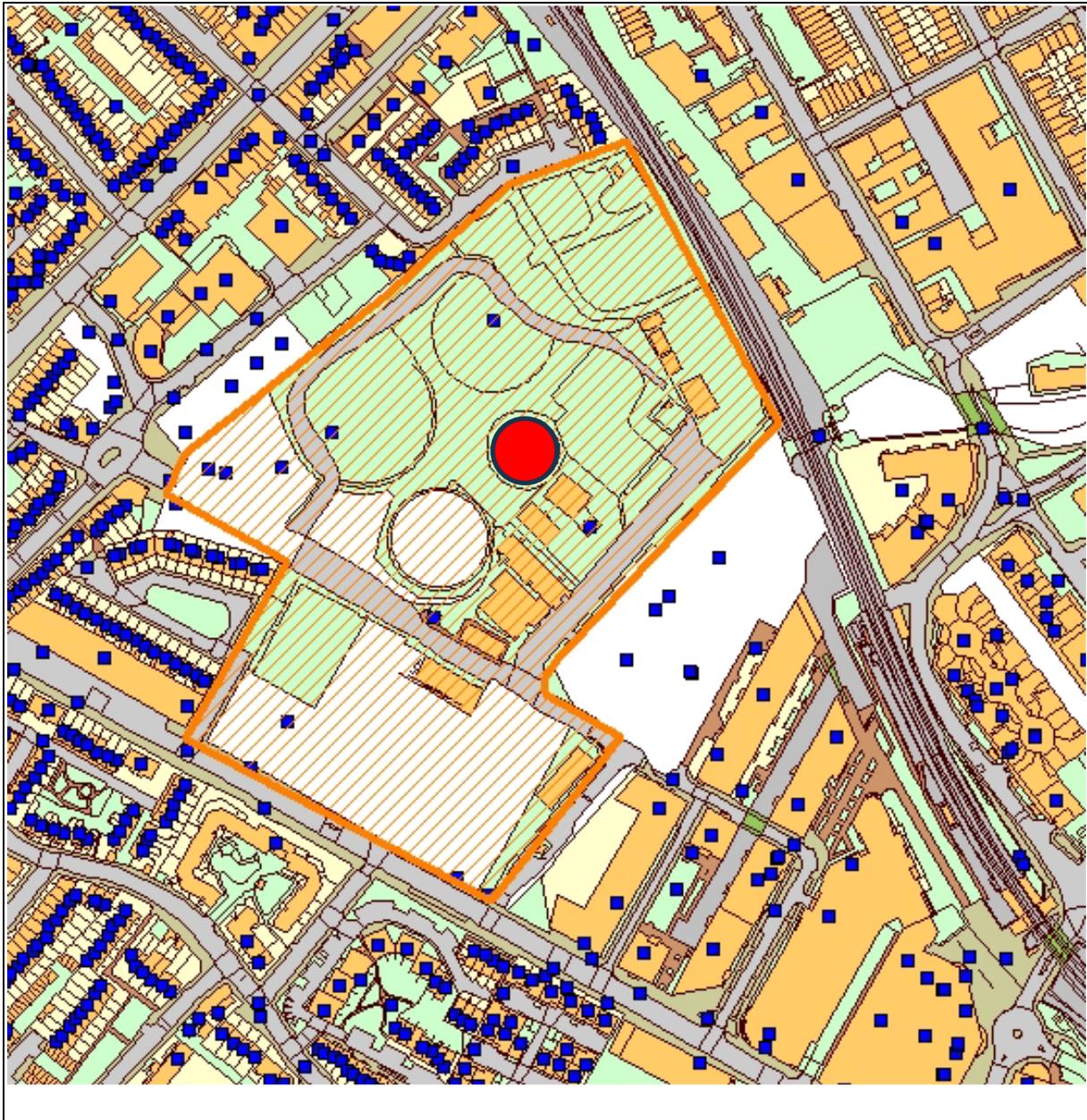


**Ward:** Parsons Green and Sandford

**Site Address:**

Fulham Gas Works Imperial Road London



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For identification purposes only - do not scale.

**Reg. No:**  
2025/00651/FUL

**Case Officer:**  
Catherine Slade

**Date Valid:**  
03.03.2025

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

**Committee Date:**  
20.01.2026

**Applicant:**

Mr Sean Gilbreth  
3 Riverlight Quay London SW11 8AY

**Description:**

Works to Gasholder No.2 comprising:

- (i) bell and tank wall stabilisation works including concrete pours;
- (ii) the recording of the existing structure, the dismantling and off-site refurbishment and restoration of part of the existing structure;
- (iii) the permanent removal of roof sheeting, metal tank walls and infilling of existing void;
- (iv) the incorporation of replacement components where the original components are degraded beyond repair; and
- (v) the repainting and erection of the restored and replacement components of the gasholder in a new configuration with required alterations to facilitate the use of the salvaged elements of the gasholder as an integrated feature of the wider landscaped park, including introduction of a water feature and new seating and other associated works.

Drg Nos: See Condition No.2

**Application Type:**

Full Planning Application

**Officer Recommendation:**

- (1) That the Committee resolve, subject to there being no contrary direction from the Secretary of State, that the Director of Planning and Property be authorised to determine the application and grant planning permission subject to the conditions listed below (as amended or varied in accordance with 2 below) and subject to the completion of a satisfactory legal agreement in accordance with 3 below.
- (2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee, be authorised to make any changes to the conditions listed below, which may include the amendment, addition or deletion of conditions, and any such changes shall be within their discretion.
- (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 make any minor changes to the Heads of Terms of the legal agreement and finalise the legal agreement to deal with the matters set out in Section 8 of this report.

**Conditions:**

- 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).

