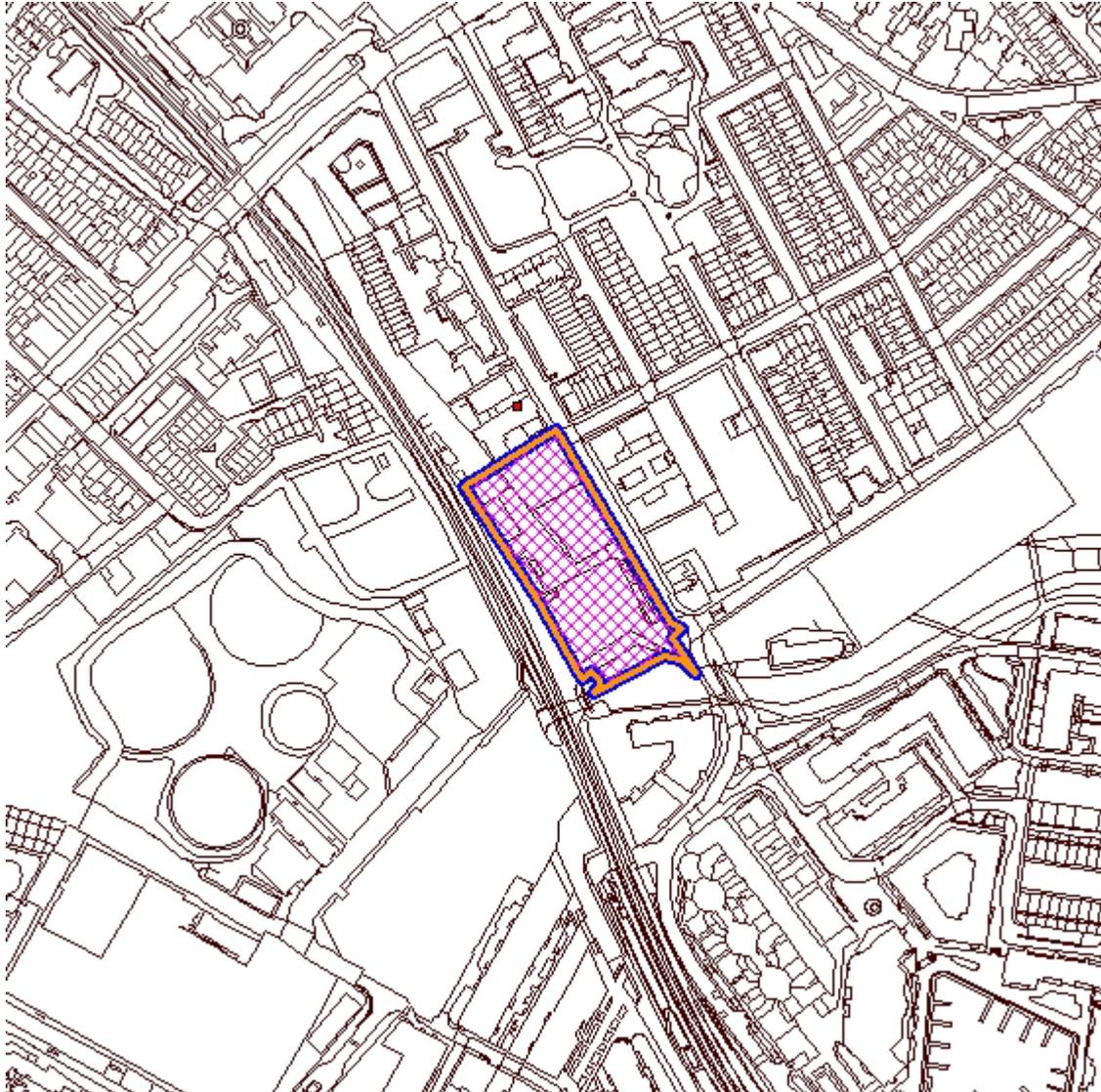

Ward: Parsons Green And Sandford

Site Address:

Lots Road South, formed by Chelsea Creek Car Pound, Lots Road; 65-69 and 71-73 Lots Road, London, SW10 0RN



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For identification purposes only - do not scale.

Reg. No:
2025/02928/FUL

Case Officer:
Catherine Slade

Date Valid:
22.10.2025

Conservation Area:
Sands End Conservation Area (partial)

Committee Date:
10.02.2026

Applicant:

Mount Anvil (Lots Road)
LLP C/o Agent

Description:

Cross boundary (London Borough of Hammersmith & Fulham and Royal Borough of Kensington & Chelsea) detailed planning application for the complete demolition of existing buildings and structures and the comprehensive redevelopment to provide a mixed-use scheme comprising the creation of housing (Use Class C3) (274 homes, including affordable homes (extra care home units and general needs units)), and non-residential floorspace (2,015sqm) comprising commercial, business and service floorspace (Use Class E) and Local Community and Learning floorspace (Use Class F1 a/b and Use Class F2) in new buildings ranging from 5 to 13 storeys with basement, public realm works and other ancillary works including works to the Chelsea Creek wall, and new access arrangements from Lots Road. (amended description).

Drg Nos: See Condition 2 below

Application Type:

Full Detailed Planning Application

Officer Recommendation:

1. That the Committee resolve that, subject to there being no contrary direction from the Mayor for London, the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.
2. That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director of Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition or deletion of conditions, and any such changes shall be within their discretion.

Conditions:

1. Time limit (Full PP)

The development hereby approved shall begin before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Compliance with approved drawings

The development hereby approved shall be carried out in complete accordance with drawing/document title number(s)

- LTS-PRP-ZZ-XX-DR-A-21001 Site Location Plan P01
- LTS-PRP-ZZ-XX-DR-A-21002 Site Existing Plan P01
- LTS-PRP-ZZ-XX-DR-A-21003 Demolition Plan P01
- LTS-PRP-ZZ-XX-DR-A-21004 Existing Ground Floor P01
- LTS-PRP-ZZ-ZZ-DR-A-21005 Existing First Floor P01
- LTS-PRP-ZZ-XX-DR-A-21006 Existing Roof Plan P01
- LTS-PRP-ZZ-XX-DR-A-21020 Site Plan Proposed Roof P03
- LTS-PRP-ZZ-BS-DR-A-21099 Level B1 GA P01
- LTS-PRP-ZZ-00-DR-A-21100 Level 0 GA P02
- LTS-PRP-ZZ-01-DR-A-21101 Level 1 GA P02
- LTS-PRP-ZZ-02-DR-A-21102 Level 2 GA P02
- LTS-PRP-ZZ-03-DR-A-21103 Level 3 GA P02
- LTS-PRP-ZZ-04-DR-A-21104 Level 4 GA P02
- LTS-PRP-ZZ-05-DR-A-21105 Level 5 GA P03
- LTS-PRP-ZZ-06-DR-A-21106 Level 6 GA P03
- LTS-PRP-ZZ-07-DR-A-21107 Level 7 GA P03
- LTS-PRP-ZZ-08-DR-A-21108 Level 8 GA P03
- LTS-PRP-ZZ-09-DR-A-21109 Level 9 GA P03
- LTS-PRP-ZZ-10-DR-A-21110 Level 10 GA P03
- LTS-PRP-ZZ-11-DR-A-21111 Level 11 GA P03
- LTS-PRP-ZZ-12-DR-A-21112 Level 12 GA P03
- LTS-PRP-ZZ-13-DR-A-21113 Level 13 GA P03
- LTS-PRP-ZZ-ZZ-DR-A-21200 North & South Elevations P01
- LTS-PRP-ZZ-ZZ-DR-A-21201 East Elevation P01
- LTS-PRP-ZZ-ZZ-DR-A-21202 West Elevation P02
- LTS-PRP-ZZ-ZZ-DR-A-21203 South Access Road Elevation P02
- LTS-PRP-ZZ-ZZ-DR-A-21204 North Access Road Elevation P03
- LTS-PRP-ZZ-ZZ-DR-A-21205 East Courtyard Elevation P01
- LTS-PRP-ZZ-ZZ-DR-A-21206 West Courtyard Elevation P01
- LTS-PRP-ZZ-ZZ-DR-A-21207 North & South Courtyard Elevation P01
- LTS-PRP-ZZ-ZZ-DR-A-21250 Sections A-A & B-B P01
- LTS-PRP-ZZ-ZZ-DR-A-21251 Sections C-C & D-D P01
- LTS-PRP-ZZ-ZZ-DR-A-21252 Section E_E P01
- LTS-PRP-ZZ-ZZ-DR-A-21253 Section F-F P01
- LTS-PRP-ZZ-00-DR-A-21255 Creek Wall Indicative Sections 1-2 P01
- LTS-PRP-ZZ-00-DR-A-21256 Creek Wall Indicative Sections 2-2 P01
- LTS-PRP-A-00-DR-A-21500 Block A P02
- LTS-PRP-A-01-DR-A-21501 Block A P02
- LTS-PRP-A-13-DR-A-21502 Block A P01
- LTS-PRP-BD-00-DR-A-21503 Block B-D P03
- LTS-PRP-BD-01-DR-A-21504 Block B-D P02
- LTS-PRP-BD-02-DR-A-21505 Block B-D P02
- LTS-PRP-BD-05-DR-A-21506 Block B-D P03
- LTS-PRP-BD-07-DR-A-21507 Block B-D P03
- LTS-PRP-BD-09-DR-A-21508 Block B-D P03
- LTS-PRP-BD-11-DR-A-21509 Block B-D P02
- LTS-PRP-E-ZZ-DR-A-21510 Block E P01
- LTS-PRP-A-ZZ-DR-A-21600 Block A South & North Elevations P02
- LTS-PRP-A-ZZ-DR-A-21601 Block A West Elevation P02

- LTS-PRP-A-ZZ-DR-A-21602 Block A East Elevation P00
- LTS-PRP-BD-ZZ-DR-A-21603 Block B-D North Elevation P02
- LTS-PRP-BD-ZZ-DR-A-21604 Block B-D South Elevation P02
- LTS-PRP-BD-ZZ-DR-A-21605 Block B-D West Elevation P02
- LTS-PRP-BD-ZZ-DR-A-21606 Block B-D East Elevation P01
- LTS-PRP-BD-ZZ-DR-A-21607 Block B-D East Courtyard Elevation P01
- LTS-PRP-BD-ZZ-DR-A-21608 Block B-D West Courtyard Elevation P01
- LTS-PRP-E-ZZ-DR-A-21609 Block E South & East Elevation P01
- LTS-PRP-E-ZZ-DR-A-21610 Block E North & West Elevations P01
- P3003414(10) LP100 Existing Landscape Plan Ground Floor R00
- P3003414(90) LP902 Landscape General Arrangement Drawing Ground Floor R03
- P3003414(90) LP910 Landscape General Arrangement Drawing Level 1 R03
- P3003414(90) LP920 Landscape General Arrangement Drawing Roof Plan R03

Reason: The details are material to the acceptability of the proposals, and to ensure accordance with the Development Plan.

3. Hoardings

Prior to commencement of the development hereby permitted within the London Borough of Hammersmith and Fulham, a scheme for temporary solid timber hoarded fencing (minimum height 2.5 m) around the perimeter of the site on all site boundaries and/or enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority.

The temporary solid timber hoarded fencing and/or enclosure in accordance with BS 5975-2:2024 shall be installed prior to the start of any site clearance/demolition works. 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.

Approved details shall be fully implemented and permanently retained and maintained for the duration of the building works until completion of each Block.

Reason: To ensure a satisfactory external appearance, to prevent harm to surrounding residential occupiers by way of dust, the street scene and public realm, and to safeguard biodiversity in accordance with Policies G6, SI 1 and D4 of the London Plan 2021, Policies OS4, DC1, DC8, CC10, CC11, CC12 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

4. Removal of PD Rights (Use Class E)

The 'Flex Commercial' floorspace hereby approved, as shown on drawing number LTS - P01 - STAGE ISSUE S4 – PLANNING PRP - ZZ - 00 - DR - A – 21100 Rev P01, shall be used only for Use Class E (a), (b), (c) and (g), and for no other purpose including any other purpose within the Town and Country Planning (Use Classes) Order 1987, as amended, or any Order re-enacting.

Reason: To safeguard the living conditions of nearby occupiers in accordance with Policy D6 of the London Plan 2021 and Policy CC11 of the Local Plan 2018.

5. Glazing – Block A and Block B

Notwithstanding Condition 2, no development (of Block A and Block B as shown on drawing numbers LTS-PRP-A-ZZ-DR-A-21600 Rev P01 and LTS-PRP-BD-ZZ-DR-A-21604 Rev P01) above ground level shall occur until details of the glazing to be installed along Block A's northern elevation and Block B's southern elevation have been submitted to and approved in writing by the Local Planning Authority. The details shall include floor plans and elevations of the individual proposed window treatments (including obscure glazing, height of obscure glazing and level of transparency, and any opening restrictions) to the secondary openings to the living areas of units A-xx-04 and the kitchen areas of units B-xx-07 at levels 01 to 10 inclusive. The development shall be carried out in accordance with the approved details and maintained as such in perpetuity.

