon Cottage, and therefore harm to local heritage significance. Consequently, this loss would also result in harm to the character and significance of the Olympia and Avonmore conservation area. Loss of a significant number of Category B trees around the site, would also result in some harm to this sub-area of the conservation area. Officers therefore consider that the proposals would result in less than substantial harm, to the lower end of the scale of less than substantial harm, to the character and appearance of the conservation area.
- 12.63** The proposals are not considered to result in harm to the setting of other locally listed, (buildings of merit) found within close proximity to the site.
- 12.64** Taking a balanced and weighted judgement, as required by paragraphs 208 and 209 of the NPPF, officers have assessed the impact of the proposal on the heritage assets. There would be harm caused to the significance of the Olympia and Avonmore conservation area, to the lower end of less than substantial harm, alongside harm to local heritage significance, through the demolition of Gordon Cottage. It is considered that this harm would be outweighed by the substantial public benefits that the proposal would deliver, which are referred to elsewhere in this report, including the concluding sections. As such it is appropriate to grant planning permission, having regard to and applying the statutory provisions in Section 72 of the Planning (Listed Buildings and Conservation areas) Act 1990 and the NPPF.
- 12.65** The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. Overall, the Proposed Development is considered acceptable having regard to the NPPF, Policies D3, D4, D6, D8, and HC1 of the London Plan (2021) and Policies DC1, DC2, DC7 and DC8 of the Local Plan (2018).

13.0 AMENITY IMPACTS

13.1 Policies DC1, DC2, CC11, CC13 and HO11 of the Local Plan 2018 require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles 6, 7 and 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

13.2 SPD Key Principle HS6 note that the proximity of a development can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties.

13.3 One of the key objections received relates to the impact of the proposed development on the amenity of the surrounding residential occupiers, including the neighbouring properties on Avonmore Road, Earsby Street and Lisgar Terrace. Matters relating to daylight/sunlight plus loss of outlook and overlooking and privacy are covered in this section of the report.

Overlooking/Privacy

13.4 Local Plan Policy DC4 and HO11 seek to ensure that new development will respect the principles of good neighbourliness in particular the amenities of the neighbouring properties, and other properties most directly affected by the proposal.

13.5 The design of the buildings has considered minimising the potential for overlooking and decreasing the sense of enclosure whilst remaining true to the historic street pattern and nature of the conservation area. Inevitably the re-introduction of residential buildings will change the existing views across this underutilised plot and result in in massing appropriate to the surrounding area which would reflect the existing levels of privacy enjoyed by residents of this highly urbanised area.

13.6 The proposed levels of window-to-window distances compare or exceed to the current levels on Avonmore Place, Earsby Street and Bishop Kings Road for example. Coupled with deep proposed reveals, inset balconies and the proposed internal living spaces impact on surrounding residential properties ensure acceptable standards of amenity in accordance with the NPPF, Local Plan, and Policy DC1/DC2 of the Local Plan.

Daylight, Sunlight, and Overshadowing

13.7 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', set out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly. The applicant's Daylight and Sunlight report which has been carried out in line with BRE and considers the potential impacts of the Proposed Development on daylight, sunlight and overshadowing on existing neighbouring residential buildings. Officers have considered applicants report in terms of impact on habitable rooms.

Daylight and Sunlight

- 13.8 Paragraph 129c of the NPPF** states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land for housing, and in this context, authorities should take a flexible approach in applying policies of guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.
- 13.9 London Plan Policy D6 (Housing Quality and Standards)** supported by the Mayor's Housing SPG, seeks to ensure that high quality housing schemes are delivered, which includes providing sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising the useability of outside amenity space.
- 13.10** There are no specific policies about daylight, sunlight or overshadowing in the Local Plan. **Policy HO11 of the Local Plan** includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area. The policy states the protection of existing residential amenities, including such issues such as loss of daylight, sunlight, privacy, and outlook. **Policy DC1 (Built Environment)** requires development to be well designed and respect of the principles of good neighbourliness. **Policy DC2 (Design of New Build)** requires development to be designed to respect residential amenity and to demonstrate good neighbourliness. This is expanded on within the **Planning Guidance SPD (2018)**. **Key Principles HS6 and HS7 of the SPD** seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.
- 13.11** A Daylight and Sunlight Impact Assessment prepared by Point 2, has been submitted in support of this application. The report considers the effects of the proposed development on St James School and the residential properties neighbouring the site. The report has also considered the provision of daylight amenity within the proposed residential units.
- 13.12** The daylight and sunlight assessment has been carried out relative to the guidelines set out in the 2022 Building Research Establishment (BRE) Report 'Site layout planning for daylight and sunlight - A guide to good practice'. A 3D massing computer model for testing daylight, sunlight and overshadowing has been created from the submitted drawing information. The BRE guidelines are not mandatory, and explicitly state that the numerical target values should be interpreted flexibly, particularly in urban locations. Appendix F of the BRE guidelines provides advice on setting alternative targets for access to daylight and sunlight.
- 13.13** For daylight adequacy to existing neighbouring residential properties, the Vertical Sky Component (VSC) and No Skyline (NSL) assessments have been carried out, and for sunlight adequacy the Annual Probable Sunlight Hours (APSH) study is carried out. The assessment carried out is based on the standard values/targets set out in the BRE guidelines.

- 13.14 The Vertical Sky Component (VSC)** test calculates the amount of skylight received at the centre of an existing window. The target value is at least 27% VSC or more. If this value cannot be achieved, the skylight to the existing window should not be reduced by more than 20% (0.8 times) of its the current value, as this may be deemed to have a noticeable impact on daylight levels.
- 13.15** VSC targets apply to unfettered plain facades. The presence of balconies and external walkways can reduce VSC values at windows neighbouring a site. Where balconies or overhangs are present, it is not uncommon for two sets of VSC figures, one with these obstructions in place, and one with their effect removed from the calculations to be presented.
- 13.16 The No Skyline (NSL) assessment** (also known as Daylight Distribution test) divides those areas of the working plane within an existing room which can receive direct skylight, from those which cannot. It provides an indication of how good the daylight distribution is within an existing room at working plane level. The BRE advises that an existing room may be affected if the area of the working plane in a room which can receive direct skylight is reduced by more than 20% (0.8 times) of its current value. The Interior Illuminance assessment in the current updated guidance is an alternative climate-based daylight test which uses target illuminance (lux) values.
- 13.17 Appendix C of the 2022 BRE guidelines** details a methodology for assessing daylight within proposed developments which replaces the Average Daylight Factor (ADF) methodology that was previously used in the (2011) version. The new methodology is more complex and is a more accurate simulation of actual daylight levels, but has targets that are generally more difficult to achieve in an urban context. The Interior Illuminance assessment in the current updated guidance is an alternative climate-based daylight test which uses target illuminance (lux) values.
- 13.18 Annual Probable Sunlight Hours (APSH)** is the measure of the level of sunlight reaching the window on the external face of a building. The BRE Guide recommends that the appropriate date for undertaking a sunlight assessment is on 21st March, this being the spring equinox. Calculations of both summer and winter sunlight availability are also made. The target value is at least 25% of annual probable sunlight hours, including at least 5% in winter. There will be an adverse impact if an existing window receives less than 25% of annual probable sunlight hours and less than 0.8 times its former annual value, or less than 5% of annual probable sunlight hours in winter, and less than 0.8 times its former value during that period, and also has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours.
- 13.19 Annual Probable Sunlight Hours (APSH)** is the measure of the level of sunlight reaching the window on the external face of a building. The BRE Guide recommends that the appropriate date for undertaking a sunlight assessment is on 21st March, this being the spring equinox. Calculations of both summer and winter sunlight availability are also made. The target value

is at least 25% of annual probable sunlight hours, and at least 5% in winter. If this target cannot be achieved, the existing sunlight values should not be reduced by more than 20% (0.8 times) in either period or have a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours, which would represent an adverse impact.

- 13.20** The 2022 BRE guidelines details a **Climate Based Daylight Modelling (CBDM)** methodology for assessing daylight within proposed developments. This replaces the Average Daylight Factor (ADF) methodology that was previously used in the (2011) version. The new methodology is more complex and is a more accurate simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context.

Alternative Targets for Daylight – Neighbouring Review

- 13.21** Given the minimal massing currently on site (and associated subsequent high levels for some properties of daylight and / or sunlight) and wider urban context, alternative targets are considered as appropriate for this site alongside the baseline context. Alternative target value approaches are recognised within the Appendix F of the BRE Guide. In urban areas retained VSC values between 15% and 18% are frequently considered acceptable by local authorities, the Greater London Authority (GLA) and Inspectors at appeal. The presence of balconies and external walkways can dramatically reduce VSC values at windows neighbouring a site. Where balconies or overhangs are present, alternative VSC values (one with these obstructions in place, and one with their effect removed from the calculations) is a common alternative assessment.