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

6449-PL 01 Rev 01 Site Location Plan  
6449-PL 02 Rev 01 Existing Site Plan  
6449-PL 03 Rev 01 Existing Ground Floor Plans Showing Demolitions  
6449-PL 04 Rev 01 Existing Internal Floor Plan Showing Demolitions  
6449-PL 05 Rev 01 Existing Ceiling Plan Showing Crown Structure  
6449-PL 06 Rev 01 Existing Sections Through Gasholder  
6449-PL 07 Rev 01 Existing Elevation  
6449-PL 08 Rev 01 Existing Tripod Structure  
6449-PL 09 Rev 01 Proposed Ground Floor Plan  
6449-PL 10 Rev 01 Proposed Roof Structure Plan  
6449-PL 11 Rev 01 Proposed Section Through Gasholder  
6449-PL 12 Rev 01 Proposed Elevation  
6449-PL 13 Rev 01 Proposed Tripod Structure Details  
6449-PL 14 Rev 01 Proposed 1:20 Details

W502-CRA04-XX-ZZ-DR-S-005-0150 rev C01 – Gasholder No.2 General Arrangement – Overall (Existing)  
W502-CRA04-XX-ZZ-DR-S-005-0151 rev C01 – Gasholder No.2 Sections and Elevations (Existing)

W502-CRA04-SHE-3A-XX-DR-HE-0600-0501 rev P01 – Gasholder No.2 As Existing Sheet 1  
W502-CRA04-SHE-3A-XX-DR-HE-0600-0502 rev P01 – Gasholder No.2 As Existing Sheet 2  
W502-CRA04-3A-XX-DR-HE-0600-0507 rev C02 – Gasholder No.2 As Existing (October 2025) Sheet 1  
W502-CRA04-3A-XX-DR-HE-0600-0508 rev C02 – Gasholder No.2 As Existing (October 2025) Sheet 2

W502-CRA04-XX-ZZ-DR-S-005-0318 rev C01 Lattice Structure Repair Mark-Up  
W502-CRA04-XX-ZZ-DR-S-005-0322 rev C01 – Perimeter Ring Beam General Arrangement, Sections & Details  
W502-CRA04-XX-ZZ-DR-S-195-0601 rev C01 Replacement Fixings  
W502-CRA04-XX-ZZ-DR-S-195-0602 rev C01 Overplate to Broken Tripod Column Castings 1  
W502-CRA04-XX-ZZ-DR-S-195-0603 rev C01 Overplate to Broken Tripod Column Castings 2  
W502-CRA04-XX-ZZ-DR-S-195-0604 rev C01 - Strengthening of Degraded Column Flanges

W502- CRA04- XX- ZZ- DR- S- 195- 0605 rev C01 - Corrosion Jacking of Number Plate  
W502- CRA04- XX- ZZ- DR- S- 195- 0606 rev C01 - Corrosion of Radial Truss Top Chord Flanges  
W502- CRA04- XX- ZZ- DR- S- 195- 0607 rev C01 - Corrosion of Radial Truss Top Chord Webs  
W502- CRA04- XX- ZZ- DR- S- 195- 0608 rev C01 - Corrosion of Radial Flat Plate Rafters  
W502- CRA04- XX- ZZ- DR- S- 195- 0609 rev C01 - Replacement of Significantly Corroded Bracing Ties  
W502- CRA04- XX- ZZ- DR- S- 195- 0610 rev C01 - Replacement of Significantly Corroded Circumferential Ties  
W502- CRA04- XX- ZZ- DR- S- 195- 0611 rev C01 - Baseplate Strengthening  
W502- CRA04- XX- ZZ- DR- S- 195- 0612 rev C01 - Roller Refurbishment  
W502- CRA04- XX- ZZ- DR- S- 195- 0613 rev C01 - Cracking to Cast Iron Components  
W502- CRA04- XX- ZZ- DR- S- 195- 0614 rev C01 – Splice Repair to Radial Truss Bottom Chord  
W502-CRA04-XX-ZZ-DR-S-195-0615 rev C01 – Lightening Protection

P11237-00-015-GIL-0103 rev 05 Gasholder Landscape General Arrangement Plan

Design & Access Statement (Adam Architecture) ref DP/6449 dated November 2023  
Refurbishment Technical Requirements for Fulham Gasholder No 2 (Craddys) ref 12821w0020c rev P03 dated March 2025  
Detailed Methodology for the Dismantle/Refurbishment and Re-installation of the Historic Gasholder No 2 (Alloy Fabweld) ref AFW 001 rev 05 dated 30 October 2025  
Gasholder No.2 Heritage Statement (Montagu Evans) dated 9 June 2025

Reason: To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans and to safeguard the special architectural or historic interest of the listed building and ensure its restoration and reinstatement in accordance with the proposals, in accordance with the London Plan 2021 and Policies DC1, DC2, DC4 and DC8 of the Local Plan 2018.

3) Prior to erection of the proposed structure, details of the external materials (including physical samples) to be used in the construction of all types of replacement elements and any additional element including masonry bases below tripods, infill (anti-climb) panels and anti-bird fouling measures shall be submitted to, and approved in writing, by the Local Planning Authority in consultation with Historic England.

The works shall not be carried out other than in accordance with the approved details.

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

- 4) Prior to erection of the proposed structure, details of an interpretation strategy to inform the public about the history, original use and operation of the gasholder including drawings at a scale of not less than 1:20, samples of external materials and details of the location, height, size, design and text of interpretation boards and plaques shall be submitted to and approved in writing by the Local Planning Authority in consultation with Historic England.

The development shall not be carried out other than in accordance with the approved details.

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

- 5) Prior to commencement of the erection of the proposed structure, details, including scaled drawings and physical samples, of any drainage infrastructure associated with the structure and associated landscaping, including any rainwater goods necessary to protect the significance of the listed building and users of the structure shall be submitted to, and approved in writing, by the Local Planning Authority in consultation with Historic England.

The development shall not be carried out other than in accordance with the approved details.