Reason: To avoid any potential overlooking and loss of privacy to protect the living conditions of the future occupants of the properties, in accordance with Policy D6 of the London Plan 2021 and Policies DC1 and DC2 of the Local Plan 2018.

6. Submission of details (materials and further details)

Notwithstanding Condition 2, no development above ground (save for demolition and works to the Chelsea Creek Wall) hereby permitted within the LBHF borough boundary shall commence until the following details have been submitted to, and approved in writing by, the Local Planning Authority.

The development shall not be completed otherwise than in accordance with the approved details, and shall be retained and maintained for the lifetime of the development:

- (a) Materials to be used for the external faces at all levels and roof of the buildings (Block A, Block B and Block C), to include sample panels provided on site showing the proposed colour, texture, face bond, mortar and pointing (where relevant) to be used on the external faces of the buildings. The sample panels shall be retained until above ground floor works are commenced; and
- (b) Detailed drawings to a scale of 1:20 of typical external windows, doors, and bay sections, including framing and glazing details and details of balustrades, handrails, canopies and junctions between building elements; and
- (c) Detailed drawings to a scale of 1:20 of all ground floor entrances to the buildings; and
- (d) Detailed drawings of any fixed seating and planters within the public realm; and
- (e) Detailed drawings to a scale of 1:20 of any roof level plant enclosures; and
- (f) Details of all external hard surfacing including materials and specifications; and
- (g) Details of all play equipment, including management and maintenance details; and
- (h) Details of any rainwater pipes.

Reason: To preserve the character and appearance of the area and nearby conservation areas, and to preserve living conditions of those living near the development in accordance with Policies D3, D4, D5, D8 and D9 of the London Plan 2021 and Policies DC2, DC3 and DC8 of the Local Plan 2018.

7. Use Class E 1:20 Details

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

Reason: to ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, and D8 of the London Plan 2021 and Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

8. Obscured Glass

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

To ensure a satisfactory external appearance and activation of the public realm in the interests of community safety and to prevent harm to the street scene and public realm, in accordance with Policies GG1, D3, D4, D8 and D11 of the London Plan 2021, and Policies DC1 and DC8 of the Local Plan 2018.

9. No additional roof structures

No water tanks, plant, lift rooms, enclosures or other structures, other than shown on the approved drawings for the development hereby permitted shall be erected upon the roofs of the buildings hereby approved.

Reason: To preserve the character or appearance of the area and nearby conservation areas in accordance with Policies D3, D4, D5, D8 and D9 of the London Plan 2021 and Policies DC2, DC3 and DC8 of the Local Plan 2018.

10. No roller shutters

No roller shutters shall be installed in front of any shopfront, commercial entrance or display facade hereby permitted.

Reason: To ensure a satisfactory external appearance and activation of the public realm in the interests of community safety and to prevent harm to the street scene and public realm, in accordance with Policies GG1, D3, D4, D8 and D11 of the London Plan 2021, and Policies DC1 and DC8 of the Local Plan 2018.

11. Aerials and Satellite Dishes

Prior to commencement of development above ground level of Block A, Block B and Block C hereby permitted details of any aerials and satellite dishes shall be submitted and approved in writing by the Local Planning Authority.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no additional aerials, antennae, satellite

dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

Reason: to ensure that the visual impact of telecommunication equipment upon the surrounding area, in accordance with Policies D3, D4, D8, D9 and SI6 of the London Plan 2021, Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

12. Window Cleaning Equipment and Strategy

Prior to first use or first occupation of the development within a Block permitted, details of the proposed window cleaning equipment shall be submitted to and approved in writing by, the Local Planning Authority.

The details shall include the appearance, means of operation and storage of the cleaning equipment. No part of the Blocks shall be used or occupied until the equipment for that Block has been installed in accordance with the approved details and shall thereafter be retained and maintained for the lifetime of the development in this form.

Reason: to ensure a satisfactory external appearance to the development and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, and D8 of the London Plan 2021, Policies DC1 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

13. Changes to the external appearance of the development

No alterations shall be carried out to the external appearance of the buildings, including the installation of air-conditioning units, ventilation fans, extraction equipment, balustrades, fencing, canopies or roof structures not shown on the approved drawings, unless expressly consented in relation to the discharge of any other condition attached to this planning permission.

Reason: To preserve the character or appearance of the area and nearby conservation areas in accordance with Policies D3, D4, D5, D8 and D9 of the London Plan 2021 and Policies DC1, DC2, DC3 and DC8 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

14. Wind Microclimate – Balconies

Prior to the occupation of the residential units (including extra care) within Block A, Block B and Block C located within the LBHF borough boundary, further details on any proposed mitigation measures to the balconies on the western elevation shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and retained for the lifetime of the development.

Any approved mitigation measures by the Local Planning Authority shall be implemented in full prior to the occupation of the residential units and retained and maintained for the lifetime of the development.

Reason: To ensure delivery of the functional quality of the buildings and spaces, in accordance with Policy D9 of the London Plan 2021 and Policies DC2 and DC3 of the Local Plan 2018.

15. Digital connectivity

Notwithstanding Condition 2, no development (with the exception of demolition, below ground works, temporary works and works to the Chelsea Creek Wall) shall commence until detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development hereby approved have been submitted to, and approved in writing by, the Local Planning Authority.

The development shall not be completed otherwise than in accordance with the approved details, which shall be retained and maintained for the lifetime of the development.

Reason: To ensure London's global competitiveness now and in the future, in accordance with Policy SI6 of the London Plan 2021.

16. Safety and Security

Notwithstanding Condition 2, prior to the commencement of above ground works (save for demolition, below ground works, temporary works and works to the Chelsea Creek Wall) of the development hereby approved, details of measures to minimise the risk of crime and meet the specific security needs of the development (informed by the principles and objectives of Secured by Design) shall be submitted to, and approved in writing by, the Local Planning Authority.

The development shall not be completed otherwise than in accordance with the approved details, which shall be retained and maintained for the lifetime of the development.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy D11 of the London Plan 2021, Policy DC2 of the Local Plan 2018, as well as the National Planning Policy Framework and Section 17 Crime and Disorder Act 1998.

17. Secured by Design (post-completion)

Within 3 months of first occupation of Block A, Block B and Block C hereby permitted within the LBHF borough boundary, a statement of whether 'Secure by Design' requirements have been adequately achieved and details of any further measures required to ensure those requirements have been 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: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy D11 of the London Plan 2021, Policy DC2 of the Local Plan 2018, as well as the National Planning Policy Framework and Section 17 Crime and Disorder Act 1998.

18. Artificial Lighting

Prior to the commencement of public realm works and landscaping works (other than works to the creek wall), a Lighting Strategy shall be submitted to, and approved in writing by, the Local Planning Authority for all external areas.

The 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' and 'Guidance Note 08: 'Bats and Artificial Lighting'. to ensure that any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties and safeguards biodiversity.

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Note 01/21: Guidance Notes for the Reduction of Obtrusive Light'. Lighting, and its impact on residential amenity and biodiversity minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

The relevant building or buildings 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

The approved lighting strategy shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To avoid creating unnecessary light pollution and negative impacts on wildlife, particularly commuting and foraging bats, in accordance with London Plan Policy G6 and Local Plan Policy CC12.

19. Lights off – Commercial Buildings

Prior to first occupation/use of the commercial uses (Use Class E) 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.

The approved scheme shall be implemented prior to the occupation and be operated only in accordance with the approved details.

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

20. Inclusive Access and Fire Safety Management Plan

Prior to the first occupation of Block A, Block B and Block C hereby permitted, an Inclusive Access Management Plan for the relevant Block shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall set out a strategy for ongoing consultation with specific interest groups regarding accessibility of the relevant part of the site and be in accordance with the approved Fire Statement by BB7 (Rev.08, dated 19 September 2025), as amended following the BSR Gateway 2 process.

The plan will include details of access, wheelchair accessible provision, public realm, car parking, cycle parking, fire evacuation strategy including provision of fire rated lifts and facilities to accommodate hearing and sight impairments.

The plan 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 development shall not be operated or occupied otherwise than in accordance with the Inclusive Access Management Plan as approved and shall thereafter be permanently retained and maintained in this form.

Reason: To ensure that the proposal provides an inclusive and accessible environment and provides for the changing circumstances of occupiers and responds to the needs of people with disabilities including during emergency situations in accordance with the Policies D5, D12, E10 of the London Plan 2021 and Policies D2, HO6 and E3 of the Local Plan 2018.

21. Archaeology

No demolition or development hereby permitted within the LBHF borough boundary shall take place until a Stage 1 Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority (in consultation with Historic England GLAAS). For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by Stage 1, then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority in writing.

For land that is included within Stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed Stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. Where appropriate, details of a programme for delivering related positive public benefits.
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure appropriate and proportionate assessment, evaluation, and protection of any potential archaeological remains in accordance with the NPPF, Policy HC1 of the London Plan 2021 and Policy DC8 of the Local Plan 2018.

22. Cycle Parking – Long and Short Stay (Non-residential and Residential) LBHF

Notwithstanding Condition 2, prior to commencement of the above ground works on the relevant Block of the development hereby approved by LBHF, details of all the long and short stay cycle parking facilities for Block A, including the type and specification of spaces to be provided, and where relevant details of a pro-active maintenance strategy for any lift access, shall be submitted to, and approved in writing by the Local Planning Authority.

The approved cycle storage shall only be carried out in accordance with the approved drawings, shall be provided prior to occupation of Block A, and shall thereafter be retained and maintained for use at all times during the lifetime of the development.

Reason: To promote sustainable transport and ensure high quality and accessible facilities are provided, in accordance with Policy T5 of the London Plan 2021, Policy T3 of the Local Plan 2018, and the minimum cycle parking standards and the London Cycling Design Standards.

23. Cycle Parking – Long and Short Stay (Non-residential and Residential) - RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate cycle storage facilities within the development to serve all dwellings hereby permitted by LBHF.

Any cycle storage required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC, and shall thereafter be retained and maintained for use and made available for use by the occupiers of the development hereby permitted within the LBHF borough boundary at all times during the lifetime of the development.

Reason: To promote sustainable transport and ensure high quality and accessible facilities are provided, in accordance with Policy T5 of the London Plan 2021, Policy T3 of the Local Plan 2018 and the minimum cycle parking standards and the London Cycling Design Standards.

24. Refuse Storage

Notwithstanding Condition 2, prior to commencement of above ground works on the relevant Block of the development hereby permitted within the LBHF borough boundary, details of the refuse and recyclables storage and management for Block A, Block B and Block C, which shall be in accordance with the submitted Waste Management Statement LR29 prepared by Stantec, shall be submitted to, and approved in writing by, the Local Planning Authority.

The development shall be occupied in accordance with the approved details and maintained 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 and disturbance, in accordance Policies T2 and T7 of the London Plan 2021 and Policies T2, CC11 and CC13 of the Local Plan 2018 and the LBHF SPD Key Principle TR28 (2018).

25. Refuse Storage - RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate refuse and recyclables storage facilities within that part of the development to serve all dwellings and uses hereby permitted within the LBHF borough boundary.

Any refuse and recyclables storage required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC, and shall thereafter be retained and maintained for use and made available for use by the occupiers of the development hereby permitted at all times during the lifetime of the development.

Reason: To ensure that satisfactory provision is made for refuse and recyclables storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and disturbance, in accordance Policies T2 and T7 of the London Plan 2021 and Policies T2, CC11 and CC13 of the Local Plan 2018 and the LBHF SPD Key Principle TR28 (2018).

26. Delivery and Servicing Management Plan

The development hereby permitted within the LBHF borough boundary shall not be occupied until a Delivery and Servicing Management Plan has been submitted to, and approved in writing by, the Local Planning Authority.

The Delivery and Servicing Management Plan shall include:

- i. A restriction of the use of the servicing area between 08.00 hours – 09.00 hours and 17.00 hours – 18.00 hours on weekdays
- ii. All Heavy Goods Vehicles attending site to load from within the servicing area rather than on-street; and
- iii. Full details of refuse storage and collection arrangements for all land uses.

The uses of the buildings shall thereafter be carried out only in accordance with the approved Delivery and Servicing Management Plan for the lifetime of the development.

Reason: To ensure the development does not lead to the obstruction of adjacent streets and to maintain highway safety, in accordance with Policy T7 of the London Plan 2021 and Policies T2, CC11 and CC13 of the Local Plan 2018 and SPD Key Principle TR28 (2018).

27. Vehicular Access Management Strategy

Prior to the occupation of the development hereby permitted within the LBHF borough boundary, a Vehicular Access Management Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be

operated in accordance with the approved Vehicular Access Management Strategy at all times.

Reason – To ensure safe use and operation of the highway and prevent vehicles blocking the local highway network in accordance with Policy T1 of the London Plan 2021 and Policy T1 of the Local Plan 2018.

28. Travel Plan

No Block hereby permitted within the LBHF borough boundary shall be occupied until a travel plan for each of the respective land uses has been submitted to, and approved in writing by, the Local Planning Authority. The travel plan shall be monitored and reviewed in accordance with any targets within the plan, and such records are made available upon request by the Local Planning Authority.