Daylight Assessment

- 13.22** The residential properties closest to the proposed development which either face directly on to the development site or have an unobstructed view of the development site have been tested, as well as existing amenity areas surrounding the site. Daylight results (applicable also for sunlight) were tested for the following neighbouring residential properties to the site together with St James School:

- Glyn Mansions
- Avonmore Mansions
- York House
- Leigh Court / 6 Avonmore Road
- 8 to 14 (even) Avonmore Road
- 13 to 21 (odd) Avonmore Road
- 81-100 Lisgar Terrace
- 61-80 Lisgar Terrace
- 1-20 Lisgar Terrace

- 13.23** The existing light levels to these properties are unusually good for an urban location. The existing site buildings are predominantly single storey (maximum two storeys). This inevitably would bring about some noticeable reductions as a result of a development in excess of the existing height/mass. Overall whilst the effects for the proposed development would

be noticeable, they are considered acceptable. The retained levels of amenity will remain good and compare favourably with the site's urban location.

13.24 In summary the following details/results have been provided in respect of BRE Guidelines with consideration to reductions:

- Overall, 578 windows tested for VSC daylight standards and 236 rooms for NSL.
- The results of the VSC analysis (discounting balcony effects) demonstrate that 387 windows (circa 67%) fully accord with the BRE guidelines.

VSC SUMMARY (discounting balcony effects)

Address	Total No. of Windows Assessed	Total number that meet default BRE VSC numerical guidance (retained VSC > 27% or proportional reduction < 20%)
Glyn Mansions	51	26
Avonmore Mansions	47	46
York House	37	23
Leigh Court / 6 Avonmore Road	156	90
8 Avonmore Road	21	8
10 Avonmore Road	14	5
12 Avonmore Road	14	5
14 Avonmore Road	18	8
21 Avonmore Road	9	9
19 Avonmore Road	9	9
17 Avonmore Road	9	9
15 Avonmore Road	9	8
13 Avonmore Road	14	12
81-100 Lisgar Terrace	37	33
61-80 Lisgar Terrace	47	36
1-20 Lisgar Terrace 44 30	44	30
St James School	44	30
TOTAL	578	387

13.25 The results are summarised in more detail below:

Glyn Mansions

- 5 storey mansion block located to the north of the site. Contains a number of flats Majority of windows facing the site are a combination of bedrooms and living rooms.
- The main site facing ground floor windows will retain VSC values of at least 17.5%. VSC values would improve on upper floor levels.

- NSL analysis shows of the 24 rooms assessed, 3 would experience a reduction in excess of the guideline 20%. One at 20.9%.
- Sunlight amenity to this property fully accord with BRE guidance.

Avonmore Mansions

- 7 storey mansion block, located to the north of the site.
- 1 lower ground floor window would experience a reduction in VSC of 24.4% (marginally in excess of the guideline 20%). This is a secondary window to the room it serves. The main windows serving the space would not experience any noticeable reductions.
- Only one room experiencing any noticeable NSL reduction. The reduction is however within the guideline.
- Therefore, no material effect on the daylight amenity is expected to this property.
- Sunlight amenity to this property fully accord with BRE guidance.

York House

- Built in approximately 2015. Facing rooms are predominantly bedrooms and living/kitchen/dining rooms (LKDs).
- NSL reductions to 15 of the 19 rooms assessed are small and in accordance.
- with BRE guidance. 4 rooms would experience larger reductions.
- Overall, conclude the daylight effects on this property are acceptable.
- In relation to sunlight, 1 room would experience a reduction more than the APSH guidance. Due to a reduction in winter sunlight and located in a recessed location behind a balcony.

Leigh Court / 6 Avonmore Road

- Mansion block located to the north-east of The Site. The site facing rooms are predominantly bedrooms and living/kitchen/dining rooms (LKDs).
- Some noticeable reductions in daylight serving ground and first floor windows given existing conditions on the site.
- By second floor, VSC reductions to the majority of windows fully accord with BRE guidance. Proportional reductions windows experiencing larger effects are between 20% and 30% (guideline at 20%).
- NSL reductions to 33 of the 38 rooms assessed accord with BRE guidance. Of the remaining 5 rooms, one is a basement bedroom. Remaining four rooms are main living areas, 3 located at ground floor, with 1 at first floor. These windows typical serve large space and single aspect and therefore NSL reductions are unavoidable.
- Overall, the daylight effects on this property are considered acceptable.
- In relation to sunlight, 3 rooms within the property would experience reductions in APSH in excess of the BRE guidance. All living rooms located at ground floor. Sunlight partially restricted by the overhanging first floor massing. Despite this, rooms all retain 24% of total APSH after development. This remains a very good level of sunlight for an urban location and only marginally below the default BRE target of 25%.

8 Avonmore Road

- 3 storey house located to the north/east of the site, on the opposite side of Avonmore Road.
- Facing windows serve 2 reception rooms (1 at ground and 1 at first floor), a ground floor kitchen, and a bedroom and study at both first and second floors.
- Some noticeable reductions at ground floor but still retaining a VSC of between 17.8-19.2%.
- At first floor, the main window serving the reception room retains a VSC of 27.6%. The first-floor bedroom windows both retain VSC values of more than 23%. At second floor, VSC reductions accord with the BRE guidelines.
- For NSL, reductions to all rooms except the ground floor kitchen fully accord with BRE guidance. The kitchen will experience a proportional reduction of 26.2%, which is not significantly more than the guideline 20%.
- In terms of sunlight this property fully accords with BRE APSPH guidance.

10-14 (even) Avonmore Road

- 3 storey terrace properties (split into flats) located to the north/east of the site.
- All ground floor windows receive at least 30% VSC in the existing situation, well in excess of the BRE default 27% target. The property is located opposite the school playground.
- All the main ground floor windows will retain VSC values between 17.8% and 22.8%. At first floor, all windows retain at least 23% VSC, and by second floor reductions to all windows are in full accordance with BRE guidance.
- With regard to NSL, reductions to 9 of the 24 rooms assessed fully accord with BRE guidance, and 6 rooms experience reductions of between 20% and 30% (not significantly in excess of the guideline 20%). The remaining 9 rooms experience larger NSL reductions but not significantly below that which is typical for the area.
- In terms of sunlight this property fully accords with BRE APSPH guidance.

13-21 (odd) Avonmore Road

- 4 storey terrace located to the east of the site. The 5 properties are split into flats.
- 3 windows would experience proportional VSC reductions in excess of the guideline however 2 of these are side windows to ground floor bays.
- One window serving 13 Avonmore Road would experience a reduction of 22% only marginally above the 20% guidance, and a retained VSC value of 25.6% represents a good level of daylight for an urban location.
- With regard to NSL, only 1 ground floor room would experience any reduction and well within the 20% guideline.

- In terms of sunlight, the site facing elevation of this terrace is not orientated within 90 degrees of south. Sunlight is therefore not an issue.

1-20, 61-80 and 81-100 Lisgar Terrace

- Flats located to the south of the site with a combination of facing bedrooms and living rooms.
- Ground floor facing windows closest to the site would experience proportional reductions in VSC of around 40% but retain VSC values in excess of 19%. This compares favourably with the alternative 15%-18% VSC targets.
- Some windows within recessed section of the elevation would experience slightly larger proportional reductions, yet still retain VSC values in the region of 14%-15%. Some of these recessed rooms are dual aspect.
- In terms of sunlight, the site facing elevation of these buildings is not orientated within 90 degrees of south. Sunlight is therefore not an issue.

St. James School

13.26 The effects on St. James School, located to the west of the site has been taken into consideration. Most of the windows in the north-east elevation facing the site serve classrooms.

13.27 Some reductions have been identified in daylight to windows and rooms located in the northern half of this elevation (windows either located opposite Glyn Mansions or have a view along Earsby Street). These reductions are however small and in accordance with the default BRE numerical guidance. Two windows would experience slightly larger proportional reductions in VSC (22.2% and 22.4%). These are not significantly in excess of the guideline 20%. The southern portion of this elevation is closer to the site and there would be more noticeable reductions to the classroom windows at this end of the elevation. Three openings identified serve dual aspect rooms. Therefore, any loss of light is mitigated by the south-east facing windows that look across the playground. Three single aspect classrooms are also served by windows in this location. The 5 windows serving these spaces, would have retained VSC values ranging from 17.3% - 20.7%. This demonstrated that a good level of daylight for an urban location is retained. The remaining 2 windows would retain VSC values of 10% - 11%. This level of daylight is not uncommon in an urban location, and overall, the effects on the school are considered acceptable.

13.28 In terms of sunlight, the overall effects on the school are very minor. One room would experience a reduction in excess of APSH guidance, and this is to a small reduction in winter sunlight. The affected room would still receive 35% of total APSH after development, which is significantly more than the default BRE target of 25%.