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

- 6) Prior to commencement of the erection of the proposed structure, details, including scaled drawings, a planting specification and physical samples, of all landscaping associated with the structure, which shall include public seating and the physical delineation of the original gasholder void perimeter interpret to protect the significance of the listed building shall be submitted to, and approved in writing, by the Local Planning Authority in consultation with Historic England.

Reason: The development shall not be carried out other than in accordance with the approved details. In the event that any planting is damaged, diseased or dies within 5 years of the installation of the planting, it shall be replaced on a like for like basis within the following planting season.

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

7) Prior to commencement of the development hereby permitted, a Dismantling and Construction Logistics Plan (DCLP) prepared in accordance with TfL CLP Guidance, shall be submitted to and approved in writing by the Local Planning Authority.

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; and
- b. 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; and
- c. construction vehicle routing; and
- 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 4; and
- e. details of the access and egress arrangements; and
- 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; and
- g. Efficiency and sustainability measures to be undertaken for the works; and
- h. membership of the and details on CLOCS compliant site operations; and
- i. 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 DCLP.

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)

8) Prior to commencement of the development hereby permitted, a scheme for temporary solid hoarding fencing (minimum height 2.5m) and/o 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 to and prevent harm to the street scene and public realm, in accordance with Policies D1 and D8 of the London Plan 2021 and Policies DC1, DC2, DC8 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

## **JUSTIFICATION FOR APPROVING THE APPLICATION**

- 1) The Grade II\* listed Gasholder No. 2 is in very poor condition, its original use is redundant, it is considered incapable of any viable reuse without causing greater harm to its significance and the proposals are considered to represent the best opportunity available to conserve as much of its significance as is possible by reinterpreting part of the structure within the historic context of the Fulham Gas Works site and Imperial Square & Gasworks Conservation Area. The proposals will ensure the recording of the listed Gasholder No. 2, the refurbishment and reuse of salvageable elements of the listed Gasholder No. 2 and will provide heritage and public benefits through the creation of a centrepiece for the key public space within the wider development site, which will draw from the industrial heritage of the Fulham Gasworks including the adjacent listed buildings and Building of Merit. The substantial harm to the significance of the listed Gasholder No. 2 and the less than substantial harm caused to the group value and settings of adjacent listed buildings arising from the loss of the listed building in its original form, would be outweighed by the substantial heritage and planning benefits identified, including securing the future conservation of those elements of the listed Gasholder No. 2 that are capable of salvage and reuse.

The proposed arrangement of the salvaged elements from Gasholder No. 2 with new elements and landscaping as part of the public realm proposals is considered to be well designed in relation to the townscape and historic context and would not harm the significance of the Imperial Square & Gasworks Conservation Area or the settings of the salvaged elements of Gasholder No. 2. The settings of adjacent listed buildings including the Grade II listed Office building, Grade II listed Laboratory building, Grade II listed WW1 war memorial and the setting of the WW2 war memorial Building of Merit would not be harmed.

The development is considered acceptable having regard to and applying the statutory provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is in line with national guidance in the National Planning Policy Framework and Policies D3, D4, D5, D8 and HC1 of the London Plan (2021), Policies DC1, DC2 and DC8 of the Local Plan (2018) and the Key Principles in the Planning Guidance SPD (2018).

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### **Officer Report**

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

**All Background Papers held by case officer named above:**

Application form received: 7 May 2025

Drawing Nos: see above

**Policy Documents:**

National Planning Policy Framework (NPPF) 2023

The London Plan 2021

LBHF - Local Plan 2018

LBHF - Planning Guidance Supplementary Planning Document 2018

LBHF – Climate Change Supplementary Planning Document 2023

**Consultation Comments:**

**Comments from:**

Historic England

**Dated:**

14.04.2025

Historic England

12.01.2026

Greater London Industrial Archaeology Society

16.04.2025

Hammersmith & Fulham Historic Buildings Group

15.04.2025

**Neighbour Comments:**

Letters from:

Dated:

**1.0 BACKGROUND**

- 1.1 This application relates to a Grade II\* listed gasholder located within the King's Road Park development (formerly known as the Fulham Gasworks Site). The structure has not been routinely used for the storage of gas since the mid-twentieth century, and is in a poor (and deteriorating) condition, which is reflected in its inclusion on Historic England's Heritage at Risk Register.
- 1.2 The applicant, St William Homes, seeks full planning permission and listed building consent for the dismantling, refurbishment, and reinstatement of the structure in a reconfigured form in its original (current) location within the main public space within the development, along with infilling of the below ground void. It is anticipated that some elements of the original structure will not be capable of salvaging, and the applications seek consent for the introduction of replacements where this is the case.
- 1.3 This report should be read together with the application for listed building consent made under reference 2025/00568/LBC.
- 1.4 The proposals have been the subject of extensive pre-application engagement with Council Officers, Historic England and local stakeholders. The applications are supported by an extensive suite of technical documents which explain the proposals in the context of a significant degree of uncertainty over the condition of the structure and the extent of salvage potential. These documents include a Heritage Statement, Design and Access Statement, Method Statement and Refurbishment Technical Requirements document, which have been drafted by parties with appropriate professional experience and qualifications.

## **2.0 SITE**

- 2.1 The Site is King's Road Park, a residential led mixed-use development which measures approx. 6.33 hectares in total and is bounded by Gwyn Close and the Overground railway line to the north; Chelsea Creek residential development to the east; Imperial Road with Imperial Square to the south; and Michael Road to the west.
- 2.2 The site has mostly been cleared for development apart from the listed buildings and structures (No.2 Gasholder, 1856 Chief Engineer's Office and 1927 Former Research Laboratory which remain in situ, and the 1920 WW1 War Memorial and WW2 War Memorial which have been refurbished and reinstalled on the site under the provisions of 20223/01146/FUL and 2023/01147/LBC). Development Plots A1 (Phase 1a), A2 (Phase 1c), A3 (Phase 1b), B1 (Phase 2a – temporary marketing suite), D1 (Phase 2c), D2 (Phase 2d) and E1 (Phase 3b), are completed and occupied. Development Plots E2 (Phase 3c), G1 (Phases 3e and 3f) and H1 (4b) are currently under construction.
- 2.3 Gasholder No.2 sits within Phase 4a of the wider site, but is a self-contained parcel within the landscaping proposed within this phase, which is subject to reserved matters submission 2023/03113/RES (currently undetermined).