Reason: To ensure the safe and sustainable movement of traffic on neighbouring highways, in accordance with Policy T2 of the Local Plan 2018.

29. Car Parking Management Plan

Prior to the first occupation of the development hereby permitted, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a. Details of how all car parking spaces will be allocated and managed across the site.
- b. A strategy for the allocation and management of Blue Badge parking spaces, including a commitment that no additional service charges or fees will be applied to essential users of the site who are eligible for a Blue Badge space.
- c. A mechanism for ensuring that Blue Badge bays are allocated fairly and transparently to eligible users, including residents, staff, and visitors, based on verified need.
- d. A process for monitoring demand for Blue Badge parking and a commitment to provide additional on-site spaces up to a minimum of 10% of the total residential units, in accordance with Policy T6.1 of the London Plan (2021), where demand is demonstrated.
- e. Details of signage, enforcement, and access arrangements to ensure that parking spaces are used appropriately and do not result in obstruction or misuse.

The approved Car Parking Management Plan shall be implemented in full prior to first occupation and shall be maintained and updated as necessary for the lifetime of the development.

Reason: To ensure that car parking, including Blue Badge provision, is managed in an inclusive and sustainable manner, in accordance with Policy T6 of the London Plan 2021 and Policy T3 of the Local Plan 2018.

30. EVCP

Within 3 months of the first occupation of the development hereby permitted within the LBHF borough boundary, details (including manufacturer specification, location and type, installation/commissioning certificates and photographic confirmation) of the installed active electric vehicle charging points (minimum 22 kW), serving all on-site parking spaces, shall be submitted to, and approved in writing by, the Local Planning

Authority.

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

Reason: To encourage the use of electric vehicles and to mitigate against poor air quality in accordance with Policy SI 1 and T6 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

31. Parking and EVCPs - RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate blue badge parking and Electric Vehicle Charging Points to serve the development hereby permitted within Blocks A and B.

Any blue badge parking and Electric Vehicle Charging Points required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC, and shall thereafter be retained and maintained for use and made available for use by the occupiers of the development hereby permitted within the LBHF borough boundary at all times during the lifetime of the development.

Reason: To ensure that car parking, including Blue Badge provision, is managed in an inclusive and sustainable manner, in accordance with Policy T6 of the London Plan 2021 and Policy T3 of the Local Plan 2018.

32. Ultra-Low Emissions Strategy

Prior to 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. Procurement policy and processes for contractors and suppliers for the non-residential floorspace (Class E) 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.
- b. Use of Zero Exhaust Emission Vehicles serving the extra care home and non-residential floorspace (Classes E) in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle.
- c. Reduction and consolidation of deliveries and collections for extra care home and non-residential floorspace (Class E) e.g., Waste
- d. Re-timing of deliveries and collections for extra care home and non-residential floorspace (Class E) outside of peak traffic time periods of 07:00-10:00 and 15:00-19:00 hrs.
- e. Facilities and measures for residential use (Class C3) that will minimise the impact of vehicle emissions from increasing personal deliveries e.g., carrier agnostic parcel locker, concierge, Cargo bike bays etc.

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 Policy SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

33. Details of roadways/footpaths – LBHF

Prior to the commencement of development above ground level hereby permitted within the LBHF borough boundary, details of the layouts of any road, footway or footpath shall be submitted to, and approved in writing by, the Local Planning Authority.

The submitted details shall show the alignment, widths, surfacing arrangements and materials, kerbs (including heights), access ramps, vehicle/pedestrian access points, details of any street level car parking arrangements, forward visibility sight lines and vision splays, speed restraint measures, turning heads, gradients, street lighting and drainage in respect of the relevant part of the development.

The development shall not be occupied until the approved ramps, roads, accesses, footways, footpaths and cycleways have been constructed and been made available for use. The development shall be implemented in accordance with the approved details.

Reason: To ensure high quality streetscapes and that the detailed design of the access ramps provides sufficient vertical clearance and capacity for vehicle maneuvering in the interest of public safety and to ensure that the detailed design of the roads, footways and cycleways would avoid vehicle/pedestrian conflict and conditions prejudicial to public safety in accordance with Policies T1, T2, T4, T5 of the Local Plan 2018.

34. Details of roadways/footpaths - RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate ramps, roads, accesses, footways, footpaths and cycleways within the development to serve all dwellings and uses hereby permitted within the LBHF borough boundary.

Any ramps, roads, accesses, footways, footpaths and cycleways required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC, and shall thereafter be retained and maintained for use and made available for use by the occupiers of the development hereby permitted within the LBHF borough boundary at all times during the lifetime of the development.

Reason: To ensure high quality streetscapes and that the detailed design of the roads, footways and cycleways would avoid vehicle/pedestrian conflict and conditions prejudicial to public safety in accordance with Policies T1, T2, T4, T5 of the Local Plan 2018.

35. Demolition Management Plan

Prior to the commencement of the demolition phase of the development hereby permitted within the LBHF borough boundary, 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; and
- b. Storage of any skips; and
- c. Oil and chemical storage; and
- d. Membership of the Considerate Contractors Scheme and FORS Silver accreditation; and
- 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; and
- f. Community sustainability 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; and
- 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; and
- 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 4 or above; and
- 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.

All 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).

36. Demolition Logistics Plan

Prior to the commencement of the demolition phase of the development hereby permitted within hereby permitted within the LBHF borough boundary, a Demolition Logistics Plan (DLP) prepared in accordance with the Transport for London Guidance shall be submitted to, and approved in writing by, the Local Planning Authority.

The works shall cover the following minimum requirements:

- a. Site logistics and operations; and
- b. Demolition vehicle routing; and
- c. Details of the estimated number, size and routes of demolition vehicles per

day/week; and

- d. Details of the use of Ultra Low Emission Zone (ULEZ) compliant vehicles e.g. Euro 6 and Euro VI and Direct Vision vehicles to star rating 4 or above; and
- e. Details of the access arrangements and delivery locations on the site; and
- f. 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 Membership of the Considerate Contractors Scheme.

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

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).

37. Construction Management Plan

Prior to commencement of the construction phase of the development hereby permitted within the LBHF borough boundary, 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; and
- b. Waste classification and disposal procedures and locations; and
- c. Location of site offices, ancillary buildings, plant, wheel-washing facilities, tacking bays and car parking; and
- d. Details of storage and any skips, oil and chemical storage; and
- e. Membership of the Considerate Contractors Scheme and contractors accredited to FORS silver; and
- 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; and
- 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; and
- 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; and
- 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 4; and
- 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, SI 10 and T7 of the London Plan (2021), and Policies DC1, DC2, CC6, CC7, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

38. Construction Logistics Plan

Prior to commencement of the development hereby permitted within the LBHF borough boundary, a Construction Logistics Plan (CLP) 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. Details of engagement to be submitted as appendix to the CLP to identify concerns raised by residents and how these are addressed; and
- 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; and
- 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 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)

39. Energy Performance

The development hereby permitted within the LBHF borough boundary shall be constructed in accordance with the submitted Energy Strategy by IN2, Rev P01 dated 01/12/2025. The energy efficiency and sustainability measures set out therein, shall be completed and made operational prior to the first occupation of the development and retained and maintained for the lifetime of the development.

The development shall achieve regulated carbon dioxide emission savings of no less than 35% in line with the approved Energy Strategy. A minimum of 10% (residential) and 15% (non-residential) shall be achieved at the be lean stage over Part L 2021.

Prior to the first occupation of the development, evidence shall be submitted to, and approved in writing by, the Local Planning Authority, to demonstrate that the development has been carried out in accordance with the approved Energy Strategy and the above stated reduction in carbon dioxide emissions beyond Part L has been achieved and that all of the approved energy efficiency and sustainability measures have been implemented.

Reason: To ensure that the development contributes to the attainment of sustainable development in accordance with Policy SI2 of the London Plan 2021 and Policies CC1 and CC2 of the Local Plan 2018.

40. Whole Life-Cycle Carbon Assessment

Prior to the commencement of above ground works hereby permitted within the LBHF borough boundary an updated Whole Life Carbon Assessment shall be submitted to the Council for approval. The Assessment shall be compliant with policy SI2(F) of the London Plan and in line with the current GLA guidance.

Within 3 months of first occupation of the development, the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. Together with any supporting information, it should be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings, in compliance with Policy SI2 of the London Plan 2021.

41. Post-construction monitoring report condition

Prior to commencement of the demolition works hereby permitted within the LBHF borough boundary a pre-demolition audit should be undertaken to establish materials and potential reuse opportunities. A summary report with proposed measures shall be submitted to the LPA, evidencing how these conclusions assist in achieving the required GLA circular economy targets. Demolition may not commence until this has been approved.

Within 3 months of first occupation of the development, a post-construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The report should be submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate how the development has achieved all GLA circular economy targets.

Reason: In order to maximise the re-use of materials and in the interests of sustainable waste management, in compliance with Policy SI7 of the London Plan 2021.

42. Sustainability Measures – Residential

The residential development hereby permitted within the LBHF borough boundary shall be constructed in accordance with the measures set out in the Sustainability Statement by 'IN2' and retained and maintained as such for the lifetime of the development.

Reason: To ensure that the development contributes to the attainment of sustainable development in compliance with Policy SI5 of the London Plan 2021 and Policy CC2 of the Local Plan 2018.

43. BREEAM Rating - Non-residential

The non-residential floorspace shall achieve a BREEAM rating of 'Excellent', and within 3 months of first occupation a Post Construction Review Certificate shall be issued for it certifying that a BREEAM rating of Excellent has been achieved.

Reason: To ensure that the development contributes to the attainment of sustainable development in compliance with Policy SI5 of the London Plan 2021 and Policy CC2 of the Local Plan 2018.

44. Protection of Trees (during demolition and construction)

No development hereby permitted within the LBHF borough boundary shall commence until an updated Arboricultural Method Statement (AMS) and full particulars of the method(s) by which all existing trees to be retained on the site and adjacent land are to be protected during site preparation, demolition, construction, landscaping, and other operations on the site including erection of hoardings, site cabins, or other temporary structures, shall be submitted to, and approved in writing by, the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved AIA, AMS, and TPP, and all tree protection measures shall be installed prior to the commencement of works and retained for the duration of the construction period. All trees adjoining the development site shall be protected from damage in accordance with BS5837:2012. No construction shall take place until any such trees are adequately protected as per BS5837:2012.

Reason: To ensure the protection of existing trees during the construction process, in the interests of visual amenity, biodiversity, and environmental sustainability, in accordance with Policy G7 of the London Plan (2021) and Policy OS5 of the Local Plan (2018).

45. Trees and landscaping – Lopping and topping

For the duration of works the tree(s) existing on the site to be retained at the date of this permission shall be protected so as to prevent damage above and below ground, and no tree shall be lopped, topped, or felled, or root pruned, without the prior written approval of the Local Planning Authority.

Reason: To ensure that the trees are adequately protected, to safeguard their contribution to the appearance and amenity of the area in accordance with Policy OS5 of the Local Plan 2018.

46. Hard and Soft Landscaping – LBHF

Prior to commencement of above ground works for the development hereby permitted (excluding the demolition and enabling works), final details of the proposed hard and soft landscaping, including construction of biodiverse living roofs and an ongoing maintenance regime, which shall be in accordance with the submitted Landscape Design and Access Statement LR12 prepared by BDP and addendums thereto, shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include, but are not limited to:

- a. Details of the retention of existing trees as specified in the approved drawings, the replacement of trees, shrubs and plantings, planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; and
- b. Depth of tree pits, containers, and shrub beds; and
- c. Construction of biodiverse roofs including cross sections to a scale of 1:20 and maintenance plans; and
- d. Pedestrian surfaces, wayfinding, hard landscaping details, kerb details, external steps/ramps and seating, street furniture, bins and lighting columns that ensure a safe and convenient environment for blind and partially sighted people, all paving and external hard surfaces; and
- f. Details of boundary walls, railings, gates, fences, and other means of enclosure to the north and west site boundary (which should be in the form of detailed drawings to a scale of 1:20).

The details should not include any species included on the London Invasive Species Initiative or the use of herbicides and pesticides in the maintenance regime (with the exception of tackling invasive species).

The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained and maintained in this form.

Any plants which die, are removed, become seriously damaged and diseased within a period of ten years from completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory external appearance of the development and relationship with its surroundings and to protect the ecology and biodiversity within and adjacent to the site, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan (2021), and Policies DC1, DC2, DC8, OS2 and OS5 of the Local Plan (2018).

47. Landscape –RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate hard and soft landscaping within the development to serve all dwellings and uses hereby permitted within the LBHF borough boundary.

Any landscaping required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by, and shall thereafter be retained and maintained for use and made available for use by the occupiers of the development hereby permitted within the LBHF borough boundary at all times during the lifetime of the development.

Reason: To ensure a satisfactory external appearance of the development and relationship with its surroundings and to protect the ecology and biodiversity within and adjacent to the site, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan (2021), and Policies DC1, DC2, DC8, OS2 and OS5 of the Local Plan (2018).