13.29 The assessment has found that existing light levels to neighbouring properties are unusually high for such an urban location, as the existing

buildings are substantially lower (or next to open ground) than the surrounding mansion blocks or St James School. Accordingly, from this baseline, the proposals would inevitably return some reductions in level although these are considered acceptable in this urban context. Similarly, impact on neighbouring sunlight levels remain minor. All properties directly facing the Site would retain very good access to sunlight.

Open Space/Overshadowing

- 13.30** There are no open space amenity areas to the north of the site. Marcus Garvey Park is located to the south/south-west of the site, and there would be no material overshadowing effects. The park has an open aspect to the south, meaning it will continue to receive good levels of sunlight.

Conclusion

- 13.31** In relation to the daylight effects on the neighbouring properties, existing light levels to the properties are good for an urban location. As the existing site buildings are predominantly single storey there will be some noticeable reductions.
- 13.32** Overall, the effects are considered acceptable with retained levels of amenity are good and compare favourably with appropriate daylight targets for the site location.
- 13.33** In relation to sunlight, the effects on the neighbouring properties are minor. All properties with site facing windows that are orientated within 90 degrees of south (i.e., those that are material for assessment) will retain very good access to sunlight after development.
- 13.34** Regarding daylight amenity within the proposed residential accommodation, overall daylight illuminance levels are considered to be good. Levels of compliance with the BRE CBDM internal daylight targets are acceptable, particularly when considering the urban location. In the light of the above, the proposed development accords with NPPF paragraph 123c and London Plan Policy D6, Local plan HO4, HO11, DC1 and 2 and SPD HS8.

14.0 HIGHWAYS AND TRANSPORT

- 14.1** **The NPPF** requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
- 14.2** In determining this application, consideration has been given to the requirements of **Policies GG2, GG3, T1, T2, T4, T5, T6, T6.1 and T7 of the London Plan**, as well as the Healthy Streets for London strategy, published by TfL in 2017, in assessing the effects on the local highway network along with the proposed car parking, cycling parking and servicing requirements.

London Plan Policy T6 and T6.1 state that proposals should encourage the reduction in the need to travel, especially by car.

- 14.3 Policies T1, T2, T3, T4, T5 and T7 of the Local Plan** which relate to traffic impact/transport assessments, car parking standards, cycle parking, encouraging walking have been considered. Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste. **Planning SPD (2018) Key Principles WM1, WM2, WM7 and WM11** are also applicable which seek off-street servicing for all new developments.
- 14.4** The planning application is supported by a Transport Assessment (TA) which includes a Healthy Streets Assessment, Delivery / Servicing Plan, a School and Residential Travel Plan (TP) and operational waste Strategy. The Transport Assessment assesses the impact on trip generation, car and cycle parking, access arrangements, delivery and servicing. The TA has been reviewed by the Council's Transport and Highways Officer who raises no objections to the proposals subject to planning conditions and obligations.
- The development proposals**
- 14.5** The application proposes to re-develop the existing school and provide 91 residential dwellings with a mixture of 1, 2 and 3 bedroom dwellings. The proposed mixed-use development will comprise the re-provision of the one form entry primary school, comprising a primary school for 210 children, a nursery school with 30 children, 10 high needs children (total of 250 places) and up to 40 staff on-site; and the provision of 91 residential dwellings within two separate buildings on either side of the new school building with 52 dwellings in Building A and, 39 dwellings in Building B. The proposals will not provide any vehicle access to the site. The proposed development will be car-free, with no off-street, car parking provided.
- 14.6** It is proposed to widen the footway on the Avonmore Road school frontage from approximately 2.2m to 4.2-4.3m, where the existing school keep clear markings are currently located. Currently, there is on-street parking provided on both sides of Avonmore Road, the carriageway width between the parking is 4.8-4.9m, which widens to 6.8m where the school keep clear markings are provided. As part of the footway widening proposals, the carriageway width of 4.8m between parking bays and footway will be retained.
- 14.7** The existing school keep-clear markings, which prevent stopping between 8am-9am and again between 3pm-4.30pm, will be retained along the school frontage. At all other times, waiting and loading would be permitted on the school frontage.
- 14.8** The changes to the footway width will improve the pedestrian environment and pedestrian comfort levels along the school frontage, reduce the design speed of the carriageway, whilst maintaining vehicle flows along Avonmore Road. These footway widening works on the Public Highway would be

secured via the Memorandum of Understanding and the Highway Works will be subject to detailed design through the Section 278 process.

Access

- 14.9** The site layout is designed to promote sustainable travel modes (walking, cycling, and public transport), featuring a safe and attractive pedestrian and cycle network with direct access to Marcus Garvey Park and Avonmore Road.
- 14.10** Access from Avonmore Road to the existing footway and cycleway on Hammersmith Road / Kensington High Street (A315) will provide convenient access to bus stops and connect the site to Kensington District Centre to the east and Hammersmith to the west.
- 14.11** Separate access for the school and residential buildings is maintained, addressing a key safeguarding requirement. The main visitor and community entrance to the school will be via Avonmore Road, with controlled entry leading to the school reception and waiting area, and a visual link to the playground.
- 14.12** Two secondary access points at the rear of the school will facilitate pupil pick-up and drop-off, secured during the day, allowing direct playground access.
- 14.13** Building A has two communal entrances via Earsby Street and Avonmore Road, with ground-floor units having dedicated front doors with street access.
- 14.14** Building B's primary entrance will be via Lisgar Terrace, with ground-floor units on Avonmore Road having their own front doors.
- 14.15** School kitchen deliveries and residential refuse collection will be managed via Avonmore Road.

Car Parking

- 14.16** **London Plan Policy T6 (Car parking)** state that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy.
- 14.17** **Local Plan policy T4 (Vehicle Parking Standards)** states that: "The council will only consider the issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL's public transport accessibility level)."

- 14.18 Local Plan Policy T5 (Blue Badge Parking Provision)** sets out that off-street, car parking for Blue Badge Holders is a requirement in residential development if vehicular access is available.
- 14.19** The existing school will be re-provided as part of the proposals and there will be no increase in the number of pupils or staff at the school. Therefore, it is not anticipated that there will be additional car parking demand associated with the school visitors, parents dropping off pupils or staff as a result of the school element of the proposals.
- 14.20** The roads surrounding the application site are within Controlled Parking Zone (CPZ) E, and on-street parking bays are available for permit holders as well as pay & display users between 09:00 – 20:00, Monday to Sunday.
- 14.21** There are ‘school keep clear’ markings along the school frontage on Avonmore Road, which prevent stopping between 8am-9am and between 3pm-4.30pm.
- 14.22** It is anticipated that visitors and community uses, hiring out the school’s facilities will travel to school by sustainable modes. These visitors will mainly visit the school outside the school hours, in the evening or on the weekends and, therefore, outside the peak drop-off and pick-up times. There are pay by phone bays available for parking for up to 2 hours Monday to Sunday. To mitigate any parking impacts associated with visitors hiring out the school’s facilities outside of the operational hours of the surrounding CPZ, an Operational Management Plan planning condition will be secured.
- 14.23** The proposed development will be car-free, with no off-street parking provided within the development. In order to determine existing on-street parking capacity and peak residential parking demand in the surrounding CPZ, parking beat surveys were carried out on the nights of Tuesday 20th and Wednesday 21st September 2022. The surveys were carried out on two consecutive weekday nights between 12.30am and 5.30am.
- 14.24** The surveys included all roads within 200m walk distance of the site. The parking surveys showed that 172 spaces out of 254 available spaces were occupied during the busiest night of the survey (when the residential parking demand is highest). The surveys observed a parking stress of 68%, which is well below the practical capacity at 85%. In total, the parking surveys identified that there are 82 spare spaces available for parking, before practical capacity (at 85%) is reached.
- 14.25** Along the site frontage on Avonmore Road the parking surveys observed 27 spaces out of a total of 43 spaces were occupied on the busiest night of the survey, which equates to a parking stress of 63%; On Avonmore Road south of the site (up to No. 20 Avonmore Road) 48 out of a total of 68 spaces were occupied, which equates to a parking stress of 72%; and on Lisgar Terrace 26 out of a total of 49 spaces were occupied, which equates to a parking stress of 53%.

- 14.26** The Applicant has committed to a car permit free development via the Memorandum of Understanding. A car permit-free development in this location accords with the parking policies in the Local Plan and London Plan. To prevent overspill parking and to minimise the impact on on-street parking capacity in the vicinity of the application site, future occupiers of the development (except blue badge holders) will not be eligible to apply for parking permits in the surrounding CPZ.
- 14.27** In connection to on-street car parking, within all LBHF CPZs, blue badge holders can park in any bay in the borough free of charge and are except from the car-permit free obligation.
- 14.28** Based upon the car parking survey data, there would be sufficient car parking capacity in the vicinity of the site to accommodate the potential blue badge holder parking demand generated by the development, without impacting on the amenity of existing residents, highway safety, capacity or access.
- 14.29** Should any future resident with a blue badge require a dedicated on-street disabled' bay they would be able to contact the Council and request to convert an on-street parking bay into a disabled bay. The Council would then assess whether residents are eligible for a space to be converted.
- 14.30** As recognised by TfL, the application has not proposed any Blue Badge car spaces on-site for either the residential or educational uses. However, as detailed above TfL acknowledge that the applicant has conducted a parking stress study of nearby roads which indicates the availability of spaces for users with a blue badge. It is therefore considered that the approach set out above aligns with TfL comments.