### **Designations**

- 2.4 The southern portion of the Site is located within the South Fulham Riverside Regeneration Area (Local Plan 2018 Policy SFRRA); the Imperial Square and Gasworks Conservation Area (Local Plan Policy DC8) and is within Flood Risk Zones 2 and 3. The Imperial Square Conservation Area (designated in 1975) was extended in 2005 to include the adjoining buildings in Harwood Terrace and Imperial Road, and the northern part of the gasworks site that is inextricably linked to the history of the houses in Imperial Square. The designation of the Conservation Area sought to protect its special character and in recognition of its unique industrial history.
- 2.5 There are three other listed buildings/structures within the Site. The 1856 Chief Engineer's Office, the 1927 Research Laboratory and the First World War Memorial were statutory listed at Grade II in 2007. In addition to these, the Second World War memorial is on the Council's Local Register of Buildings of Merit and is a non-designated heritage asset.

## **3.0 RELEVANT SITE HISTORY**

- 3.1 Planning Permission (2018/02100/COMB) was granted 8 February 2019 (part-detailed, part-outline) for demolition of existing buildings and structures (excluding No.2 Gasholder, 1856 Chief Engineer's Office, 1927 Former Research Laboratory, 1920 WW1 War Memorial and WW2 War Memorial) and redevelopment to provide a residential-led mixed use development comprising the erection of new buildings ranging from 1 to 37 storeys to

provide up to 1,843 (including 646 Affordable Housing) residential units and ancillary residential facilities (C3 Use) and non-residential floorspace in Use Classes A1, A2, A3, A4, B1, D1 and D2, the provision of a new publicly accessible open space, new pedestrian and vehicle routes, accesses and amenity areas, basement level car park with integral servicing areas, interim works and other associated works.

- 3.2 Details pursuant to condition 104 attached to 0018/02100/COMB (2019/03747/DET) were approved on 12 February 2020 of intrusive condition survey methodology.
- 3.3 Listed Building Consent (2020/00184/LBC) was granted on 19 March 2020 for proposed works to Gasholder No.2 (Grade II\* listed) located within Phase 4a of planning permission (ref: 2018/02100/COMB) dated 8 February 2019 for intrusive works to facilitate access to de-water, remove sludge, decontaminate, investigate, assess and record the condition of Gasholder No.2.
- 3.4 Listed Building Consent (2020/01806/LBC) was granted on 11 July 2020 for proposed works to Gasholder No.2 (Grade II\* listed) located within Phase 4a of planning permission (ref: 2018/02100/COMB) dated 8 February 2019 for works to record, dismantle and store the dwarf perimeter wall of the Grade II\* listed structure.
- 3.5 Reserved Matters Application (2023/03113/RES) is currently under consideration for details of access, appearance, landscaping, layout and scale in respect of Phase 4a (excluding Gasholder No.2) for the delivery of a landscaped area known as Park North.
- 3.6 Full Planning Permission (2024/00302/FUL) was granted on 08 April 2024 for Works to Gasholder No.2 (Grade II\* listed) to facilitate and enable the decontamination of the gasholder bell and tank, including the creation of multiple temporary access points within the crown sheeting for the installation of specialist temporary works connections to maintain tank stability during decontamination and subsequent refurbishment. Temporary works also include a cantilevered scaffold access walkway, cover system over the crown to mitigate potential release of odour, and erection of a covered water and sludge management compound. Consent for temporary works is sought until 31st December 2026 following which the openings in the crown sheeting will be closed and the crown sheeting replaced.
- 3.7 Listed Building Consent (2024/00303/LBC) was granted on 8 April 2024 for works to facilitate and enable the decontamination of the gasholder bell and tank, including the creation of multiple temporary access points within the crown sheeting for the installation of specialist temporary works connections to maintain tank stability during decontamination and subsequent refurbishment. Temporary works also include a cantilevered scaffold access walkway, cover system over the crown to mitigate potential release of odour, and erection of a covered water and sludge management compound. Listed Building Consent for temporary works is sought until 31st December 2026 following which the openings in the crown sheeting will be closed and the

crown sheeting replaced.

3.8 Variation to the parent permission (2024/00961/VAR) was granted on 3 December 2024 for amendments including changes to indicative landscape strategy (Phases 2b, 3a, 4a-d, 5a-b, 6).

#### **4.0 PROPOSED DEVELOPMENT**

4.1 The proposals seek planning permission and listed building consent for works to dismantle, refurbish and where necessary replace elements, and reinstall the retained parts of the structure in a new configuration to provide a centrepiece to the main public open space within the Kings Road Park development, including a process of recording and interpretation of the historic fabric.

4.2 The first part of the proposal involves works to Gasholder No. 2 in the Listed Building Consent application, including salvaging part of it and preparing the ground for the erection of a new structure on the same site within the public realm envisaged in the Masterplan application. Some elements of Gasholder No. 2 are considered too badly degraded to withstand refurbishment, these items would be permanently removed from the site and include:

- The crown sheeting;
- The bell wall sheeting;
- The bell wall stiffening posts; and
- Various ancillary items (including ladders, handrails, duct clamps and any other nonprimary components of the gasholder).

4.3 The void below ground level occupied by the bell would be permanently infilled, which would result in the permanent loss of any remaining historic fabric left inside the tank walls.

4.4 The dismantling of those elements identified to be salvaged from Gasholder No. 2 would in effect constitute temporary demolition of those parts of the demolition, until such time as they have been refurbished offsite and re-erected onsite in accordance with the approved drawings. These elements include:

- 12 No. tripod columns;
- 36 No. radial trusses;
- 36 No. flat plate rafters;
- 4 No. lines of circumferential lattice framework;
- 1 No. central king post and associated guide rods (details to be confirmed following dismantle); and
- 12 No. roller carriages.