48. Ecological Monitoring and Mitigation Plan

Prior to the commencement of development hereby permitted within the LBHF borough boundary, including any associated works, including any vegetation removal, an Ecological Monitoring and Mitigation Plan, shall be submitted to and approved in writing by the Local Planning Authority.

The Ecological Monitoring and Mitigation Plan shall include updated surveys, a mitigation strategy for terrestrial, riparian and aquatic habitats and planned biodiversity enhancements.

The Ecological Monitoring and Mitigation Plan shall include the following details:

- a. Updated protected species surveys, with all resulting recommendations appropriately followed; and
- b. Requirements for any pre-construction checks required before the commencement of the construction phases (i.e. for nesting birds) ; and
- c. Details associated with vegetation management and vegetation clearance, including appropriate timing of site clearance to avoid breeding bird period (March - August inclusive) and sensitive vegetation clearance; and
- d. Details associated with all water channel and boundary works including appropriate timing of works to avoid impacting protected species including the European eel (*Anguilla anguilla*) and smelt (*Osmerus eperlanus*), as well as waterfowl, and appropriate mitigation to minimise any light, vibration, silt, dust and chemical pollution; and
- e. Details of treatment of site boundaries and/or buffers around water bodies; and
- f. Details regarding removal of invasive species; and
- g. Adherence to best practice guidelines to minimise noise disturbance, dust pollution and surface water run-off and limit disturbance to retained areas of habitat; and
- h. Outline of construction phase lighting measures to minimise light spill on sensitive habitat areas; and
- i. Relevant safeguards to minimise the risk to terrestrial mammals such as covering all excavations and the provision of escape ramps; and

- j. Specification of all biodiversity and habitat creation and enhancements which shall include detailed design of the habitat immediately downstream of the attenuation outfall to ensure that there is a reduced risk of scouring damage (the erosion of soil around structures caused by fast-moving water, which can lead to structural failures); and
- k. Maintenance regimes and of management responsibilities.

The development shall not be occupied until the approved Ecological Monitoring and Mitigation Plan has been implemented in full and shall thereafter be retained.

Reason: To ensure compliance with The Wildlife and Countryside Act 1981 and safeguard biodiversity in accordance with Policies G1, G5, G6, G7 of the London Plan 2021 and Policies OS1, OS4 and OS5 of the Local Plan (2018) and KPC16 and KPC17 of the Climate Change SPD, to mitigate any impact of the development on local wildlife, and to seek opportunities to create new habitats or other features that enhance the site for nature.

49. BNG Biodiversity Gain Plan

The development shall not commence until a biodiversity gain plan has been submitted to, and approved in writing by, the local planning authority.

The Biodiversity Gain Plan must show how a 10% uplift in all habitat units (habitat, hedgerow, watercourse) will be achieved, using the template supplied by DEFRA: Where relevant, the biodiversity gain plan must include:

- a. Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat; and
- b. The pre and post development biodiversity value of the onsite habitat; and
- c. Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development; and
- d. Any biodiversity credits purchased for the development; and
- e. Plans of the existing and proposed habitats; and
- f. A valid metric calculation attached in excel form, which demonstrates that the minimum 10% objective has been achieved; and
- g. Any such other matters as the Secretary of State may by regulations specify.

The development shall not be occupied until the approved Biodiversity Net Gain Plan has been implemented in full and shall thereafter be retained.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Policies G1 and G6 of the London Plan (2021), Policy OS5 of the H&F Local Plan (2018) and Schedule 7A of the Town and Country Planning Act 1990.

50. BNG Habitat Management and Monitoring Plan

Prior to commencement of the development hereby permitted within the LBHF borough boundary a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the Local Planning Authority.

The HMMP should include:

- a. a non-technical summary; and
- b. the roles and responsibilities of the people or organisation(s) delivering the HMMP; and
- c. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan; and
- d. proposed habitat details including species composition, requirements to reach the condition detailed in the metric, distinctiveness and any additional features such as log piles; and
- e. accompanying plans of the site boundary, baseline and proposed habitats, provided in GIS format; and
- f. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- g. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority,

Notice in writing shall be given to the Council when the HMMP has been implemented, and the habitat creation and enhancement works as set out in the HMMP have been completed.

The development hereby permitted within the LBHF borough boundary shall not be occupied or used before:

1. The habitat creation and enhancement works set out in the approved HMMP have been completed; and
2. A completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Policies G1 and G6 of the London Plan (2021), Policy OS5 of the H&F Local Plan (2018) and Schedule 7A of the Town and Country Planning Act 1990.

51. Landscape and Ecological Management Plan – RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate ecological enhancements within the development to serve the development hereby permitted within the LBHF borough boundary.

Any ecological enhancements required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC and shall thereafter be retained and maintained at all times during the lifetime of the development.

Reason: To ensure compliance with The Wildlife and Countryside Act 1981 and in accordance with Policies G1, G5, G6, G7 of the London Plan 2021 and Policies OS1, OS4 and OS5 of the Local Plan (2018) and KPC16 and KPC17 of the Climate Change SPD, to mitigate any impact of the development on local wildlife, and to seek opportunities to create new habitats or other features that enhance the site for nature.

52. Preliminary Ecological Appraisal

Should any part of the development, including any works to the Chelsea Creek, hereby permitted within the LBHF borough boundary not have commenced within 12 months of the date of this decision, no further development shall commence until an updated Preliminary Ecological Appraisal has been submitted to and approved in writing by the Local Planning Authority to more fully explore the impacts to the Chelsea Creek. The updated PEA shall reflect the Preliminary Ecological Appraisal prepared by Greengage, updated October 2025.

The development shall be carried out in full accordance with the approved and updated PEA.

Reason: To ensure compliance with The Wildlife and Countryside Act 1981 and in accordance with Policies G1, G5, G6, G7 of the London Plan 2021 and Policies OS1, OS4 and OS5 of the Local Plan (2018) and KPC16 and KPC17 of the Climate Change SPD, to mitigate any impact of the development on local wildlife, and to seek opportunities to create new habitats or other features that enhance the site for nature.

53. Bat Surveys

Should the development hereby approved not have commenced within 12 months of the date of this decision, no development shall commence until 2 x bat dusk emergence surveys have been submitted to and approved in writing by the Local Planning Authority. The surveys shall identify the presence/absence of roosting bats within the main building. Surveys should follow Bat Conservation Trust Good Practice Guidelines. Mitigation measures shall be outlined subject to the results of the surveys and the development shall be carried out in accordance with the approved details.

Reason - To assess the likely presence/absence of bats (a protected species) using the existing building for roosting. Mitigation plans based on survey results will detail how the developer will avoid, reduce or manage any negative effects to protected species. To ensure compliance with protected species legislation: Wildlife and Countryside Act 1981; section 41 of the Natural Environment and Rural Communities

Act (2006); Conservation of Habitats and Species Regulations 2017.

54. Play Space

Prior to the first occupation of any residential unit within the development hereby permitted within the LBHF borough boundary, details of the on-site play space equipment including access, location, relevant surface treatment and layout, shall be submitted to, and approved in writing by, the Local Planning Authority.

The equipment proposed shall be inclusive for all and should be supported by seating for parents, carers and guardians. The details submitted shall include details of maintenance of play equipment and shall demonstrate that all residents of the development will have access to the play equipment regardless of the tenure of their home.

The play equipment shall be installed and operational prior to the first occupation of any residential unit within the development hereby approved and shall be maintained as such thereafter and permanently retained.

Reason: In order to ensure that the development is provided with tenure blind, high quality, accessible play provision for all ages of at least 10sqm per child, in accordance with Policy S4 of the London Plan (2021).

55. Play Space – RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate child play space to serve the development hereby permitted within the LBHF borough boundary.

Any child play space required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC, and shall thereafter be retained and maintained for use and made available for use by the occupiers of the development hereby permitted within the LBHF borough boundary at all times during the lifetime of the development.

Reason: In order to ensure that the development is provided with tenure blind, high quality, accessible play provision for all ages of at least 10sqm per child, in accordance with Policy S4 of the London Plan (2021).

56. Sewer flooding

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of a positively pumped device designed to remove sewer floodwater from the basement cycle storage necessary to serve the development hereby permitted, which shall be maintained and functional at all times.

Reason: To protect the building from sewer flooding, in accordance with Policy SI5 of the London Plan 2021 and Policy CC3 of the Local Plan 2018.

57. Water Efficiency

The residential components of the development shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 105 litres per person per day using the fittings approach for internal use (and a further 5 litres for external use). The commercial components of the development shall be constructed to achieve at least the BREEAM “Excellent” standard for the “Wat 01” water category or equivalent.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently in accordance with the NPPF, Policies SI 12 and SI 13 of the London Plan 2021 and Policy CC4 of the Local Plan 2018.

58. Groundwater monitoring

A. No development hereby permitted within the LBHF borough boundary shall commence within the Chelsea Creek or in connection with the Chelsea Creek Wall, until a Groundwater Level Monitoring Scheme for monitoring and responding to impacts on groundwater levels and flows during construction and operation of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

The Groundwater Level Monitoring Scheme shall include the following:

- i) Drawing showing location of groundwater monitoring boreholes; and
- ii) Frequency of submission of monitoring update reports and an analysis of trends to identify necessary mitigation measures.

B. The approved Groundwater Level Monitoring Scheme shall be implemented, and a Verification Report shall be submitted to and approved in writing by the Local Planning Authority within 3 months of completing the construction of the wall.

C. Ongoing monitoring shall be implemented in line with the approved Groundwater Level Monitoring Scheme and where required, monitoring update reports (to include the results, discussions and conclusions of monitoring and any recommendations for ongoing monitoring and mitigation measures if the analysis of trends shows they are necessary, with timescales for implementation) shall be submitted to, and approved in writing by the Local Planning Authority at a frequency specified within the approved Groundwater Level Monitoring Scheme.

D. Any mitigation measures identified within monitoring update reports shall be fully implemented within agreed timescales and a Verification Report shall be submitted to and approved in writing by the local planning authority within 3 months of completing and approved mitigation measures.

Reason: To ensure any risks from groundwater flooding are both minimised and managed and to comply with London Plan 2021 Policy SI 12 and Local Plan 2018 Policy CC3.

59. Surface Water Drainage – further information required

No development hereby permitted within the LBHF borough boundary shall commence until final details of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the submitted details shall include:

- Details of the proposed Sustainable Drainage System (SuDS) elements (green roof, rain gardens, storage tree pits, permeable paving and below ground attenuation), their location, extent, attenuation capacity, specification, structural integrity, construction, operation and access; and
- Calculations to demonstrate that the proposed drainage system has sufficient capacity during a tide locked scenario; and
- Section/profile drawings of all the proposed SuDS elements; and
- Drainage plan to show the location and extent of the proposed SuDS, their outflows and any flow control devices. The plan should show how surface water run-off will be conveyed to the SuDS and any connections to the sewer and/or Creek if necessary; and
- Details of the outfall(s) into the Chelsea Creek to demonstrate that there will be no adverse impact of scour on the adjacent habitats; and
- A detailed assessment of drainage exceedance routes across the site; and
- Details of attenuation storage that account for the tide-locking effect when the rainfall event coincides with high tide and demonstrate that the level of the outfall has been set to allow for gravity drainage whilst minimising the impacts of tide locking.; and
- A detailed management and maintenance plan for SuDS measures, including the responsible organisation, the maintenance activity and frequency.

The approved surface water drainage measures shall then be fully implemented prior to the first use of the development, made fully functional at all times and maintained thereafter.

Reason: To reduce flood risk and to contribute to sustainability in accordance with Policies SI 12 and SI 13 of the London Plan 2021 and Policies CC3 and CC4 of the Local Plan 2018.

60. Surface Water Drainage – RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate surface water drainage within the development to serve the development hereby permitted within the LBHF borough boundary.

Any surface water drainage infrastructure beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC, and shall thereafter be retained and maintained during the lifetime of the development.

Reason: To reduce flood risk and to contribute to sustainability in accordance with Policies SI 12 and SI 13 of the London Plan 2021 and Policies CC3 and CC4 of the

Local Plan 2018.

61. SuDS Verification

Prior to occupation of the development hereby approved, a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority, to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include:

- i. details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings; and
- ii. An operation and maintenance manual for the unadopted parts of the scheme as constructed; and
- iii. Proposed arrangements for future adoption by any public body, statutory undertaker or management company (where not previously provided).

The development shall then be occupied in accordance with the submitted and approved details.

Reason: This condition is sought in accordance with paragraph 182 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented as agreed so as to not increase flood risk onsite or elsewhere, and to comply Policies SI 12 and SI 13 of the London Plan 2021 and Policy CC4 of the Local Plan 2018.

62. Water Network Infrastructure

No development hereby approved shall be occupied until confirmation has been provided to the Local Planning Authority that either:

- i. all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- ii. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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.