Cycle Parking

- 14.31** **London Plan Policy T5 (Cycling) and Local Plan Policy T3 (Increasing and promoting Opportunities for Cycling and Walking)** seek to develop and promote a safe environment for cyclists across the borough to encourage residents and businesses to consider these modes. Policy T3 seeks to increase and promote opportunities for cycling through the provision of convenient, accessible, and safe secure cycle parking within the boundary of the site. Appendix 8 of the Local Plan seek to ensure that satisfactory cycle parking is provided for all developments.
- 14.32** Cycle parking for the school and residents will be provided in accordance with the London Plan standards. A total of 158 spaces will be provided for residents and five spaces for visitors. The cycle parking provision for the residential dwellings will be provided within two cycle stores in Buildings A and B. Building A will provide a total of 88 spaces for residents plus three spaces for visitors; and Building B will provide a total of 70 spaces for residents plus two spaces for visitors.

- 14.33** Both cycle stores will be located on the ground floor in secure locations. Cycle parking will be provided in the form of two-tier stands, where 50% of spaces will be accessible from ground level, these cycle stands will include a mechanism that assists lifting the bike. In addition, in accordance with London Cycling Design Standards (LCDS), 5% of cycle parking spaces will be suitable for large, adapted and cargo bikes. This is equivalent to eight enlarged cycle spaces of which two spaces (one stand) will be provided in Building A and six spaces (three stands) will be provided in Building B. Further details of the residential cycle parking, and a Cycle Parking Management Plan should be secured through a planning condition, the Plan should include measure to improve accessibility and usability of the proposed cycle stores, including the provision of a dedicated access from each of the residential cores.
- 14.34** The school comprises a nursery (up to 30 children), a primary school (up to 210 children and 10 high needs children) and up to 40 staff. The London Plan standards require a total of five spaces for staff, 31 spaces for pupils and 2-3 spaces for visitors.
- 14.35** Following discussions with the school, it has been confirmed that the number of pupils using scooters to travel to/from the school significantly exceeds the number of pupils using bicycles. The existing school has no scooter parking. As a result students leave their scooters across the school grounds, which poses a trip hazard on the school grounds. Therefore, it is proposed to provide 20 long-stay spaces for staff, three short-stay spaces for visitors and 60 scooter parking spaces. Whilst this represents a shortfall in terms of cycle parking provision compared to the Local Plan standards, the total number of cycle/scooter parking provision considerably exceeds the minimum requirements. In addition, Policy T5 of the London Plan states 'For nurseries and primary schools, an appropriate proportion of long-stay cycle parking spaces for students may be met through scooter parking. Therefore, it is considered that the provision appropriate subject to Further details of the school scooter / cycle parking, and a Cycle Parking Management Plan should be secured through a planning condition, the Plan should include measure to review and monitor demand for scooter and cycle parking.
- 14.36** Cycle and scooter parking for staff and pupils will be provided within the school grounds at the rear of the school building, which is accessed from a dedicated access from Avonmore Road. A total of four Sheffield stands will be provided for visitors of the landscaping near the entrances to the development. These stands will be shared between the visitors of residents and visitors of the school. Three of these stands will be for visitors of residents, and two stands will be for visitors of the school.
- 14.37** The proposed cycle parking provision accords with the standards set out under London Plan Policy T5. Details are considered to comply with Local Plan policy T3.

Trip Generation

- 14.38** A Transport Assessment has been submitted with this application that outlines existing and projected trip generation and modal split. The Statement outlines how the proposals result in a negligible impact on the local transport network.
- 14.39** The existing school currently has a floor area of 1,399 sq.m and the proposed school will measure 2,352 sq.m this area will be re-provided as part of the proposed development. The proposed school will comprise a one form entry primary school accommodating 210 children, 10 high needs children, a nursery school with 30 children, and up to 40 staff. Therefore, the proposal will have no additional impact on the local highway network.
- 14.40** The existing school plan confirms 83% of children live within 1km of the school, 87% live within 2km of the school and 93% live within 3km of the school; The School Travel Plan confirms 84% of pupils travel by sustainable modes and 12% arrive by private car, 2% car share and 2% park and stride and 91% of staff travel by sustainable modes and 7% by car or motorbike and 3% by car share. A updated Travel Plan and associated monitoring will be secured by planning obligation to encourage further mode shift away from private car use.
- 14.41** Regarding the proposed residential use at the site, it is proposed to provide a car-free development comprising 91 dwellings, with around 50% being affordable and 50% being private tenure. A permit free obligation will be secured by condition to ensure the development is car-free. So, it is considered that vehicular impact of the development will be minimal.
- 14.42** The TRICS trip generation database has been reviewed in order to predict the likely level of trips generated by this residential development by all modes. the proposed development could generate 579 total person (two-way) trips throughout the day with only one vehicle movement in the AM peak and three (two-way) movements in the PM peak. Sustainable modes will represent 93% of all trips with 30% pedestrian and cycle trips and 61% public transport. This is comparable with 2011 census data which shows that 65% use public transport and 21% walk and cycle. Given the site's sustainable location and proximity to a variety of schools, employment, leisure, health, retail and other facilities in the vicinity of the site, a high percentage of trips will be undertaken by walking, cycling and public transport.
- 14.43** The proposed development is anticipated to generate 28 vehicle movements throughout the day, with one in the AM and three in the PM. Given that the development is car-free, the location of the site, the development will have a minimal impact on local road network. The development is also likely to generate 11 servicing trips per weekday (22 vehicle movements). The majority will be small vans and transits up to 7.5T (approximately 85%). It is likely that very few servicing trips will occur during the peak periods. The parking survey data confirms servicing trips can be accommodated in the vicinity of the site.

14.44 The number of deliveries to the Proposed Development is expected to be like that of the existing development and it is not expected to create additional traffic.

Healthy Streets

14.45 The development proposals have been reviewed with regard to the 10 Healthy Streets Indicators set out in London Plan Policy T2. The purpose is to ensure that the proposal has been designed to be attractive to people from all walks of life and to enable people to choose to walk, cycle and use public transport. It provides a design check to ensure that the development layout and the surrounding public realm is healthy, safe and welcoming

14.46 The Transport Statement submitted with the application undertook a Healthy Streets style review / assessment of the pedestrian and cycle environment between the application site and nearby amenities/facilities, including public transport facilities. The assessment undertook an Active Travel Zone (ATZ) assessment of the routes that would be used to access key facilities.

14.47 The following key routes in the vicinity of the site were audited: Route 1 to Kensington Olympia railway, underground and overground station and Santander Cycle Stands; Route 2 to bus stops and Kensington High Street/A315; and Route 3 to Marcus Garvey Park and bus stops on North End Road.

14.48 The findings of the assessment concluded the routes are of good quality with good footways and street lighting, but also highlighted a number of issues which could be improved. So, a S278 Highways Works obligation/or condition is required to address some of the issues identified in the ATZ route assessment. This also includes a Wayfinding Signage Strategy to secure improvements to the pedestrian route between the application site and Mark Garvey Park via Lisgar terrace and Earsby Street including surface treatment, lighting and wayfinding.

14.49 The S278 Highways Works obligation will also include the footway widening works on the Avonmore Road frontage, provision of tactile paving at the Avonmore Road / Earsby Street junction and reinstatement /improvement works to the footways on the site frontage Earsby Street and Lisgar Terrace.

14.50 In addition, sections of roads within the immediate vicinity of the application are one-way streets which isn't conducive to cycling in the roads surrounding the site. So, a contribution is required towards improving cycle wayfinding in the vicinity of the site.

14.51 It is considered that Transport for London's request for a financial contribution towards enhancements to local active travel infrastructure have been considered and measures and will be secured as part of the Memorandum of Understanding, Section 278 works and Wayfinding Signage Strategy.