4.5 The second part of the proposal involves the erection of the salvaged and refurbished elements of Gasholder No. 2 as a piece of sculpture within the public realm. The refurbished tripods would be erected in their original position on the site, forming a circle around the former perimeter of Gasholder No. 2. The refurbished 'pin' and 'crown' would be assembled and

fixed to the ground in the centre of the circle, forming a delicate metal canopy within the ring of tripods. The crown would not have a roof as the structure would be too fragile to support the weight of a roof and the associated loading pressures in the proposed format. The crown would be fixed at a higher datum in relation to the tripods than would have been possible had the bell within Gasholder No. 2 been fully inflated – this would provide sufficient clearance to allow pedestrian clearance underneath and maximises the opportunity to use the public space beneath. A new metal ring beam around the edge of the crown is required to provide stability to the crown and the weight can then be transferred to the ground via the tripods. The area beneath and around the structure would be fully integrated into the landscaping of the Masterplan site and bench seating would be provided around the pin to allow for the space to be enjoyed as much as possible within an inclusive environment.

4.6 Gasholder No.2 was subject to emergency stabilisation works during the last months of 2025 comprising concrete pours into the below surface void. These were required to prevent the collapse of the structure and make it safe for the works proposed under the current submissions to take place. These works, which were agreed with the Local Planning Authority prior to taking place and are accepted as being the minimum necessary to achieve stability, are shown on drawing numbers W502-CRA04-3A-XX-DR-HE-0600-0507 rev C02 – Gasholder No.2 As Existing (October 2025) Sheet 1 and W502-CRA04-3A-XX-DR-HE-0600-0508 rev C02 – Gasholder No.2 As Existing (October 2025) Sheet 1.

## **5.0 PUBLICITY AND CONSULTATION**

5.1 The applications have been publicised on the following basis:

- The proposed work may affect the setting or context of a listed building.
- The proposed work is within a conservation area and may affect its character or appearance.

## **RESIDENTS**

5.2 The applications have been advertised by way of site notices posted around the site (dated: 19.03.2025 and 11.12.2025) and a publicised press notice (20.03.2025 and 11.12.2025) with a last expiry date for comments of 07.01.2026. No representations have been received up to the date of this report.

## **CONSULTEES**

### **Historic England (HE)**

5.3 HE has reviewed the proposals and confirm that no objection or concerns are raised in respect of the proposals, subject to the imposition of conditions and s106 obligations to ensure delivery of the proposals as described in the applications.

5.4 The Secretary of State is required to authorise the recommendation of HE that the Local Planning Authority determines the applications as it sees fit, and decisions can be issued (subject to the completion of an appropriate legal agreement) once a letter of authorisation has been issued, unless the Secretary of State directs the application to be referred to them.

### **Hammersmith & Fulham Historic Buildings Group (H&FHBG)**

5.5 The H&FHBG are supportive of the proposals, making detailed comments including on recording and interpretation.

### **Greater London Industrial Archaeology Society (GLIAS)**

5.6 The GLIAS are supportive of the proposals, making detailed comments including on recording and interpretation.

## **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 The statutory development plan comprises the London Plan (2021); the Local Plan (2018) and the Planning Guidance Supplementary Planning Document (2018) (hereafter referred to as Planning Guidance SPD). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

### **National Planning Policy Framework 2024 (NPPF)**

6.3 National Planning Policy Framework 2024 (NPPF) is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

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

6.5 In terms of conserving and enhancing the historic environment the following NPPF paragraphs are considered relevant;

6.6 **Paragraph 202 of the NPPF** states: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

6.7 In terms of proposals affecting heritage assets the following NPPF paragraphs are considered particularly relevant.

6.8 **Paragraph 207 of the NPPF** states: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

6.9 **Paragraph 208 of the NPPF** states: local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

6.10 **Paragraph 210 of the NPPF** states: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.

6.11 In terms of considering potential impacts the following NPPF paragraphs are considered relevant;

6.12 **Paragraph 212 of the NPPF** states: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

6.13 **Paragraph 213 of the NPPF** states: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

6.14 **Paragraph 214 of the NPPF** states: 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.

6.15 **Paragraph 215 of the NPPF** states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

6.16 **Paragraph 216 of the NPPF states:** The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.17 **Paragraph 217 of the NPPF states:** Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

6.18 **Paragraph 218 of the NPPF** states: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

6.19 **Paragraph 219 of the NPPF** states: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better

reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

6.20 **Paragraph 220 of the NPPF** states: Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

### **The London Plan (2021)**

6.21 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. Together with the Local Plan, the London Plan forms the Development Plan.

6.22 **Chapter 3 (Design) of the London Plan 2021** seeks to secure the delivery of good design through a variety of ways. **Policies D4 (Delivering Good Design) and D8 (Public Realm)** are particularly relevant to the consideration of these applications. Policy D8 sets a series of criteria to ensure that ensure the public realm is well-designed, safe, accessible, inclusive, attractive and well-connected.

6.23 Chapter 7 of the London Plan 2021 relates to Heritage and Culture. **Policy HC1 (Heritage conservation and growth)** is particularly important to the consideration of these applications and states that: 'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.'

### **LBHF Local Plan (2018)**

6.24 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).

6.25 **Local Plan Policy DC1 (Built Environment)** states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

6.26 **Local Plan Policy DC8 (Heritage and Conservation)** states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include listed buildings, conservation areas historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications affecting heritage assets, the Council will apply the following principles: a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long-term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation; d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 208 of the NPPF.

### **Planning (Listed Buildings and Conservation Areas) Act 1990**

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

6.28 It is key to the assessment of these applications that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the s.16, s.66 and s.72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.