63. Detailed Flood Wall Design of Replaced Flood Defence

Except for demolition and enabling works, the development hereby permitted must not be commenced until detailed designs for the replacement flood defence structure, as per the concept design outlined in the drawing titled 'Creek Wall Maintenance Access' (Ref. LTS-PRP-ZZ-00-DR-A-21257 dated. September 2025. Rev. P01) and letter from Stantec dated 25 September 2025 has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Environment Agency.

The detailed design of the fully replaced flood defence must, as a minimum, include:

- That the flood defence shall be designed with a lifetime no less than 100 years from

the date the last dwelling is expected to be completed;

- That the flood defence shall be designed with a crest level no lower than the Thames Estuary 2100 Plan 2090 level. At present, the flood defence crest 3 height should be set at a minimum of 6.3 mAOD.
- Details of how the replacement flood defence structure will tie into the adjoining flood defence structures;
- Demonstrate that a minimum 6m setback is maintained between the proposed development and the most landward buried element of the flood defence structure.
- Demonstrate that the flood defence is a purely cantilevered structure and that it will be structurally independent and not rely on secondary structures, such as the existing river wall, the proposed development or any proposed additional buried elements.
- The flood defence design shall be supported by full structural and stability calculations including design checks, and needed ground investigation works
- The flood defence design shall be supported by full structural and stability calculations including design checks, and needed ground investigation works
- Prominent, durable plaques to be attached to the river wall stating the:
 - o maximum surcharge capacity; maximum vehicle weight;
 - o responsibility for wall maintenance and future flood defence crest raising;
 - o minimum safe foreshore level to below which the strength and stability of the river wall could be compromised.
- Details of any proposed landscaping, footpaths, lighting, street furniture, planting and any underground services, utilities and drainage features within the area between the flood defence and the proposed buildings. It needs to be demonstrated that these features will not adversely impact the structural integrity of the flood defence, or restrict access to the defence for maintenance, inspections and emergency works. Street furniture within 10 metres of the flood defence wall with features that could restrict access must be demountable; The approved detailed design of the fully replaced flood defence should then be implemented in full and maintained for the lifetime of the development.

Reason To protect the structural integrity of the flood defence. To ensure the development is safe from flood risk for its lifetime and to ensure that there is no increase in flood risk elsewhere or on site as a result of the development NPPF paragraph 181 of the NPPF, Policy SI 12 of The London Plan, and LBHF Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use)

64. Detailed surveys of the retained flood defence structures to demonstrate condition and residual life.

The development hereby permitted must not be commenced until a flood defence condition survey, including intrusive investigation works, is undertaken to establish the condition and residual life of all elements of the historic flood defence structure that are to be retained both upstream and downstream of the proposed new flood defence structure, and submitted to, and approved in writing by, the Local Planning Authority in consultation with the Environment Agency.

To demonstrate a residual life of 100 years the applicant must, as a minimum, provide:

- A scope of works for the flood defence investigation works, including intrusive 4 investigations.
- The results of the site investigation work and associated structural assessment to

demonstrate a residual life of 100 years.

- If any elements of the flood defence structures are shown to not have a remaining lifetime commensurate with the development then an improvement works plan to bring all elements up to that lifetime - including details and drawings and a scheme of ecological enhancements, such as, but not limited to, examples within the multi-partner Estuary Edges guidance, or following industry best practice if that guidance no longer exists - shall be submitted within 8 months to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency

Reason To protect the structural integrity of the flood defence. To ensure the development is safe from flood risk for its lifetime and to ensure that there is no increase in flood risk elsewhere or on site as a result of the development, in accordance with paragraph 181 of the NPPF, Policy SI 12 of The London Plan, and the LBHF Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use).

65. Long term maintenance and monitoring plan

There should be no occupation of the development until a 100-year flood defence monitoring and maintenance plan has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The 100-year flood defence monitoring and maintenance plan shall include:

- Details of how and when the flood defence structures (new flood defence structure and existing river wall) will be inspected and tested to ascertain their structural condition, with set inspection milestone dates over the lifetime of the development. This will need to include more frequent visual surveys and intrusive inspections.
- Details of how adequate access to the landward side of the flood defence wall will be achieved for inspections
- Success criteria for the condition of each element of the flood defence structures.
- A schedule of inspection deadlines

The approved flood defence and tidal terracing monitoring and maintenance plan shall then be implemented in full thereafter for the lifetime of the development. If the flood defence structures are not shown to be meeting their success criteria at an inspection milestone date, then within 4 months an improvement plan shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency.

The approved improvement plan shall then be implemented in full within 12 months of approval and a verification report demonstrating the completion of the works shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency.

Reason To protect the structural integrity of the flood defence. To ensure the development is safe from flood risk for its lifetime and to ensure that there is no increase in flood risk elsewhere or on site as a result of the development, in accordance with paragraph 181 of the NPPF, Policy SI 12 of The London Plan, and the LBHF Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use).

66. As-Built Flood Defence Drawings

Prior to the occupation of the development, and upon the completion of the new tidal

flood defence structures, construction records and a full set of 'as built' drawings of the tidal flood defence, including the maximum surcharge capacity, maximum vehicle weight, responsibility for wall maintenance and future flood defence crest raising, and minimum safe foreshore level to below which the strength and stability of the river wall could be compromised, as well as a completed inspection and test plan to verify quality control and provide the necessary assurance that the replacement flood defence has been built as per the design shall be submitted to the Local Planning Authority and the Environment Agency.

Reason To facilitate any future flood defence intervention and to prevent an increased risk of flooding, in accordance with paragraph 181 of the NPPF, Policy SI 12 of The London Plan, and LBHF Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use).

67. Piling (Thames Water)

No piling shall take place until a foundation/piling layout plan, including scaled plans and cross-sectional details, clearly indicating the locations of all foundation/piles to be installed on the development site have been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. This plan should show:

- i. the positions of the foundation/piles in relation to Thames Water clean water mains and sewers and local topography such as roads (please include road names), existing buildings and/or any other notable features; and
- ii. drawings indicating the location of all piling and the clearance between the face of the pile to the face of a pipe; and
- iii. If any basements intended to be constructed as part of the development, indicate the location and footprint.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure and has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure, in accordance with Policy CC3 of the Local Plan 2018.

68. Construction Environmental Management Plan (CEMP)

Prior to the commencement of the development hereby permitted within the LBHF borough boundary a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include plans to reduce surface run-off and dust pollution, removal of invasive species following LISI guidelines, site lighting management, and mitigation measures to avoid bird nesting season (March-August inclusive), and suitable response to any bats found during works in accordance with BS 42020: 2013 Biodiversity.

The CEMP should detail mitigation measures for both the site and adjacent local sites that have been identified as being potentially impacted by development works. The proposed development shall be carried out in accordance with the approved CEMP at all times.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and to mitigate any impact of the development on local wildlife, and to seek opportunities to create new habitats or other features that enhance the site for nature, in accordance

with Policies G1, G5, G6, G7 of the London Plan (2021) and Policy OS5 of the Local Plan (2018).

69. Air Quality Dust Management Plan (Demolition)

Prior to the commencement of the demolition phase works within a development plot of the development hereby permitted within the LBHF borough boundary (excluding installation of solid timber hoarding and MCERTS compliant Particulate (PM2.5, PM10) monitors around the perimeter of the site), details of an Air Quality Dust Management Plan (AQDMP) in accordance with the Councils AQDMP Template 'E' shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure any impact on air quality is both minimised and managed and to comply with the NPPF (2024), Policy SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

70. Air Quality Dust Management Plan (Demolition)

Prior to the commencement of the demolition phase within a development plot of the development hereby permitted within the LBHF borough boundary (excluding installation of solid timber hoarding and MCERTS compliant Particulate (PM2.5, PM10) monitors around the perimeter of the site), details of an Air Quality Dust Management Plan (AQDMP) in accordance with the Councils AQDMP Template 'E' shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented and retained and maintained during the demolition phases of the development.

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

71. Air Quality Dust Management Plan (Construction)

Prior to the commencement of the construction phase of the development hereby permitted within the LBHF borough boundary (excluding installation of solid timber hoarding and MCERTS compliant Particulate (PM2.5, PM10) monitors around the perimeter of the site), details of an Air Quality Dust Management Plan (AQDMP) in accordance with the Council's AQDMP Template 'F' shall be submitted to and approved in writing by the Local Planning Authority.

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

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

72. Air Quality Environmental Monitoring Programme (AQEMP)

No development shall commence on the development plot hereby approved until an Air Quality Environmental Monitoring Programme (AQEMP) is submitted to, and approved in writing by, the Local Planning Authority.

The AQEMP shall include the following details:

- a) Details of a Baseline Air Quality Monitoring Report that includes comparison with respect to World Health Organisation (WHO) annual mean and twenty-four hour mean Air Quality Guideline Values for the air pollutants Nitrogen Dioxide (NO₂), Particulates (PM₁₀, PM_{2.5}) is completed by an independently appointed Environmental Consultancy for a period ending not more than 6 months prior to the commencement of any ground/enabling works at development; and
- b) Details of the pollutant to be monitored for, the type and location of monitoring, the equipment to be used, the duration of monitoring, Particulate (PM_{2.5}, PM₁₀) Site Action Levels (SAL), actions to be taken in response to an exceedance of SAL, communication of data to the public, content of an Environmental Monitoring Status Report (EMSR) and a full justification of each part of the AQEMP for the site and surroundings.
- c) Details of the submission of a monthly air quality monitoring report (MAQMR) by the 1st of each month and Annual Environmental Monitoring Status report (AEMSR) with reference to the World Health Organisation Air Quality Guideline Values for the air pollutants Nitrogen Dioxide (NO₂), Particulates (PM₁₀, PM_{2.5}) and Ozone(O₃) by 31st January of each year to be submitted to, and approved in writing by, the Local Authority.
- d) Details of the procedures that shall be implemented if during any works: Any part of the monitoring programme ceases to operate for more than 24 hours; all works shall cease until such a time as the monitoring programme is fully operational. Any SAL is exceeded, on each occasion all works that may be contributing to an exceedance shall cease and actions required by the AQDMP implemented.

If the EMSR recommends updates to the AQEMP an updated AQEMP shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter the approved Air Quality Environmental Monitoring Programme, or any subsequent update, shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

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

73. Non-Road Mobile Machinery (NRMM)

All non-road mobile machinery (NRMM) used during the course of the development until 31st December 2029 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 shall be registered on the London GLA NRMM register [GLA-NRMM-Register](#).

After 31st December 2029 all NRMM shall be Zero Exhaust Emission Non-Road Mobile Machinery (ZEENRMM) in accordance with the following schedule:

- a. By the 1st of January 2028 a minimum of 50% of all NRMM with a power output

between 1 kW to 560kW operating on the development site shall be Zero Exhaust Emission (ZEE).

- b. By the 1st of January 2030 any NRMM with a power output between 1 kW to 560kW operating on the development site shall be Zero Exhaust Emission (ZEE).

Where equipment cannot meet the ZEE NRMM requirements adopted by the council an exemption will be required from the London Borough of Hammersmith & Fulham.

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

74. Air Quality – Secondary Mains - Secondary Mains Electricity Power/UPS supply compliance

Prior to occupation of the development hereby permitted within the LBHF borough boundary, details of investigations into alternatives to HVO fuelled generators serving life safety systems shall be submitted in the form of a report. The report shall be building specific and if alternatives are not feasible, contain details of the reasons why this is the case. Use of backup generator(s) is restricted to emergency use and operational testing (less than 50 hours per year).

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

75. Air Source Heat Pumps and Photovoltaic Panels

Prior to occupation of Block A, Block B and Block C hereby permitted within the LBHF borough boundary, details of the installation of Air Source Heat Pumps and Photovoltaic Panels that are provided for space heating and hot water shall be submitted to, and approved in writing by, the Local Planning Authority.

The approved details shall be fully implemented prior to occupation of the relevant Block and thereafter retained and maintained for the lifetime of the development.

Reason: To ensure any impact on air quality is both minimised and managed and to comply with the NPPF (2024), Policy SI1 of the London Plan 2021 and Policies CC1 and CC10 of the Local Plan 2018.

76. Air Source Heat Pumps and Photovoltaic Panels - RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate installation of Air Source Heat Pumps and Photovoltaic Panels that are provided for space heating and hot water within the development to serve all dwellings hereby permitted within the LBHF borough boundary.

Any installation of Air Source Heat Pumps and Photovoltaic Panels that are provided for space heating and hot water required beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC and shall thereafter be retained and maintained during the lifetime of the development.

Reason: To ensure any impact on air quality is both minimised and managed and to comply with the NPPF (2024), Policy SI1 of the London Plan 2021 and Policies CC1 and CC10 of the Local Plan 2018.

77. Ventilation Strategy

Prior to commencement of above ground works of Block A, Block B and Block C of the development hereby permitted, details of a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the self-contained dwellings (Class C3) shall be submitted to and approved in writing by the Local Planning Authority.

This is applicable to all residential use floors where the World Health Organisation Annual Mean and 24-hour mean Air Quality Guideline Values for Nitrogen Dioxide (NO₂), Particulate (PM₁₀)³ and Particulate (PM_{2.5}) 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 all residential use (Class C3) floors; and
- 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 use floors, to minimise the potential for the recirculation of extract air through the supply air ventilation intake; and
- 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; and
- 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.