Construction Logistics

- 14.52** In accordance with **Local Plan Policies T2 and T7** an Outline Construction Logistics Plan (CLP) has been submitted in accordance with Policy T7 of the Local Plan. Final documents including works associated with the demolition phase would be required to include construction vehicle routing, updated construction vehicle numbers, and other matters relating to traffic management to be agreed. Indicative construction vehicle movements including routing have been provided.
- 14.53** To minimise the likelihood of congestion during the construction period, strict monitoring and control of vehicles entering and exiting, and routing and travelling to and from the site, would need to be implemented through the CLP. Construction deliveries would also need to be carefully planned with delivery times agreed with each contractor in order to regulate deliveries and eliminate bottle necks on surrounding roads. At this early stage, the information has yet to be fully finalised, and the documents need to be developed. Further details including, temporary suspension of parking bays in order for loading and unloading of materials, and no parking provision for construction staff or operatives will need to be included.
- 14.54** Officers consider this information needs to be provided in compliance with TfL guidelines. The documents would need to be developed to be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only.
- 14.55** A final Construction Management Plan will be agreed with the Local Planning Authority via a pre-commencement condition, in line with Local Plan 2018 Policy T7 and Planning Guidance SPD Key Principle TR21. Details shall include control measures for delivery locations, numbers, size and routing of construction vehicles and other matters relating to traffic management to be agreed.

Delivery and servicing

- 14.56** All deliveries to the development will be undertaken on-street, and refuse collection and emergency vehicle access will be undertaken on-street from either Avonmore Road, Lisgar Terrace or Earsby Street.
- 14.57** The school deliveries are likely to remain unchanged, and the new school will be serviced from Avonmore Road, in the same way as the existing school. The school kitchen is located on the ground floor, in close proximity to Avonmore Road, for easier access to food deliveries. A dropped kerb will be provided to ease wheeling of bulk items as well as refuse bins.
- 14.58** The delivery and Servicing Plan submitted with the application will be secured through a condition and the Plan will include measures such as booking systems to ensure deliveries avoid school arrival and departure times.)

- 14.59** The residential element of the development will also be serviced from on-street. The residential element of the development is anticipated to generate ten delivery and servicing trips throughout the day, of which eight are likely to be undertaken by LGVs and two by OGVs.
- 14.60** Residential and school refuse will be stored separately in bin stores, with access on to Avonmore Road and Earsby Street, and all refuse generated by the development will be collected from Avonmore Road or Earsby Street as part of the existing refuse collection. It is considered that school staff and residents will move the bins from within the building of the development to Avonmore Road on collection days. Further details of the waste strategy for the site will be secured in the site wide Delivery and Servicing Plan.
- 14.61** There is sufficient capacity to accommodate the servicing and deliveries for both the school and residential development to be undertaken on street outside of the operational hours of the school-keep-clear markings which prevent stopping between 8am-9am and again between 3pm-4.30pm.

Travel Plan

- 14.62** A School Travel plan and a framework residential Travel Plan have been submitted which set out the baseline situation and measures which will be introduced to promote travel by sustainable modes and encourage access the site by walking, cycling and public transport as alternatives to the use of the private car.
- 14.63** The objectives of the Travel Plans are to promote and enable travel by walking, cycling and public transport. In addition, the Travel Plans will promote healthy lifestyles and sustainable communities. The objectives will be achieved through a range of measures including providing hard measures as part of the development such as high-quality cycle parking and soft measures such as the provision of residents' travel information packs and car club membership. The Travel Plans will be supported by an appointed Travel Plan Co-ordinators who will be responsible for implementing and promoting the Plans, monitoring the Plan by undertaking regular surveys and reporting the findings to the Council. The Council's highways officer recommends that the Travel Plans be secured by condition and including relevant monitoring and reviews.

Mitigation

- 14.64** Subject to entering into a Section 278 agreement for the identified highway works; securing appropriate car permit-free restrictions that prevent future occupiers (both school and residential) from being issued with on-street car parking permits; and the conditions above requiring the submission of travel plans; provision of cycle parking and a management plan; refuse and servicing delivery plans; wayfinding signage strategy; and demolition/construction logistics plans, the impact on the highway network would not be unacceptable assessed against Policies T1, T2, T3, T5, T6 and T6.1 of the London Plan 2021 and Policies CC6, CC7, T1, T2, T3, T4 and T5 of the Local Plan 2018.

14.65 In summary, subject to the above obligations and conditions, the Council's Highway officers consider that the proposal would not result in a severe impact on the highway network and is acceptable having regard to all relevant policies.

15.0 SUSTAINABILITY AND ENERGY

15.1 London Plan Policies SI 2 (Minimising greenhouse gas emissions), SI 3 (Energy infrastructure), SI 4 (Managing heat risk) require development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction, they should provide on-site renewable energy generation and seek to connect to decentralised energy networks where available or design their site so it is futureproofed and capable of connecting if one develops in this area in the future.

15.2 Policies SI 2 and SI 3 set out how new development should be sustainable and energy saving. **Policy SI 2** of the London Plan sets out achieve a minimum 35% on-site reduction in CO₂ emissions over Approved Document Part L (AD L) 2021, for all major developments and achieve net zero carbon emissions and, where this cannot be achieved on site, a commitment to offset any shortfall in achieving net zero carbon through a carbon offset payment. **Policy SI 3** states that within Heat Network Priority Areas, which includes the site, major development proposals should have communal low-temperature heating systems in accordance with the following hierarchy:

- a) Connect to local existing or planned heat networks
- b) Use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
- c) Use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
- d) Use ultra-low NO_x gas boilers.

15.3 Policy SI 4 requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials, and the incorporation of green infrastructure. This should be demonstrated by following the cooling hierarchy along with an assessment using The Chartered Institution of Building Services Engineers (CIBSE) guidance on assessing and mitigating overheating risk in new developments, using TM59 and TM52 for domestic and non-domestic developments, respectively.

15.4 Local Plan Policy CC1 (Reducing Carbon Dioxide Emissions) requires all major developments to implement energy conservation measures with a view to reducing carbon dioxide emissions. The policy, however, refers to the previous version of the London Plan and as such has been partly superseded by the more up to date requirements contained in the new London Plan. **Local Plan Policy CC2 (Sustainable Design and Construction)** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.

Energy and Sustainability

- 15.5** Combining all the efficiencies of the 'be lean', 'be clean', and 'be green' stages of the energy hierarchy means that this development is anticipated to reduce CO2 emissions on Site by 76.9% for the domestic part of the development and 35.7% for the school compared to Part L of the Building Regulations. At the 'Be Lean' stage, the proposed development meets the GLA target of 10% regulated CO2 emission reductions for the residential portion of the scheme, and a 15% reduction for the school portion of the scheme.
- 15.6** In respect of 'Be Clean' (supply energy efficiently) the application site is located to an area where a district heat network (DHN) is considered feasible; however, no firm plans for its development are in place to date. Site-wide heat networks have been found to be viable for the proposed development. This includes a residential energy strategy that will include an all-electric, low-carbon heating system, comprising communal ASHPs to each building; with all necessary infrastructure to future proof a connection to a DHN if and when one becomes available and a connection is deemed viable. The school is proposed to have its own heating plant also comprising centralised ASHP with the flexibility to connect to a DHN in the future.
- 15.7** At the 'Be Green' stage the renewable technologies feasibility study carried out for the development identified photovoltaics (PV) and air source heat pumps (ASHP) as suitable technologies for the development. The incorporation of renewable technologies will reduce CO2 emissions by a further 52.4% over the site wide baseline level against Part L 2021. The School will achieve BREEAM Excellent.
- 15.8** Accordingly, the energy statement shows that carbon emissions would be minimised as much as possible on site and that the shortfall to achieve net zero carbon development would be made up by a payment-in-lieu contribution. This is in line with London Plan Policy SI 2, Local Plan Policy CC1, and section 14 of the NPPF and ensure the proposal can be considered operationally net zero carbon in line with Policy SI 2.
- 15.9** Subject to conditions officers consider that the development meets the requirements of Policies SI 2, SI 3 and SI 4 of the London Plan 2021 and Policies CC1 and CC2 of the Local Plan 2018 implementing measures wherever possible to provide a high level of sustainability. Measures include the following: re-using previously developed land, car free development, encourages cycle use by providing cycle parking, provides recycling facilities, including water efficiency measures and sustainable energy measures to reduce CO2 emissions, use of sustainable building materials, tree planting that increases biodiversity, flood risk minimisation measures and noise and air quality mitigation measures.