6.29 **Section 16 (Decision on application)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.30 **Section 66 (General duty as respects listed buildings in exercise of planning functions)** of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

desirability of preserving or enhancing the character or appearance of the Conservation Area.

## **Equality Act 2010**

6.32 With regards to this application, all planning policies in the NPPF, London Plan 2021, Local Plan 2018 and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's Public Sector Equality Duty (PSED). Therefore, the adopted planning framework which encompasses all planning policies which are relevant in officers' assessment of the applications are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

## **Planning Considerations**

6.33 The proceeding sections consider the following key planning considerations:

- Significance of Heritage Assets
- Urban Design and Impact of the Proposals on the Significance of Heritage Assets
- Heritage Benefits
- Other Matters

## **7.0 HERITAGE ASSESSMENT**

### **Significance of Heritage Assets**

#### Gasholder No. 2

7.1 The Gasholder No. 2 dates from the late 1820s, is the oldest building on the former Fulham Gas Works site and is reputed to be the earliest surviving gasholder in the world. It predates the development of most of modern Fulham when Fulham Gas Works sat amongst fields on the rural edge of built up London. It is listed at Grade II\* which is defined as being 'particularly important and of more than special architectural and historic interest' and therefore forms part of the top 8% of listed buildings in the country. The high grade of listing is reflective of the high level of intactness and the rarity of such a survival.

7.2 The Gasholder No. 2 dates from the late 1820s, is the oldest building on the former Fulham Gas Works site and is reputed to be the earliest surviving gasholder in the world. It predates the development of most of modern Fulham when Fulham Gas Works sat amongst fields on the rural edge of built up London. It is listed at Grade II\* which is defined as being 'particularly important and of more than special architectural and historic interest' and therefore forms part of the top 8% of listed buildings in the country. The high grade of listing is reflective of the high level of intactness and the rarity of such a survival.

7.3 At the height of its operation Fulham Gas Works was an enormous site stretching from south of King's Road to the River Thames. It was serviced by river barges and the adjacent West London Line and employed thousands of workers many of whom were local residents. The operations on the site included gas production, gas storage and research and development activities that shaped the future of the gas industry. The listed building is a particularly important legacy of the development of the gas industry in this country and is symbolic of the important role that Fulham and its residents played in the history of the gas industry.

7.4 The gasholder was originally used for the storage of 'town gas' or coal gas used for lighting and heating and which was manufactured from coal. The gasholder was last used in the late 1940s and was effectively abandoned thereafter, sitting amongst the other gas industry operations on the wider Fulham Gas Works site. The emergence of 'natural gas' as a fuel, effectively replaced the use of 'town gas' in the post war period.

7.5 Gasholder No. 2 comprises of various elements including brick tank walls enclosing a below ground void. The bell once used for the storage of gas, is a lightweight metal structure within the tank walls consisting of metal sheet walls and a roof that moved up and down depending on the volume of gas being stored within the bell at any one time. The tripods stand on the ground outside the perimeter of the tank and remain permanently in position and form landmarks within the wider Fulham Gas Works site.

7.6 When empty, as it is at present, the curved roof of the bell is visible just above the ground level. When the bell was full, the bell walls and roof would have moved up to become visible within the wider Fulham Gas Works site. Within the bell, is a delicate wrought iron canopy structure known as the 'crown' supported on a mast known as the 'pin' secured to a 'dumpling' in the centre of the base of the bell. The volume of gas entering or leaving the bell would have inflated or deflated the crown of the bell.

7.7 The current condition of Gasholder No. 2 as a whole is very poor. The tripods are relatively intact but the bell has suffered from decades of water ingress and the dumping of contaminated materials in the tank, which has resulted in significant corrosion and risk of structural collapse. As part of the initial desludging and decontamination exercise the wall surrounding Gasholder No. 2 was demolished and openings were made in the sheeting of the roof covering to allow the water and contaminated materials to be removed. Those works have enabled the interior of the bell to be inspected for the first time in decades and giving a much enhanced appreciation of the condition of the structure. Urgent works under the Listed Building legislation have been necessary to pour concrete into the base of the bell and brace the walls of the bell in order to prevent imminent collapse of the bell walls as they are no longer supported by the weight of the water previously inside. The elegant wrought iron crown supported by the pin has experienced significant corrosion.

#### Adjacent Listed Buildings and Building of Merit

7.8 Within the setting of Gasholder No. 2 are the adjacent listed buildings and Building of Merit on the wider Fulham Gas Works site including the Grade II listed former Office building, Grade II listed former Laboratory building, the Grade II listed WW1 war memorial and the WW2 war memorial which is on the Council's Local Register of Buildings of Merit. The two war memorials have recently been relocated to a new public square adjacent to the Grade II listed former Laboratory building. Together with Gasholder No. 2 these adjacent listed buildings and the two war memorials represent the surviving historic buildings from the Fulham Gas Works and have a group value which goes beyond their individual architectural and historic interest.

#### Imperial Square and Gasworks Conservation Area

7.9 The Imperial Square and Gasworks Conservation area covers both the adjacent former gas worker's housing in Imperial Square as well as the centre of the former Fulham Gas Works site which contains the heritage core of listed buildings and war memorials. The significance of the Conservation Area is closely related to the development of the gas industry in Fulham and its legacy of buildings and spaces. This part of the Conservation Area was originally designated to protect the part of the former Fulham Gas Works site that was of special architectural or historic interest whilst giving flexibility for the remainder of the site to be redeveloped in the future.

#### **Impact of the Proposals on the Significance of Heritage Assets**

##### Dismantling of Gasholder No. 2 and infilling of bell tank void

7.10 The proposed works to Gasholder No. 2 would cause significant loss of historic fabric, as well as the loss of its original function and form and would significantly reduce the ability to appreciate the significance of the original structure as a gasholder.

7.11 The proposed phasing of the works would result in the salvaged materials including the iconic tripods being removed from the site for a considerable time for condition assessment and refurbishment prior to the re-erection of as much of the salvaged materials as possible as part of the new structure on the site. The extent of historic fabric capable of being reused in the new structure will be reviewed once the salvaged materials have been fully investigated and cleaned at the off-site facility and will be controlled through conditions and the legal agreement.