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 any impact on air quality is both minimised and managed and to comply with the NPPF (2024), Policy SI1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

78. Ventilation Strategy - RBKC

Notwithstanding Condition 2, no more than 80% of the market dwellings hereby permitted within Block A shall be occupied prior to provision in full of adequate ventilation, extraction and filtration of air within the development to serve all development hereby permitted within the LBHF borough boundary.

Any installation of plant necessary for ventilation, extraction and filtration of air required

beyond the LBHF borough boundary necessary to serve the needs of the development hereby permitted by LBHF shall be carried out in accordance with any consents granted by RBKC and shall thereafter be retained and maintained during the lifetime of the development.

Reason: To ensure any impact on air quality is both minimised and managed and to comply with the NPPF (2024), Policy SI1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

79. Anti-vibration Mounts

Prior to the installation of any machinery, plant/ equipment, extract/ ventilation system and ducting at any part of the development hereby permitted within the LBHF borough boundary, details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced.

The approved details shall be implemented prior to occupation of the relevant part of the development and thereafter be permanently retained.

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

80. External Mechanical Noise

Prior to the installation of any relevant equipment, details shall be submitted to and approved in writing by the Local Planning Authority, of the external sound level emitted from plant/ machinery/ equipment including any mechanical gates and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact.

The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

A post installation noise assessment shall be carried out within 3 months of the first occupation of the relevant part of the development 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 development and thereafter be permanently retained.

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

81. Absolute noise criteria

The noise level, when measured within any habitable room or external amenity space,

at the development 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).

82. Separation of Residential to Residential (Non-Uniform Stacking)

Prior to construction of the superstructure of the development hereby permitted within the LBHF borough boundary, details shall be submitted to, and approved in writing by, the Local Planning Authority of an enhanced sound insulation value $D_{nT,w} + C_{tr}$ 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, namely e.g. living room and kitchen above bedroom of separate dwelling.

The approved details shall be implemented prior to occupation of the relevant part of the development and thereafter be permanently retained.

Reason: In order to safeguard the future occupiers of the residential properties hereby approved, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

83. Separation of Commercial Units to Residential Use

Prior to commencement of the superstructure of the development hereby permitted within the LBHF borough boundary, 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 commercial part(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w} + C_{tr}$ is enhanced by at least 10 dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises.

The approved details shall be implemented prior to occupation of the relevant part of the development and thereafter be permanently retained.

Reason: In order to safeguard the future occupiers of the residential properties hereby approved, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

84. Building Services Plant (Residential)

Prior to commencement of the superstructure of the development hereby permitted within the LBHF borough boundary, details shall be submitted to, and approved in writing by, the Local Planning Authority, of the external sound level emitted from plant/ machinery/ equipment serving the residential development, and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact.

The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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.

The approved details shall be implemented prior to occupation of the relevant part of the development and thereafter be permanently retained.

Reason: In order to safeguard the future occupiers of the residential properties hereby approved, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

85. Building Services Plant (Commercial) - Noise

Prior to Commencement of the superstructure of the development hereby permitted within the LBHF borough boundary, details shall be submitted to, and approved in writing by, the Local Planning Authority, of the external sound level emitted from plant/ machinery/ equipment serving the commercial development, and mitigation measures as appropriate.

The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact.

The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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.

The approved details shall be implemented prior to occupation of the relevant part of the development and thereafter be permanently retained.

Reason: In order to safeguard the future occupiers of the residential properties hereby approved, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

86. Building Services Plant (Use Class E(b)) – Odour - Food Led Premises

Prior to occupation of any of the commercial floorspace hereby permitted for the 'sale of food and drink' (Use Class E(b)), an odour risk assessment shall be carried out and submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the floorspace. The assessment should be undertaken in accordance with the latest EMAQ guidance.

The floorspace shall not be occupied until the mitigation measures set out within the odour risk assessment are implemented in full, and the mitigation measures for the

plant shall be retained and maintained permanently thereafter.

Reason: In order to safeguard the future occupiers of the residential properties and nearby properties and to prevent any significant disturbance to residents of nearby properties, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

87. External Seating (Café)

Prior to the commencement of any of the commercial floorspace hereby permitted within the LBHF borough boundary for the 'sale of food and drink' (Use Class E(b)), full details of any proposed external seating area shall be submitted to and approved in writing by the Local Planning Authority.

These details shall include the location, layout and capacity of the external seating area. The development shall be carried out in accordance with the approved details and retained as such thereafter. The external seating area shall only be used between the hours of 08:00 and 20:00 daily.

Outside of these hours, all furniture associated with the external seating area shall be removed and stored within the premises, unless expressly consented in relation to the discharge of any other condition attached to this planning permission.

Reason: To ensure a high-quality public realm, safeguard the amenity of neighbouring occupiers, and preserve the character and appearance of the area, in accordance with Policies DC1 (Design), DC2 (Amenity), and T7 (Public Realm) of the Local Plan (2018), and the relevant guidance in the Planning Guidance SPD.

88. Hours of operation - Any day (Use Class E – Ground Floor)

The use shall not be carried out other than between 08:00 hours and 20:00 hours, on any day.

Reason: In order to safeguard the future occupiers of the residential properties and nearby properties and to prevent any significant disturbance to residents of nearby properties, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

89. Re-Radiated Noise

Prior to commencement of the superstructure of the development hereby permitted within the LBHF borough boundary, an assessment of re-radiated noise and associated mitigation will be submitted to and approved by the local planning authority. The report shall demonstrate the re-radiated noise will not give rise to adverse impacts to future occupants of the development.

Reason: In order to safeguard the future occupiers of the residential properties and nearby properties and to prevent any significant disturbance to residents of nearby properties, in accordance with Policies D13 and D14 London Plan 2021 and Policies CC11 and CC13 of the Local Plan 2018.

90. Preliminary Risk Assessment and Proposed Intrusive Site Investigation

Design

No development hereby permitted within the LBHF borough boundary shall commence until the following information is submitted to, and approved in writing by the Local Planning Authority:

A. An updated site wide Preliminary Risk Assessment (PRA) addressing the outstanding items [associated with the Stantec Phase 1 and 2 Ground Condition Assessment dated June 2025 Issue V01], set out within the Council's Land Contamination Advice to the Planning Authority dated 17 September 2025. The PRA 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.

B. A site wide Proposed Intrusive Site Investigation Design (PISID) to fully characterised land contamination at the site and its impacts or possible impacts on receptors at the site and in the surrounding area.

The submitted documentation shall comply with the guidance Land Contamination Risk Management (DEFRA 2020).

Reason: To ensure that any risks from land contamination are both minimised and managed and comply with the NPPF, Policy SD1 of the London Plan 2021, Policy CC9 the Local Plan 2018 and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document 2018.

91. Quantitative risk assessment and remediation strategy

No development (except for demolition above ground level) hereby permitted within the LBHF borough boundary shall commence until the approved site wide Proposed Intrusive Site Investigation Design (PSID) has been fully implemented, an appropriate level of Quantitative Risk Assessment (RA) has been completed, and the following reporting, appraisal, strategy and designs have been submitted to, and approved in writing by the Local Planning Authority:

A. A report including full details of the completed intrusive site investigation (ISI) and a quantitative risk assessment which 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.

B. A site wide Options Appraisal (OA) and Remediation Strategy (RS). The RS shall include site wide actions, detailed remediation design items and should identify at what stage of the development detailed remediation design will be submitted (and parts of the development that will not progress until approval is obtained from the Local Planning Authority) and a site wide communications strategy.

These documents and any associated reporting shall be undertaken in line with the Environment Agency's current Land Contamination Risk Management Guidance and the Council's guidance or any subsequent updates.

Reason: To ensure that any risks from land contamination are both minimised and managed and comply with the NPPF, Policy SD1 of the London Plan 2021, Policy CC9 the Local Plan 2018 and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document 2018.

92. Unexpected contamination or unexpected ground conditions

A. If during development work unexpected contamination or unexpected ground conditions (including the type, extent or magnitude of contamination or ground conditions) that are not addressed through an existing approved Remediation Strategy are encountered or suspected, on each occasion development work shall cease in the affected area, other than for actions to make the area safe and prevent further contamination or pollution occurring, and the Planning Authority shall be informed within two working days.

B. No groundworks / development shall take place in the affected area until Further Intrusive Site Investigation and Quantitative Risk Assessment (FSI) and where necessary a Remediation Strategy (RS) addressing the unexpected contamination or ground conditions is submitted to, and approved in writing by, the Local Planning Authority. The FSI and RS shall include full details of requirements for ongoing monitoring and maintenance and be prepared in line with the Environment Agency's current Land Contamination Risk Management Guidance and Council's guidance or any subsequent updates.

C. No groundworks / development shall take place in the affected area until any approved Remediation Strategy is fully implemented and any required Verification Report (VR) is submitted to, and approved in writing by, the Local Planning Authority, other than those works required to facilitate remediation.

D. The RS and VR demonstrating that any unexpected contamination or unexpected ground conditions have been addressed shall be included within the final VR of the relevant phase of development [as specified within the approved Land Contamination Phasing Plan].

Reason: To ensure that any risks from land contamination are both minimised and managed and comply with the NPPF, Policy SD1 of the London Plan 2021, Policy CC9 the Local Plan 2018 and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document 2018.

93. Remediation Method Statement (Contaminated Land)

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development hereby permitted within the LBHF borough boundary shall commence until a remediation method statement is submitted to and approved in writing by the Council.

The remediation method 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)/ LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

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

94. Contamination – Verification Report

Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development hereby permitted within the LBHF borough boundary 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 Council.

This report shall include:

- a. Details of the remediation work carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; and
- b. All waste management documentation showing the classification of waste, its treatment, movement and disposal; and
- c. the validation of gas membrane placement.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with the NPPF and Policy SD1 of the London Plan 2021, Policy CC9 of the Local Plan 2018 and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document 2018.

95. Ongoing monitoring and maintenance

A. No occupation or use of each Block of development hereby permitted within the LBHF borough boundary shall commence until a Long-Term Monitoring and Maintenance Plan (LTMMP) has been submitted to, and approved in writing by, the Local Planning Authority.

The LTMMP must set out full details of and requirements for ongoing monitoring, maintenance and reporting of land contamination issues and any remedial measures and be prepared in line with the Environment Agency's current Land Contamination Risk Management Guidance and the Council's guidance or any subsequent updates.

B. The LTMMP for each phase of development, as specified within the approved Land Contamination Phasing Plan, shall be fully implemented and placed on the buildings/grounds Health & Safety file and where necessary the asbestos register for buildings, land and/or the development as a whole.

C. Where a LTMMMP requires ongoing actions and reporting to the Local Planning Authority, the actions shall continue to be implemented as specified by the LTMMMP and any required reporting must be submitted to, and approved in writing by, the Local Planning Authority, until any agreed completion criteria set out within the LTMMMP are met.

Reason: To ensure that any risks from land contamination are both minimised and managed and comply with the NPPF, Policy SD1 of the London Plan 2021, Policy CC9 of the Local Plan 2018 and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document 2018.

96. Openings onto Highway

Notwithstanding Condition 2, no doors or gates shall open outwards onto the public highway at any time (save for in the event of an emergency).

Reason: To prevent obstruction of the surrounding streets and safeguard amenities of the surrounding area, to accord with Policy DC2 of the Local Plan 2018.

97. Vehicular Access Route

Notwithstanding Condition 2, an unobstructed three-meter-wide vehicular access route shall be maintained around Block B and Block C and maintained as such in perpetuity.

Reason - To prevent obstruction of the surrounding streets and safeguard amenity of the surrounding area, to accord with Policy DC2 of the Local Plan 2018.

98. Overheating Assessment

No development hereby permitted within the LBHF borough boundary shall commence (except demolition and groundworks) until an updated Overheating Assessment has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved Overheating Assessment and measures retained for the lifetime of the development.

Within 3 months of completion of the final dwelling unit hereby permitted within the LBHF borough boundary, an as-built overheating report shall be provided to demonstrate that all homes comply with the CIBSE TM59 overheating mitigation criteria under the DSY 1 weather file. Evidence, in the form of specifications, commissioning certificates and photographs, shall be submitted to demonstrate that the approved measures have been delivered. As-built BRUKL documents demonstrating that the actual cooling demand for the non-residential areas is lower than the notional cooling demand shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy SI4 of the London Plan 2021.

JUSTIFICATION

- 1. Principle of Development:** The principle of a comprehensive mixed use redevelopment including residential and commercial uses is considered to be acceptable and in accordance with national, strategic and local planning policies,

which advocate making the most efficient use of brownfield land in sustainable locations in order to help meet local and strategic housing needs. The proposed development would contribute to the regeneration of the area, improve employment opportunities, and promote sustainable economic growth. The size and location of the proposed retail floorspace are considered not to compromise the vitality or viability of surrounding centres. The development is considered suitable for transformative intensification and delivery of homes, economic opportunities, and the social infrastructure that supports good growth and delivers sustainable and inclusive regeneration. The provision of community use is a welcome element of the redevelopment proposals. The proposed development is therefore considered acceptable in accordance with Policy SD1, GG1, GG2, GG4, GG5, H1, S1 and S2 of the London Plan (2021) and Policies E1, HO1, HO6 and CF1 of the Local Plan (2018).