Circular Economy Statement and Whole Life-Cycle Carbon Assessment

- 15.10** Although the Proposed Development is not GLA referable and therefore the preparation of a Circular Economy Statement and Whole-Life Cycle Carbon Assessment is not a requirement under London Plan Policies SI 2 and SI 7, both these documents have been prepared in support of this application.
- 15.11** The Circular Economy Statement demonstrates the measures in place to incorporate Circular Economy principles within the design, construction, and use of the buildings.
- 15.12** The Whole Life Carbon Assessment uses GLA methodology to calculate an accurate assessment of the building's carbon impact on the environment. The WLCA was undertaken at an early design stage maximising the opportunity to incorporate carbon-reduction measures and measure these gains. These additional reports have been developed to inform the proposals in line with the council's commitment to the delivery exemplary sustainability standards. The strategy includes:
- Ensuring materials and resource use is minimised in line with the (first principle of circular economy).
 - Ensuring designs are flexible to respond to waste elimination (second principle)
 - Managing demolition/construction and municipal was to maximise recycling and minimise waste (third principle).
- 15.13** The Overheating Risk Assessments (both for the proposed schools and residential elements) contained within the submitted Energy Statement outline the strategies in place to ensure that both school spaces and homes do not overheat. Mechanical ventilation has been included in both elements to ensure suitable temperatures.
- 15.14** The council require all developments to be zero carbon. The building fabric U-values have been minimised as far as practically possible, MVHR being proposed for all residential units, and central areas of the school (i.e. offices and WCs) and mixed-mode ventilation units with heat recovery capability to the classrooms. ASHPs with backup boilers and PV panels are proposed as part of the renewable strategy to further minimise carbon emissions.
- 15.15** In terms of energy use and carbon reduction, the proposals are considered to be acceptable, and the implementation of the measures outlined in the Energy Assessment can be conditioned.
- 15.16** Officers therefore consider that subject to conditions requiring compliance with the Energy Strategy; and the inclusion of the carbon offset payment in the legal agreement, the Proposed Development accords with Policies SI 2, SI 3 and SI 4 of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

16.0 FLOOD RISK DRAINAGE AND WATER RESOURCES

- 16.1** The **NPPF** seeks to meet the challenge of climate change, flooding, and coastal change by supporting the transition to a low carbon future in a changing climate taking account of flood risk and coastal change.
- 16.2** **London Plan Policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage)** outline strategic objectives in relation to flood risk management and sustainable drainage. Local Plan Policy CC2 requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. Local Plan **Policies CC3 (Minimising Flood Risk and Reducing Water Use) and CC4 Minimising Surface Water Run-Off with Sustainable Drainage Systems)** contain similar requirements designed to assess and mitigate against the risk of flooding and integrate surface water drainage measures into development proposals.
- 16.3** The Site is located within Flood Zone 1 (less than 0.1% annual probability of flooding).
- 16.4** In compliance with the requirement of Local Plan Policy CC3, a Flood Risk Assessment ('FRA') has been submitted in support of this planning application.
- 16.5** The GOVUK flood map indicates that there are areas of high surface water flood risk to the rear of the site and within Earsby Street. To mitigate against the risk for surface water flooding, all the new Buildings are located directly adjacent to Avonmore Road and as a result are located outside of the surface water flood extents. The western side of the site, which does lie within the flood extents, is designated as a playground which would have minimal impact to both the school or the residential units during a flood event.
- 16.6** To provide additional mitigation, the ground floor levels to Building A and the school will be set at above the flood level. Due to requirements of Building Regulations Part M and the existing levels surrounding the site, it would not be possible to raise the ground floor slab level further without compromising step-free access. Ground levels directly adjacent to the building would also be designed to fall away from the building.
- 16.7** The existing school currently does not have any surface water attenuation on the site. As part of the new drainage strategy, significant surface water attenuation would be provided across the site, which will accommodate rainfall events up to the 1 in 100-year return period with an additional 40% allowance for climate change. Consequently, this will help to further reduce the risk of surface water flooding.
- 16.8** The drainage strategy for the site should maximise opportunities to use Sustainable Drainage System (SuDS) measures at the top of the drainage hierarchy set out in London Plan Policy SI.13. Roofs and new public realm

areas present an opportunity to integrate SuDS such as green and blue roofs, tree pits, rain gardens, swales and permeable paving into the landscape, providing amenity and water quality benefits.

- 16.9** For the school the surface water attenuation is provided within below ground attenuation crates (soakaway) beneath the playground. Additional attenuation will be provided within the permeable paving to the playground. The school site will drain to a soakaway and as a result the greenfield runoff rates for this area have not been calculated. This is because there are no discharges of surface water into the sewer network and all run-off is going to be managed on-site so the need to limit discharges to the sewer to greenfield rates does not apply in this case for the school. A discharge rate of 1.5 l/s for each of the two residential Buildings is proposed for all events up to the 1 in 100-year return period with a 40% allowance for climate change.
- 16.10** Officers therefore consider that subject to conditions requiring compliance with the Flood Risk Assessment and the submission of an updated Sustainable Drainage Strategy, the Proposed Development accords with Policies SI 12 and SI 13 of the London Plan 2021 and Policies CC3 and CC4 of the Local Plan 2018.

17.0 WASTE AND RECYCLING

- 17.1 Local Plan Policies CC6 (Strategic Waste Management) and CC7 (On-site Waste Management)** sets out the Council's intention to pursue the sustainable management of waste and requires all new developments to 'include suitable facilities for the management of waste generated by the development, including the collection and storage of separated waste and where feasible on-site energy recovery'.
- 17.2** The refuse provision has been designed in line with the Council's Waste Management Guidelines, with storage to be provided for each residential buildings and for the school. These storage zones are within the mandated 10m drag distance to the refuse vehicle.
- 17.3** The four main communal entrances would have level access and are situated close to the existing streets so that postal workers can easily access the post boxes that are situated in the internal lobbies. Postal workers would have access to the communal lobby through a key fob, however, this will not give them access to any other parts of the building.
- 17.4** Subject to the inclusion of conditions requiring the implementation of the submitted documents as set out above, officers consider that the Proposed Development accords with Policies CC6 and CC7 of the Local Plan 2018.

18.0 GROUND CONDITIONS

- 18.1 NPPF Paragraph 183** states planning decisions should ensure that sites are suitable for its new use taking account of ground conditions and after remediation the land should not be capable of being determined as contaminated land.
- 18.2 Local Plan Policy CC9 (Contaminated Land)** ensures that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works. Key principles LC1-6 of the Planning Guidance SPG identify the key principles informing the processes for engaging with the council on, and assessing, phasing, and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.
- 18.3** The applicant has submitted a Phase 1 and 2 ground investigation reports, Geo-environmental report and LBHF internal search research results. Ground Investigation and a Detailed Unexploded Ordinance Risk Assessment, prepared by Listers Geotechnics.
- 18.4** Research suggest that the site has not been used for any industrial purposes.
- 18.5** The Phase II Ground Investigation identifies potential risk of subsurface concrete containing high pyrite content (typical of London Clay formations), and from Made Ground heavy metal containing contaminates and carbon dioxide and methane gases and from other contaminants from any former surrounding industrial activities. The accompanying reports set out a series of recommendations to mitigate risk during construction, appropriate remediation, and discovery strategies and during final site operation. Full details of assessment including levels of risk are contained with the Geoenvironmental report and should be referred to in the first instance.
- 18.6** The Unexploded Ordinance (UXO) Risk Assessment identifies low to medium potential risk of UXO and recommends a series of risk mitigation measures including safety training and speciality testing during certain construction phases.
- 18.7** Officers consider that potentially contaminative land uses (past or present) are understood to occur at, or near to, this site; or a sensitive use is proposed. Conditions are 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.
- 18.8** No objection is raised by the Council's Contaminated Land Officers to the Proposed Development or land uses subject to attaching the standard contaminated land conditions relating to investigation and remediation

works. Subject to the inclusion of the conditions, officers consider that the Proposed Development accords with Policy SD1 of the London Plan and Policy CC9 of the Local Plan.

19.0 AIR QUALITY

- 19.1 NPPF Paragraph 124** relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.
- 19.2 London Plan Policy SI 1 (Improving air quality)**, supported by the Mayor's Control of Dust and Emissions during Construction and Demolition SPG (July 2014), provides strategic policy guidance on avoiding a further deterioration of existing poor air quality. All developments will be expected to achieve Air Quality Neutral status with larger scale development proposals subject to EIA encouraged to achieve an air quality positive approach.
- 19.3 Local Plan Policy CC10 (Air Quality)**, states that the Council will seek to reduce the potential adverse air quality impacts of new developments through a range of policy measures.
- 19.4** The site is located within the borough wide Air Quality Management Area (AQMA) for two pollutants - Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀).
- 19.5** The applicant has submitted an Air Quality Assessment which is an assessment of the likely significant effects on local air quality as a result of the Proposed Development. This Assessment has found that the overall impacts of the Proposed Development will not be significant and that air quality for future users will be acceptable.
- 19.6** The suitability of the Site has been assessed by reference to the National Air Quality Objectives (NAQOs) and the World Health Organisation (WHO) guidelines. Concentrations of NO₂, PM₁₀ and PM_{2.5} have been predicted for a number of worst-case locations at the proposed development boundary. The modelling within the Air Quality Assessment has demonstrated that air quality at the proposed development would comfortably meet the relevant NAQOs even in the worst-case scenarios (of keeping vehicle emission factors constant at 2019 values and including cumulative schemes in the area), corresponding to the APEC-A criteria. The assessment concludes the effects of local air quality on future proposed receptors at the proposed development would not be significant and no mitigation against poor air quality would therefore be required for future receptors within the site.
- 19.7** Notwithstanding these findings, to further reduce future on-site receptors exposure to air pollution, mechanical ventilation with NO_x and PM_{2.5} filtration is being proposed for all residential units and all school spaces.