7.12 Some historic fabric has been discovered to be in such poor condition that it is incapable of being salvaged for reuse and would be permanently lost, including the sheeting lining the bell walls. The proposals would also result in the loss of the metal sheeting over the bell, though this is of less historic interest.

7.13 At the same time the bell tank void would be infilled, permanently burying those parts of the below ground structure not already removed and

removing the potential to ever inflate the bell in the future. The proposals acknowledge the redundancy of the historic function of the listed building for the storage of gas and would end the ability to appreciate the depth and original operation of the structure below ground which forms part of the significance of the listed building.

- 7.14 Taken together the works to Gasholder No. 2 would cause substantial harm to the significance of the listed building.
- 7.15 The proposed works to Gasholder No. 2 would cause less than substantial harm to the group value and settings of the adjacent listed buildings on the Fulham Gas Works site including the Grade II listed Office building, Grade II listed Laboratory building and Grade II listed WW1 war memorial. This harm to significance arises from the proposed loss of historic fabric, original function and form to Gasholder No. 2 including the potential to inflate the bell, which would then reduce the ability to appreciate the group of listed buildings in their original arrangement and historic context as would have been experienced when part of an operational gas works.
- 7.16 Since the dismantling of Gasholder No. 2 and infilling of the bell tank void is proposed to be carried out under the Listed Building Consent process in the Listed Building legislation and given that those works do not require planning permission, the impact of this element of the works on the significance of the Conservation Area and on the setting of the adjacent WW2 war memorial Building of Merit is not a material consideration.

#### Re-erection of salvaged elements within the landscape of the public realm

- 7.17 The proposed arrangement of the salvaged elements from Gasholder No. 2 with new elements and landscaping as part of the public realm proposals would be secured by appropriate conditions and a legal agreement. These would control the timescales for delivery, ensuring that the project is completed in a timely manner and that it maximises the extent of reuse of salvaged material from Gasholder No. 2 to minimise any harm to significance. The proposals are considered to be well designed in relation to the townscape and historic context and would not harm the significance of the Imperial Square & Gasworks Conservation Area or the settings of the salvaged elements of Gasholder No. 2.
- 7.18 It is acknowledged by Officers and Historic England that the reuse or reinstatement of Gasholder No. 2 in its original form would not be possible. The proposals would not be easily readable as a gasholder and this would limit the ability to appreciate the significance of the remaining elements of the listed building. However, given that Gasholder No. 2 is functionally redundant following the closure of Fulham Gas Works and in poor condition and in the absence of any viable proposals for the reuse of Gasholder No. 2 that would not result in greater harm to its significance, they are considered to represent the best opportunity available to conserve as much of its significance as is possible.

7.19 The proposals would secure the re-erection of part of the structure of the listed building in a reinterpreted form within the historic context of the Fulham Gas Works site and Imperial Square & Gasworks Conservation Area. The proposals would remove the risk of deterioration of the fragile structure of Gasholder No. 2 which could otherwise reduce the extent of historic material capable of being salvaged and would secure the refurbishment and reuse of those elements which are salvageable. Ultimately this would enable the listed building to be removed from the Historic England Heritage at Risk Register and secure the future conservation of as much of the historic fabric as possible.

7.20 The salvaged elements of Gasholder No. 2 would form a prominent and fully integrated part of the public realm of the redeveloped Fulham Gas Works site, they would be publicly accessible for the first time and their significance and relationship to the site would be explained by appropriate interpretation methods to be secured by condition. The new structure would appear as an element of public sculpture, providing an artistic legacy for future generations. Residents and visitors would be able to move around and underneath the new structure and sit inside it which would provide an opportunity for the public to appreciate the significance of the salvaged elements of the listed building and promote understanding of the significance of the former Fulham Gas Works and its role in the history of the gas industry in this country. The proposed landscaping and public realm would provide inclusive access and make a positive contribution to the appearance of the Conservation Area and the settings of adjacent listed buildings as part of the redevelopment of the wider site.

7.21 The settings of the adjacent listed buildings including the Grade II listed Office building, Grade II listed Laboratory building, Grade II listed WW1 war memorial and the setting of the WW2 war memorial Building of Merit would also not be harmed.

#### Heritage benefits and public benefits

7.22 Significant progress has been made onsite recently through the completion of the desludging and decontamination works to Gasholder No. 2 as part of the redevelopment of the wider Fulham Gas Works site, but the listed structure remains in fragile condition and in urgent need of repair and a future scheme for reuse. The proposals would ultimately secure the future conservation of as much as possible of the fabric of the Grade II\* listed Gasholder No. 2, retaining the salvaged elements onsite within the context of the wider Fulham Gas Works site as originally envisaged in the Masterplan application and the associated legal agreement. The proposals would deliver substantial heritage benefits that could not otherwise be achieved given that the listed building is functionally redundant and that it is not capable of viable reuse without causing greater harm to its significance. Gasholder No. 2 has been one of the most long running and intractable heritage protection cases in the Borough and the proposals would ultimately enable it to be resolved and for the listed building to be removed from the Historic England Heritage at Risk Register.

7.23 The proposals would also deliver substantial non-heritage public benefits in the form of new landscaping and inclusive public realm, as well as improving the ability for the public to appreciate the significance of the history of the former Fulham Gas Works site, including the heritage assets.

7.24 These substantial heritage benefits and public benefits are required to be weighed against the substantial harm identified to the Grade II\* listed Gasholder No. 2 and the less than substantial harm identified to the group value and settings of the adjacent listed buildings.