2. **Housing:** The proposed development would deliver 274 (Class C3) homes across the site. It is considered that the development would contribute to the overall housing delivery target for the borough and adjoining regeneration area as set out in Policy HO1 of the Local Plan which promotes the development of new housing. The proposed development would contribute towards providing much needed additional housing in accordance with Policies H1 and H4 of the London Plan (2021) which seek to increase housing supply and would help the borough meet its housing targets in accordance with Table 4.1 of the London Plan 2021.
3. **Standard of Accommodation:** All the residential units would meet or exceed the minimum internal space standards set out in the London Plan. The scheme provides a good standard of residential amenities, with access to private and communal amenity space, and high levels of compliance with daylight and sunlight standards. The development would provide inclusive and accessible homes, with 10% of units designed as wheelchair user dwellings and the remainder as accessible and adaptable dwellings. The proposed development, on balance, accords with Policies D3, D5, D6 and D7 of the London Plan (2021) and Policies DC2, HO4, HO6 and HO11 of the Local Plan (2018) and Key Principles HS6 and HS7 of the Planning Guidance SPD.
4. **Design and Heritage:** It is considered that the proposals will deliver good quality architecture which optimises the capacity of the site with good quality residential and commercial accommodation. In considering the urban design and heritage impacts, it is acknowledged that the application site is not within an area identified for development of a tall building and therefore would in part conflict with Local Plan Policy DC3. Notwithstanding this conflict, the development is not considered to have a disruptive and harmful impact on the skyline and would comply with the impact framework of London Plan (2021) Policy D9 and with Policy D9 considered as a whole. The proposals would also result in harm to the setting of a small number of heritage assets, particularly to the Sands End conservation area in LBHF. Alongside harm to the setting of other assets in the adjacent borough, RKBC; in all instances this harm would be less than substantial harm. It is the wider public benefits of the scheme which would outweigh this harm having regard to the relevant NPPF tests and applying the statutory provisions of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also considered to be in line with national guidance in the NPPG and strategic local

policies on the historic environment and urban design. As such, the Proposed Development is considered acceptable having regard to the NPPF, NPPG, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2, DC3, DC7, DC8 and DC9 of the Local Plan (2018)

5. **Residential Amenity and Impact on Neighbouring Properties:** The impact of the proposed development upon adjoining occupiers and future occupiers is considered on balance to be acceptable. The proposal would not result in unacceptable losses of daylight and sunlight within LBHF to adjacent developments and existing residential receptors. The resulting retained sunlight and daylight conditions within the most affected properties are considered to be typical of high-density, urban high-rise developments. Potential impacts in terms of air quality, light pollution, wind tunnelling, noise or communications would be acceptable taking into account the various mitigation methods proposed which can be secured by condition. The development has been designed taking into account of the siting and proximity of adjoining sensitive receptors so as to reduce the potential for overlooking or loss of privacy where possible. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with Policies D3, D6, D8 and D13 T4, D4, D11 and D14 of the London Plan (2021), Policies CC11, CC13, DC2, DC3, HO4 and HO11 of the Local Plan (2018) and Key Principle HS6 and HS7 of the Planning Guidance SPD.
6. **Transport:** The proposed development would not result in unacceptable congestion of the surrounding road network. The development layout would integrate with surrounding roads. The site is accessible and well served by public transport. The level of car and cycle parking is assessed as being acceptable in accordance with the standards set by Policies T6 of the London Plan. The development is car-lite, with provision for only essential Blue Badge parking for residents. It includes pedestrian and cycle infrastructure, improved permeability through the site, and enhanced connections to the surrounding area. Any impacts arising from the development would be mitigated by conditions and s106 provision to prevent significant increase in on-street parking pressures in surrounding roads. A comprehensive package of transport mitigation measures, including travel plans, delivery and servicing plans, and construction logistics plans, would be secured by condition and planning obligation. The proposed development accords with Policies T1, T2, T5, T6, T6.1, T6.4, T6.5 and T7 of the London Plan (2021) and Policies T1, T2, T3, T4, T5 and T7 of the Local Plan (2018).
7. **Fire Strategy:** A Fire Strategy has been provided. The HSE has considered the proposals and raised no objections to the latest amended proposals. As such, the proposal will comply with London Plan (2021) Policies E10, D5 and D12 and Local Plan Policies (2018) DC1 and DC2 as well as Planning Guidance SPD Key Principles DA1, DA4, DA5, DA6, DA7, DA8, DA9, DA11, DA12 and DA13.
8. **Sustainability & Energy:** The submitted Sustainability Strategy, BREEAM Assessment and Energy Statement demonstrate how the development complies with policies and principles relating to sustainable development and carbon reduction. The proposed development has been designed to meet the highest standards of sustainable design and construction. The application proposes a

range of measures to reduce CO2 emissions, including the integration of a site-wide heat network, in line with the London Plan Energy Hierarchy and its carbon reduction targets. Additional sustainability measures are also proposed for the site, such as incorporation of water efficiency measures, use of sustainable building materials, sourced responsibly, and recycled materials. The development incorporates a comprehensive sustainability strategy, including an all-electric energy system powered by air source heat pumps and photovoltaic panels, as well as the provision of green roofs. The submission of a revised Energy Strategy and Sustainability Statement is secured by condition to ensure the highest levels of sustainability and carbon reductions can be achieved. BREEAM 'Excellent' rating is proposed to be achieved for the non-residential uses. The proposed development accords with Policies SI 1, SI 2, SI 3 and SI 4 of the London Plan (2021) and Policies CC1 and CC2 of the Local Plan (2018).

9. **Whole Lifecycle Carbon Assessments and Circular Economy Statements:** The Development has provided a commitment to implementing measures to reduce waste and carbon emissions through the construction and demolition phases as well as once the buildings are occupied, helping to reduce carbon emissions and support the circular economy. The proposed development therefore accords with policies SI 1, SI 2, SI 3, SI 4, SI 5, SI 7, SI 12, SI 13, G5 and G6 of the London Plan requiring development to meet net zero carbon targets and to meet the highest standards of sustainable design. Local Plan Policy CC1 which requires developments to reduce their carbon dioxide emissions and make the fullest possible contribution to the mitigation of climate change, and Policy CC2 which requires the implementation of sustainable design and construction measures in all major developments, are also considered to be met in broad terms.
10. **Flood Risk and Surface Water Drainage:** Most of the site is in Flood Zone 1 with a small area within flood zone 3 (which indicates a high risk to flooding from the River Thames). However, the site is well defended from this form of flood risk by the Thames Barrier and the local river wall defences. A Flood Risk Assessment and Surface Water Drainage Strategy have been submitted which consider risks of flooding to the site and identify suitable mitigation measures, including the raising of the flood defence as part of the proposals and use of a range of sustainable drainage measures to minimise discharge of surface water into the combined sewer system. In broad terms, the information submitted and commitments provided are acceptable subject to further details being provided on the flood mitigation and SuDS measures to be implemented. The development would therefore be acceptable in accordance with Policies SI 12 and SI 13 of the London Plan covering flood risk management and sustainable drainage and Policies CC3 and CC4 of the Local Plan which deal with similar requirements.
11. **Land Contamination:** The application proposes that the site would be remediated to an appropriate level for sensitive residential and open space uses. Additional information for developments on contaminated land and ensuring the protection of future users of contaminated land will be required. Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development will therefore be in accordance with Policy CC9 of the Local Plan (2018) which requires the protection and enhancement of environmental quality.

12. **Archaeology:** The site is not located within a locally defined Archaeological Priority Area. The Greater London Archaeological Advisory Service (GLAAS) support the conclusion that there is low potential for part of the site to contain archaeology remains. A condition will secure the implementation of a programme of archaeological work by way of a watching brief throughout relevant construction times. The proposed development therefore accords with Policy HC1 of the London Plan (2021) and Policies DC1 and DC8 of the Local Plan (2018) which require new development to protect the borough's heritage assets and protect important archaeological remains.
13. **Air Quality:** There will be an impact on local air quality because of the advanced preparatory works, demolition, construction, and operational phases of the proposed development. However, conditions imposing requirements prior to the commencement of above ground works for each phase of the development are included to mitigate the effects of the development. During demolition and construction, an Air Quality Dust Management Plan for these works is required by condition which will mitigate the air quality impacts of the development. In addition, a contribution toward the monitoring of air quality during the construction works to assist with mitigating against potential issues is secured through the S106 Agreement. The Air Quality Assessment shows that there is no significant impact on local air quality during the operational phases with additional mitigation. It is noted that there is not expected to be an exceedance of the one-hour objective at any on-site location, where there is relevant exposure, and the air quality neutral target is met. As such, the proposed development can accord with Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).
14. **Arboriculture, Ecology and Biodiversity:** As part of the development, new trees/shrubs will be planted. The new public realm incorporates recommendations to enhance the biodiversity value such as the inclusion of wildlife planting as part of the landscaping and biodiverse roofs. The site will achieve a policy compliant Urban Greening Factor and an uplift in on site biodiversity, with BNG in respect of the intertidal environment being achieved by way of offsite credits. Conditions are secured to provide additional mitigation measures through the materials and landscaping, and to safeguard the ecological value of the neighbouring SINC and green corridor. Subject to the imposition of conditions and appropriate mechanisms in the legal agreement, the proposed development accords with Policies D8, D9, G5 and G7 of the London Plan (2021) and Policies OS1 and OS5 of the Local Plan (2018) in terms of ecological enhancements and urban greening.
15. **Security:** No objections are received from the Designing Out Crime Officer. The overall security strategy and design intent is considered acceptable at this stage. Conditions requiring the submission of construction stage and post-completion details will ensure the development shall provide a safe and secure environment for all users. The proposals are considered to be well designed and in accordance with the NPPF, Policy D11 of the London Plan (2021) and Policy DC1 of the Local Plan (2018).
16. **Microclimate:** The proposed development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to

pedestrians or the environment around the residential blocks or surrounding properties, subject to conditions requiring the submission of details. The proposal is considered to comply with Policies GG1, D8 and D9 of the London Plan (2021) and Policies DC3 and CC2 of the Local Plan (2018).

17. **Objections:** Whilst objectors have been received to the proposed development, it is considered for the reasons explained in the detailed analysis, that planning permission should be granted for the application subject to appropriate safeguards to ensure that necessary controls and mitigation measures are established. This decision is taken on the basis of the proposed controls, mitigation measures and delivery commitments contained in the draft conditions and Heads of Terms for the Section 106 Agreement set out in this committee report, which are considered to provide an adequate framework of control to ensure as far as reasonably practicable that the public benefits of the scheme will be realised in accordance with relevant planning policies whilst providing the mitigation measures and environmental improvements needed to address the potential impacts of the development.
18. **Conditions:** In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the drafting has been worked up in consultation with the Applicant and colleagues in RBKC (due to the cross-boundary nature of the proposal).
19. **Planning Obligations:** The development would be subject to a Section 106 agreement securing affordable housing, financial contributions towards employment and skills, affordable workspace, carbon offsetting, air quality monitoring, community safety, open space and other site-specific mitigation measures. The proposed development would therefore mitigate external impacts and would accord with Policies DF1, SI 2, SI 1, T4 and T7 of the London Plan (2021) and Policies CF1, CC10, T1 and T2 of the Local Plan (2018).
20. **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.

INFORMATIVES

1. Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. All Conditions must be complied with. If you wish to seek to amend a Condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.
2. Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Directorate of Planning and Place, before work commences, if you are thinking of introducing any variations to the approved development.

Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible.

3. Environment Agency

Due to the works to the flood defences, and within proximity to the Chelsea Creek, a designated main river, a Flood Risk Activity Permit will be required.

4. DTMP & CTMP – Engagement

You should engage with neighbours and local residents associations in advance of submitting your final Demolition Traffic Management Plan (DTMP) and Construction Traffic Management Plan (CTMP) required by conditions. It is also advisable to engage in further pre-application discussions with the Local Planning Authority prior to submission of the DTMP and CTMP. You are reminded of the purpose of the DTMP and CTMP, which is to mitigate impact upon the living conditions enjoyed by residents of neighbouring properties as well as to ensure the safe and unobstructed function of the highways in the vicinity. You are also reminded of the membership of the Considerate Constructors Scheme, required by condition and which has similar objectives. Care and sensitivity is required when carrying out development in residential areas.

5. Network Rail

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/ or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

Any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway should be made aware to the future occupiers of the site. It must also be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night-time train running and heavy freight trains. The appropriate building materials should be used to reduce any potential noise

disturbance from the railway.

Any trees/shrubs to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Network Rail wish to be involved in the approval of any landscaping scheme adjacent to the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. If required, Network Rail's Asset Protection team are able to provide more details on which trees/shrubs are permitted within close proximity to the railway.

If you would like to discuss any of the above, please contact AssetProtectionSouthern@networkrail.co.uk.