- 19.8** The proposed development would be car free with future residents not being allowed on-street car parking permits except for blue badge holders who will be allowed to park on-street. The proposed new homes are predicted to generate a up to 48 two-way movements including servicing and deliveries. This is below the Institute of Air Quality Management (IAQM) guidance thresholds, and therefore the assessment considers that proposal's vehicle emissions impact on local air quality would not be significant. The proposed development school would not generate additional vehicle movements when compared with the existing school. The proposed development energy strategy is based on non-combustion sources for both the school and residential uses and would not result in a significant the release of air pollutants. Accordingly, the impact on existing human health receptors would not be significant.
- 19.9** The proposed development would comply with the requirements of the Mayoral SPG and London Plan to be air quality neutral. No additional mitigation would therefore be required against the direct effects of the proposed development. However, to further reduce the impacts of emissions associated with the development, a Travel Plan and Residential Travel Pack has been developed, which seek to reduce the number of vehicle movements associated with the development and subsequent emissions by encouraging sustainable transport. The school will continue to operate and refine its existing travel plan.
- 19.10** The effects of local air quality on future proposed receptors on-site are judged to be not significant. However, to further reduce future on-site receptors exposure to poor air quality, mechanical ventilation with NO_x and PM_{2.5} filtration is being proposed for all residential units and all school spaces.
- 19.11** The demolition and construction work have the potential to create dust. During construction substantial mitigation measures to reduce the impact of high-risk sites would be put in place to minimise the risk of elevated PM₁₀ concentrations and dust nuisance in the surrounding area. This can be secured through a number of standard planning conditions that are routinely applied to developments of this scale and nature. With mitigation in place the construction impacts are considered with the Ramboll Air Quality Assessment as not significant.
- 19.12** The Council's Environmental Quality team has reviewed the Air Quality Assessment submitted with the application. It is considered that the Proposed Development will introduce new receptors into an area of poor air quality that currently fails the WHO air quality guideline values for NO₂, PM_{2.5} and PM₁₀. Additional Mitigation measures will be required to make the development acceptable in accordance with policy CC10. Officers recommend that conditions be attached to any approval requiring details to be submitted for approval relating to (1) Air Quality Dust Management Plan (Demolition and Construction); (2) Ventilation Strategy; (3) Ventilation Strategy (Compliance); (4) Green Infrastructure; (5) Zero Emission Heating compliance; and (6) Indoor Air Quality, (7) Ultra Low Emission Strategy.

19.13 Subject to the inclusion of conditions requiring the submission of a revised Air Quality Assessment prior to the commencement of above ground works of the development to address mitigation measures, officers consider that the Proposed Development can accord with Policy SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

20.0 NOISE AND VIBRATION

20.1 London Plan Policy D14 (Noise) sets out measures to reduce, manage and mitigate noise to improve health and quality of life.

20.2 Local Plan Policy CC11 (Noise) advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout, and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity.

20.3 Local Plan Policy CC13 (Control of Potentially Polluting Uses) seeks to control pollution, including noise, and requires Proposed Developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.

20.4 SPD Key Principle NN3, concerning the sound insulation between dwellings, states that 'Careful consideration should be given to stacking and layout of rooms in relation to adjoining walls/floors/ceilings. To ensure the amenity of occupiers is not adversely affected by noise, the Council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.'

20.5 The applicant has submitted an Acoustic Report which is a noise impact assessment to identify any site risks and constraints to the development due to existing and future sources of noise and vibration.

20.6 Noise monitoring surveys identified the daytime and night-time main sources of noise are road traffic along Hammersmith Road / Kensington High Street and Avonmore Road; pedestrians; and the park and school playgrounds. The nearest noise sensitive receptors around the site have been identified as residential and education uses.

20.7 External noise impacts onto the proposed buildings have been assessed and the Silcock Dawson report concludes that the recommended internal and external ambient noise levels can be achieved through the proposed acoustic design assumptions including walls, windows, roofs, etc.

20.8 Educational operational noise levels are unlikely to increase from existing levels and the new residential element would not be likely to give rise to any adverse noise impacts on the occupants of the new homes nor adjacent sensitive residential receptors.

- 20.9** During construction, on-site, the implementation of good industry standards, guidance and practice procedures (i.e. Considerate Contractors scheme) will be followed in order to minimise noise effects. Noise and vibration will be managed to reduce impacts, and mitigation measures have been set out within the Construction Management Plan and Construction Logistics Plan secured by conditions.
- 20.10** In conclusion, the Proposed Development has been assessed for noise and vibration impacts in accordance with the relevant planning policies, standards and guidance, and it is not considered likely to give rise to any significant adverse noise impacts.
- 20.11** During construction, on-site, the implementation of good industry standards, guidance and practice procedures (i.e. Considerate Contractors scheme) will be followed in order to minimise noise effects. Noise and vibration will be managed to reduce impacts, and mitigation measures have been set out within the Construction Management Plan and Construction Logistics Plan secured by conditions.
- 20.12** Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that the Proposed Development accords with the NPPF and Policies CC11 and CC13 of the Local Plan.

21.0 ECOLOGY

- 21.1** **London Plan Policy G5 (Urban Greening)** states that development proposals should integrate green infrastructure from the beginning of the design process, which could include tree planting; green roofs and walls; and soft landscaping. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. Higher standards of greening are expected of predominately residential developments (target score 0.4). **Policy G7 (Trees and Woodlands)** seeks the retention of trees wherever possible, and states that any loss should be replaced, and additional trees should be planted where possible.
- 21.2** **Local Plan Policy OS5 (Greening the Borough)** seeks to enhance biodiversity and green infrastructure in the borough.
- 21.3** The site does not form part of any statutory or non-statutory nature conservation site and is not located within a preferred location for biodiversity. The existing site comprised a substation building with areas of associated hardstanding and bare ground. Small areas of poor semi-improved grassland, introduced shrub, and scattered trees were present throughout the site.

21.4 The current proposals include new areas of extensive biodiverse roof, flower rich planted beds, green walls, amenity grassland, scattered street trees, and hedgerows.

21.5 A Preliminary Ecological Appraisal ('PEA') has been submitted in support of this application. The PEA contains a number of recommendations:

- Breeding birds – removal of the existing substation and trees on the Site should be undertaken outside of the nesting bird season as they have the potential to support breeding birds. If this is not possible, nesting bird check should be undertaken prior to clearance.
- Invasive species – measures should be put in place to avoid the spread of invasive species found on the Site.
- Mature trees – whilst the existing trees on the Site are proposed for removal, a significant number of new trees would be planted.
- Biodiversity enhancement measures – these enhancement measures could be secured via a planning condition.

21.6 The Proposed Development is in accordance with Policy G6 of the London Plan 2021 and Policy OS5 of the Local Plan 2018.

22.0 ARCHAEOLOGY

22.1 **London Plan Policy HC1 (Heritage conservation and growth)** states that new development should make provision for the protection of archaeological resources. **Policy DC8 of the Local Plan** sets out the principles for the conservation and protection of heritage in the borough.

22.2 The site is not located within a locally defined Archaeological Priority Area. However, an Archaeological Desk Based Assessment has been submitted in support of this application which assesses its below ground archaeological potential in advance of the Proposed Development.

22.3 The assessment concludes there is low potential for the site to contain archaeological remains from periods earlier than the post-medieval period. While the entire site is proposed to be redeveloped, it is unnecessary to require preliminary archaeological field evaluation of the site.

22.4 Historic England (GLAAS) commented that the proposals are unlikely to have a significant effect on heritage assets of archaeological interest and don't recommend any archaeological conditions to be attached to any approval.

22.5 Officers consider that the details submitted sufficiently addresses the protection of archaeological resources in accordance with Policy HC1 of the London Plan 2021.

23.0 FIRE STRATEGY

- 23.1** With the introduction of **Policy D12 in the London Plan** and updates to Planning Practice Guidance in relation to fire safety, the applicant has prepared a Fire Safety Statement prepared by a suitably qualified third-party assessor, to demonstrate that the Proposed Development has been designed to offer a safe environment for residents. **Policy D5** further seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the buildings.
- 23.2** Owing to the increasing emphasis on the importance of fire safety across all policy levels (particularly Policy D12 in the London Plan), the designs have been prepared in close collaboration with Jensen Hughes Fire Consultants who are suitably qualified third-party assessors. Although the building height does not reach the 18 metre threshold for Building Bulletin 100 to be relevant, LBHF have made the decision to design the proposals in line with the bulletin to ensure the utmost standard of safety for teachers, pupils and residents.
- 23.3** London Plan Policy D5 further seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the buildings.
- 23.4** The Proposed Development would achieve the highest fire standards, with both adopted and emerging policy requirements being met. Jensen Hughes Fire Consultants have been employed a fire consultancy to advise on the development proposals from the start of the design development process and a Fire Safety Strategy has been prepared in support of the Application.
- 23.5** A Fire Strategy has been prepared by Jensen Hughes and submitted in support of this application, in accordance with the requirements of London Plan Policy D12. The Building Safety Gateway 1 Form is not required.
- 23.6** The Fire Strategy outlines:
- How the design has considered fire risk.
 - Active fire safety systems.
 - Means of escape and access.
 - Facilities for the fire brigade.
 - Fire safety management.
- 23.7** Accordingly, it is considered that the proposal accords with the London Plan and Policy D12 of the Local Plan in respect of safety and resilience to emergencies.