7.25 Conditions are proposed to secure the heritage benefits referred to in the preceding paragraphs in respect of the following matters:

- Submission of details of materials;
- Recording of all material (whether salvaged and reused or not) to Historic England Level 4 and a copy of the record being deposited with the Council Archives;
- Paint analysis of the existing paint finish to be carried out prior to removal of existing;
- Details of proposed paint colour to all retains and new elements of the gasholder;
- Details of infill (anti-climb) panels to tripods and finishes to masonry bases below tripods;
- a programme of works including the timescales for re-erection and the arrangements for redisplay,
- Details of interpretation strategy to inform the public about the history, original use and operation of the gasholder including drawings at a scale of not less than 1:20, samples of external materials and details of the location, height, size, design and text of interpretation boards and plaques;
- Details of at grade drainage works and any rainwater goods required to prevent water pooling on the structure;
- Details of landscaping including materials, form, design and finish where defining the brick tank wall;
- Details of temporary site hoardings.

7.26 An appropriate legal agreement is required to secure the heritage benefits referred to in the preceding paragraphs in respect of the following Heads of Terms:

- Signed building contract for completion of the works and the development in accordance with the planning permission and Listed Building Consent, confirmation of ownership and details of insurance;
- Salvage and storage - including cataloguing, transportation and secure storage arrangements for the salvaged elements of Gasholder No. 2 the timescales for re-erection (three years) and the arrangements for redisplay;
- Refurbishment and reuse - project programme to be submitted for the Council's approval; project delivery of the refurbishment of the salvaged elements of Gasholder No. 2 including regular progress

- monitoring and updates on the refurbishment and reuse of the salvaged elements, a review mechanism for the refurbishment methodology and details of the extent of any replacement materials including detailed drawings and materials of the proposed replacement materials;
- Timescales for completion of the project including a long stop date no greater than three years from the date of the Planning Permission and Listed Building Consent;
- Long term monitoring of the condition of the re-erected elements of Gasholder No. 2, the new elements and the landscaping and a long term maintenance plan for them.

### **Other matters**

7.27 The proposal is expected to result in a number of extraordinary vehicle movements associated with the introduction of specialist machinery to the site and the removal and return of the structure. As such, a condition requiring the submission, approval and implementation of a dismantling and construction logistics plan is proposed.

7.28 The site, by virtue of its historic use, has previously been recorded as experiencing high level of contamination. The works necessary to remediate the land subject to the current applications have been consented, undertaken and completed to the satisfaction of the Council's Environmental Health (Contaminated Land) Team under the scope of discharge of conditions attached to 2018/02100/COMB and 2024/00302/FUL and 2024/00303/LBC, detailed above.

### **Conclusion**

7.29 Great weight has been given to the conservation of the designated heritage assets affected by the proposals in accordance with para 212 of the NPPF. It is considered that it is appropriate to grant planning permission and Listed Building Consent having had special regard to the desirability of preserving the listed building, its setting and the settings of adjacent listed buildings (s.16 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990), and having paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area (s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

7.30 The harm identified to the designated heritage assets affected by the proposals has been fully justified, in accordance with para 213. The substantial harm to the significance of the Grade II\* listed Gasholder No. 2 is considered wholly exceptional in accordance with para 213 of the NPPF given the poor condition of the listed building, the redundancy of its original use, its lack of viable reuse and the urgent need to secure its future conservation and prevent further deterioration. The substantial harm is considered as being necessary to secure the substantial public benefits of the proposals including heritage benefits, which would not otherwise be achievable, in accordance with para 214 of the NPPF. The less than substantial harm identified to the settings of the adjacent listed buildings

affected by the proposals would be outweighed by public benefits in accordance with para 215. Conditions and a legal agreement are necessary to secure the delivery of the substantial public benefits including heritage benefits and the completion of the repair, refurbishment and re-erection of the salvaged elements of Gasholder No. 2, in accordance with para 217 of the NPPF.

7.31 Officers therefore consider that the proposed development meets the statutory provisions of Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and complies with the requirements of the NPPF, as well as the relevant Development Plan policies.

## **8.0 LEGAL PLANNING OBLIGATIONS**

8.1 **London Plan Policy DF1** recognises the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability.

8.2 The Council will seek to negotiate S106s, where the S106 'tests' are met, for:

- the provision of infrastructure projects or types not specified on the R123 List (through either financial contributions or 'in kind' delivery); and
- non-'infrastructure' provisions, such as for affordable housing (see policy H03) and S106 monitoring expenses.'

8.3 The planning obligations set out in the Heads of Terms are considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the Proposed Development.

8.4 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include the variation, addition, or deletion). Accordingly, the third recommendation has been drafted to authorise the Director of Planning and Property after consultation with the Director of Law and the Chair of the Planning and Development Control Committee, to authorise the changes he/she considers necessary and appropriate, within the scope of such delegated authority.

8.5 It is anticipated that the legal agreement for the proposed works will include the following draft Heads Of Terms:

A. Details of contracts for all works to be carried out (including insurance, ownership details relating to the gasholder structure and re-erection on site within a reasonable timeframe); and

B. Notification to the Local Planning Authority and Historic England on the commencement and completion of works to the gasholder; and

- C. A programme and methodology of works including dismantling, recording, restoration, fabrication of replacement elements, and re-installation within a specified timescale of less than three years from the date of the permissions; and
- D. Details of ongoing monitoring and maintenance during the course of the works and of the re-installed structure for the lifetime of the re-erected structure.

## **9.0 CONCLUSION AND RECOMMENDATIONS**

- 9.1 In considering planning applications, the Local Planning Authority needs to consider the Development Plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.2 In the assessment of the applications regard has been given to the NPPF, London Plan, and Local Plan policies as well as relevant planning guidance and legislation. It is considered that the proposals are well designed, would not give rise to any unacceptable impacts to heritage assets and would amount to sustainable development in accordance with the National Planning Policy Framework.
- 9.3 It is therefore recommended that Planning Permission and Listed Building Consent be resolved to be granted subject to conditions and an acceptable legal agreement, subject to no contrary direction from the Secretary of State, in accordance with the recommendations at the start of the report.