23.8 Subject to the inclusion of a condition requiring an updated Fire Strategy officers consider that the Proposed Development accords with the London Plan and Policy D12 of the Local Plan in respect of safety and resilience to emergencies.

24.0 DESIGNING OUT CRIME

24.1 Local Plan Policy DC2 requires developments to be designed in line with the principles of Secured by Design.

24.2 A Secure by Design officer has been involved in the development of the design, through workshops. Their input has helped to develop the access strategy and courtyard lighting proposals, in particular. The Design and Access Statement sets out how the scheme is designed with safety and crime prevention in mind.

24.3 Subject to the inclusion of a condition requiring Secure by Design accreditation, officers consider that the Proposed Development accords with the London Plan and Policy D12 of the Local Plan in respect of safety and resilience to emergencies.

25.0 DEVELOPMENT BENEFITS / SOCIAL VALUE

25.1 The applicant would be required to work with the borough and local training, employment, and education agencies to maximise local take up of these positions during the construction phase of the development. The Local Planning Authority will also seek to secure that 10% of the construction costs will be offered as local procurement contracts and are secured for the local economy.

25.2 The proposals would represent a transformation of the existing school which is at present does not offer its pupils the exemplary level of educational facilities which LBHF Council aspire to deliver. The delivery of much needed high quality new homes, half of which would be affordable, within the site represents an innovative model to fund the delivery of the school.

25.3 The proposals would offer a range of significant planning benefits for the wider community, including:

- a) The optimisation of a highly accessible and sustainable brownfield site which is at present underutilised. The Proposed Development would make better and effective use of brownfield land to deliver a school and create homes that would directly support the economic growth and competitiveness of the capital and support the regeneration of inner London generally. In doing so it can unlock social benefits and enable opportunities for environmental improvements.
- b) Provision of a new highly sustainable, energy efficient and accessible school and nursery which achieves BREEAM Excellent and provides new teaching, play and educational facilities including on site forest school.

- c) School facilities (the playground at ground floor, the main hall and the art/design technology and food technology classrooms to be made available for community use out of school hours) retaining and increasing current community use of the site.
- d) The opportunity to deliver new housing, including a substantial number of affordable homes. This will be a meaningful contribution towards the Borough's housing need and housing choice. The delivery of 91 high quality new homes, 45 of which would be delivered as affordable units.
- e) The Proposed Development would make better and effective use of brownfield land to create homes that would directly support the economic growth and competitiveness of the capital and support the regeneration of inner London generally. In doing so it can unlock social benefits and enable opportunities for environmental improvements
- f) An appropriate townscape response to the Site and surrounding area, considering the requirement to provide much needed market and affordable homes.
- g) A development that seeks to support sustainable environmental objectives through taking steps to achieve reductions in energy consumption, carbon, water usage and waste production. A 74% reduction in Carbon emissions across the development, constituting and very substantial annual decrease of CO₂ in the atmosphere. The School will achieve BREEAM Excellent.
- h) The Proposed Development provides an opportunity for multiple economic and employment benefits to Hammersmith and Fulham not only during the construction process, but also in the future through the provision of homes and contributions to the community.
- i) Contributions for improvements to Marcus Garvey Park.
- j) The planting of 11 new trees within Marcus Garvey Park / surrounding area.

26.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Mayoral / Borough CIL

26.1 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the scheme would be liable for a CIL payment. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3. Local CIL

26.2 The Council has also set a CIL charge levied on the net increase in floorspace arising from development to fund infrastructure that is needed to support development. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1 September 2015.

26.3 This development is liable for London-wide community infrastructure levy (Mayoral CIL2) and Borough CIL but qualifies for Social Housing Relief.

27.0 MEMORANDUM OF UNDERSTANDING AND CONDITIONS; THE COUNCIL AS APPLICANT AND DEVELOPER

27.1 The Council is both the landowner and Applicant, and it is proposed that the Council will build out the development.

27.2 It is lawful for the Council to grant planning permission in those circumstances, and to attach conditions to such a planning permission.

27.3 However, it is not legally possible for the Council as landowner to enter into a unilateral obligation or agreement under section 106 of the Town and Country Planning Act. The reason for this is that the Council as Local Planning Authority cannot enforce a planning obligation against the Council as landowner. That is because although these are two different Council functions, the Council is a single entity in law. A person cannot realistically be said to enforce legal obligations against themselves.

27.4 It is therefore proposed that matters which would otherwise be dealt with in a section 106 obligation will be set out in a Memorandum of Understanding, containing undertakings from the Council. The Memorandum will be at substantially the same level of detail as a section 106 obligation and is a material consideration for the determination of this planning application.

27.5 Failure by the Council to honour the undertakings in the Memorandum of Understanding (or to comply with the conditions) may constitute maladministration, and a decision not to comply with them could potentially be the subject of an application for judicial review on the grounds of failure to take account of material considerations, taking account of irrelevant considerations or acting so unreasonably that no reasonable Council could act in that way.

27.6 Also, the conditions would be legally enforceable under the Town and Country Planning Act by the Council against any person to whom the Site or the development is disposed of, whether in whole or part, and the Council has undertaken that if it disposes of the whole or part of the Site or development (other than individual dwellings) it will require a section 106 obligation from the buyer containing the same undertakings (or their substance) as will be contained in the Memorandum.

27.7 A summary of the matters to be dealt with in the proposed Memorandum of Understanding is set out below.

A. Car Parking Permits

B. Affordable Housing

C. Wheelchair Units

D. Public Realm Improvements

E. Energy and Sustainability

F. Employment, Training and Local Procurement Strategy

G. Monitoring Contributions

1. Air Quality

Air Quality Dust Compliance: A monitoring fee of £10,000 payable every 12 months from the Commencement of Development (including Demolition Works) for the purpose of reviewing and monitoring the demolition and Construction site AQDMP compliance plan during the demolition and construction phases of the development.

2. Traffic, Transport, and Highway Works

Construction Logistics Plan: A monitoring fee of £5,000 per year of construction (and demolition) works, for the purposes of reviewing and monitoring the Demolition Logistics Plan, Demolition Management Plan, Construction Logistics Plan and Construction Management. Monitoring to include reference to a Community Liaison Group Meeting, to be held with residents/occupiers prior to commencement of development, and at regular intervals, to ensure that they are aware of the impacts and have had the opportunity to input into the CLP.

3. Travel Plans

Construction Workforce Travel Plan: Monitoring cost (£5,000 paid every 12 months from the anniversary of commencement of development).

Residential Travel Plan: Monitoring cost (£5,000 paid at review years 1, 3 and 5) from first occupation of this part of the development.

School Travel Plan: Monitoring cost (£5,000 paid at review years 1, 3 and 5) from first occupation of this part of the development.

4. Energy and sustainability

Carbon Dioxide Emissions Offset Payment of £66,959 and any subsequent uplift subject to a revised Energy Statement/Sustainability Statement secured by Conditions 29 and 30. Development to be capable of connecting into a District Energy Network.

H. Council's Legal Costs

1. Payment of the Council's reasonable legal and other professional costs incurred in preparing the Memorandum of Understanding.

28.0 CONCLUSION AND RECOMMENDATIONS

- 28.1** This 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, the application is acceptable in all respects.
- 28.2** The height, scale and massing of the proposed built form is appropriate and provides a satisfactory design response to the site and surrounding townscape, delivering an appropriate level of density with regard to its location and the size of the site. The architectural character of the scheme is considered to represent a high-quality of design.
- 28.3** Harm has been identified to the Olympia and Avonmore conservation area through demolition of Gordon Cottage (itself a locally listed non-designated heritage asset) and loss of trees, but the harm is identified at the lower end of less than substantial harm. In line with local policy and the NPPF, this level of harm to the conservation area, and the harm caused by the total loss of the non-designated heritage asset of Gordon Cottage, has been considered against the public benefits coming forward as part of the scheme. It is considered this harm is counter-balanced and outweighed by the substantial public benefits that the proposal would deliver.
- 28.4** 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. The development is considered to comply with the Development Plan, taken as a whole.
- 28.5** Officers support the proposed development in line with the recommendations at the start of the report.