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

6. Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2018 (as amended), and the grant of planning permission does not imply that such approval will be given. The District Surveyor, Town Hall, Hornton Street, W8 7NX should be consulted before works commence.

7. You are reminded of your duties under the Party Wall Act 1996. This requires a building owner to notify and obtain formal agreement from adjoining property freeholders and leaseholders and anyone who has had an interest of 12 months or greater, where the building owner intends to carry out work which involves:

1. Work involving an existing shared wall with another property;
2. Building on the boundary with another property;
3. Excavating near a neighbouring building, and that work falls within the scope of the Party Wall Act

Notice should be served on neighbours at least one month before commencement of building works. Section 12(1) of the Party Wall Act provides for the developer to provide security for neighbours through insurance or a security bond.

Procedures under the Party Wall Act are separate from the need for planning permission and for building regulations approval. Further guidance is available at: Party Wall Act 1996

8. To assist applicants in finding solutions to problems arising in relation to their development proposals the Local Planning Authority has produced planning policies, and provided written guidance, all of which are available. A pre-application advice

service is also offered and was used in this instance.

On first submission the proposals did not comply with guidance, but improvements suggested by the Local Planning Authority were adopted by the applicant.

9. Whole Life-Cycle Carbon assessment informative

Once the GLA's Whole Life-Cycle Carbon Assessment is approved by the LPA, the Applicant should provide this Assessment together with any supporting information to the GLA at: ZeroCarbonPlanning@london.gov.uk

10. Circular Economy Post-construction monitoring report informative

Once the Post-Construction Monitoring report is approved by the LPA, the Applicant should provide the approved post-construction monitoring report and any supporting information to the GLA at circulareconomystatements@london.gov.uk

11. Archaeology

Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

12. Piling (Thames Water)

Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk

Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm)

Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

13. Water Network Infrastructure (Thames Water)

The developer can request information to support the discharge of this condition by visiting the Thames Water website at: thameswater.co.uk/preplanning.

Thames Water 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.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/building water

- Submit foundation/piling layout plan showing positions relative to Thames Water assets and topography.
- Indicate any basement footprint.
- Confirm if any existing assets will be abandoned and provide correspondence summary.

14. The applicant is advised that an Environmental Permit for flood risk activities is required to be obtained from the Environment Agency (EA). Any issues identified during the permitting process should be secured by way of condition to any permit for the river wall works and a copy of this should be submitted to the Council (RBKC) for completion. The applicant is further advised that all the mitigation measures agreed with the EA through the Environmental Permit should be implemented and maintained to remain operational and provide adequate protection for the lifetime of development.

15. The riparian owner is reminded of their responsibility to ensure a fit for purpose flood defence line is maintained in line with s.6 of the Metropolis Management (Thames River Prevention of Flood) Act 1879 to 1962 (The Act). Further information on the rights and responsibilities of riparian owners can be found within the Thames End Land Drainage Byelaws.

16. Air Quality, Generator Report

The applicant should ensure that if a generator requires a SCR unit that they are still able to work within the maximum building height restrictions.

17. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (“the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be London Borough of Hammersmith and Fulham.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

- (a) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
- (b) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

The permission which has been granted is for development which is exempt being:
4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- (i) the application for planning permission was made before 2 April 2024;
- (ii) planning permission is granted which has effect before 2 April 2024; or
- (iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

Development below the de minimis threshold, meaning development which:

- (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- (ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

Self and Custom Build Development, meaning development which:

- (i) consists of no more than 9 dwellings;
- (ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Development forming part of, or ancillary to, the high speed railway transport network

(High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

18. The Applicant is advised to consult with the HSE, the LBHF Emergency Planning Team and liaise directly with Cadent Gas Ltd in respect of the relationship of the development to the hazard pipeline.

19. To assist applicants in finding solutions to problems arising in relation to their development proposals the Local Planning Authority has produced planning policies,

and provided written guidance, all of which are available on the Council's website. A pre-application advice service is also offered.

The scheme was submitted in accordance with advice provided through pre-application discussions.

20. For the avoidance of any doubt, the Local Planning Authority has not assessed this planning permission as being severable.

LOCAL GOVERNMENT ACT 2000 - LIST OF BACKGROUND PAPERS

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

Application form received: 21st October 2025

Drawing Nos: See above

Policy documents:

National Planning Policy Framework (NPPF) 2024

The London Plan 2021

LBHF - Local Plan 2018

LBHF – Planning Guidance Supplementary Planning Document 2018

Consultation Comments:

Comments from:

Historic England London Region

Environment Agency - Planning Liaison

Thames Water - Development Control

Greater London Archaeology Advisory Service

Historic England London Region

Fulham Society

London Heliport

Health and Safety Executive (HSE) - sent to RBKC

Greater London Authority - Planning Decisions Unit

Active Travel England

Health and Safety Executive (HSE)

Historic England London Region

Port of London Authority

The Royal Parks

Dated:

30.10.25

21.11.25

18.11.25

28.11.25

13.11.25

01.12.25

18.11.25

16.10.25

28.10.25

24.11.25

29.10.25

28.01.26

28.01.26

18.11.25

27.11.25

28.11.25

28.01.26

04.11.25

28.11.25

28.01.26

Transport for London (TfL)	18.11.25
	29.01.26
Environment Agency – Planning Liaison	30.01.26

Neighbour Comments:

Letters from:

Dated:

42 Markland House London W10	19.01.26
22 Dunraven Road London W12	16.12.25
69 Lickey House 243 North End Road London W14	05.12.25
Flat 7, Hudson House, St Marks Place London W11	15.01.26
23 Darfield Way London W10	15.01.26
58B Lakeside Road London W14	18.12.25
9 Bentworth Road London W12	08.12.25
Flat 23, Ravenscourt Park Mansions, Paddenswick Road, W6	03.12.25
49A St. Ervans Road London W10	19.01.26
Basement Flat, 35A Curwen Road London W12	04.12.25
16 Willow Vale London W12	03.12.25
1.2 Hardwick House Waterfront Drive London SW10	01.11.25
Flat 3.1, Hardwick House 2 Waterfront Drive London SW10	05.11.25
24 Harrington Gardens London SW7	13.01.26
102 Corolla Building London W12	09.12.25
195 Townmead House, Ash House, Townmead Road SW6	19.12.25
251 Fulham Road London SW6	19.12.25
17A St. Lawrence Terrace London W10	14.01.26
130 Lancaster Road London W11	14.01.26
66 Fitzneal Street London W12	17.12.25
2 Star Road London W14	17.12.25
11 Passfields, Star Road London W14	04.12.25
53A Courtfield Gardens London SW5	14.01.26
Flat 32, Cadogan House London SW3	14.01.26
Imperial Wharf London SW6	05.11.25
44 Racton Road London SW6	16.12.25
41 Princes Place London W11	19.01.26
507 Hurstway Walk London W11	19.01.26
Chelsea Creek London SW6	12.11.25
7A Lakeside Road London W14	08.12.25
3A Chesterton Road London W10	16.01.26
22 Nella Road London W6	10.12.25
35 Tesla Court London W3	15.12.25
54B Hammersmith Grove London W6	15.12.25
1 Beaufort Mews London SW6	03.12.25
Flat B, Stephendale Road London SW6	09.12.25
16 Dorrit House, Henry Dickens Ct	16.01.26

St Anns Road London W11	
62 Ladbrooke Grove London W11	16.01.26
58 Riverside Gardens London W6	11.12.25
8 Havelock Close, India Way London W12	12.12.25
22 Kelmscott Gardens London W12	12.12.25
21 Rivermead Court London SW6	18.12.25
29 Nevill Court, Edith Terrace London SW10	19.01.26
Flat 7, Quayside House, 302 Kensal Road London W10	15.01.26
November Imperial Wharf, London SW6	12.12.25
3 Thaxton Road London W14	10.12.25
Apartment 1, 4 Jubilee Place, Vale Court Mallord Street, SW3	15.01.26
44 Powis Square London W11	15.01.26
No Address Given (SW6 2BF)	17.11.25
32 Aldbourne Road London W12	05.12.25
1A Gadebridge House London SW3	16.01.26
7 Lily Close London W14	11.12.25
36 Blantyre Tower, Worlds End Estate London SW10	14.01.26
Flat 35, 7 Runcorn Place London W11	16.01.26
25 Camborne Mews London W11	13.01.26
Flat 9, Tor Court London W8	13.01.26
15 Ann Lane London SW10	13.01.26
13 McGregor Road London W11	13.01.26

REPORT

1. SUMMARY

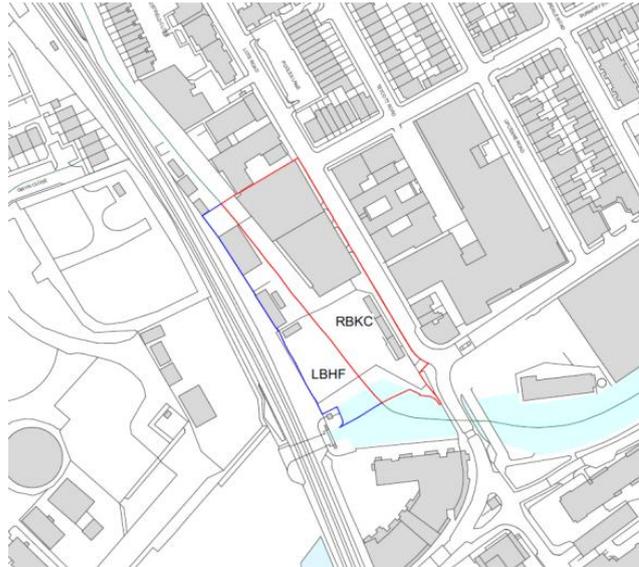
- 1.1 The 'Lots Road South' development site in its entirety (the 'Site') is located in the far south east of the borough and straddles the administrative boundary between the London Borough of Hammersmith and Fulham ('LBHF') and the Royal Borough of Kensington and Chelsea ('RBKC').
- 1.2 The Applicant has submitted two identical planning applications, one to the LBHF and one to the neighbouring planning authority, RBKC. The submission of two identical applications for planning permission is in line with the relevant Planning Practice Guidance (PPG).
- 1.3 LBHF can only grant permission for the part of the proposed development that lies on land within its administrative boundary. LBHF cannot grant or refuse permission for those parts of the proposals which lie on land outside of the borough boundary. However, it is a material factor that the two applications when taken together comprise a single proposal to redevelop the entirety of the Site. This has been acknowledged by Officers within this report (and the RBKC committee report) when considering the merits of granting planning permission. By virtue of the nature of the scheme, it is likely that the proposals will only actually come forward (and the benefits delivered) if both applications are

granted and both planning permissions implemented. This is a material consideration in respect of each application.

- 1.4 Planning permission is sought from LBHF for the redevelopment of the Site in respect of the development within LBHF. The identical full planning application submitted to RBKC (ref: PP/25/04416) was recently reported to their Planning Committee on 16 December 2025. The RBKC Planning Committee resolved to grant planning permission subject to conditions and an appropriate S106 legal agreement, and there being no direction to the contrary from the Mayor of London.
- 1.5 It is noted that the Stage 2 referrals to the Mayor of London cannot reasonably take place until there is a resolution to grant in respect of both planning applications. It is anticipated, subject to a favourable resolution by the PADCC, that the referral to the GLA will take place on 11th March 2026 in order for a decision to be issued in time to allow grant funding to be drawn down upon. It is also noted that the RBKC resolution includes delegation of powers to officers and the Chair of the committee to revise conditions in light of the outcome of the LBHF resolution, in order to bring them into alignment if necessary.
- 1.5 The Site in its current condition includes a mix of temporary and permanent commercial and local authority facilities and buildings, as well as the Chelsea Creek wall, although much of the site is laid to hard surfacing.
- 1.6 The application before Members is for the comprehensive redevelopment of the entirety of the Site, comprising the erection of three buildings providing five blocks. The proposed development will deliver 274 residential properties, including 65 affordable extra care dwellings and 53 affordable general needs properties. In addition, the proposals include provision of landscaped public realm and improvements to the Chelsea Creek wall to improve its flood resilience capabilities and enhance the intertidal habitat.
- 1.7 Whilst the proposals are to be considered in the round, the elements being indivisible across the site and the administrative boundary, LBHF can only grant planning permission for the part of the proposed development falling within the borough boundary. The distribution across the site, i.e. the detailed quantum of development within LBHF, is described in more detail below in.

2. **SITE AND SURROUNDINGS**

- 2.1 The application relates to a 0.7-hectare parcel of land, located across the boundary between LBHF and RBKC. The authority boundary splits the site into west (LBHF) and east (RBKC) along a north-west, south-east axis. 67% of the sites is located within RBKC and the remaining 33% lies within LBHF. This can be seen on the map below:



2.2 The Site is owned by RBKC, and their ownership extends across the land within both boroughs. The site is bounded by Lots Road to the east, the West London Overground (Mildmay) Line) to the west and Chelsea Creek, a tributary to the River Thames, to the south. To the north is the Heatherley School of Fine Art fronting onto Lots Road, to the rear of which is depot land contiguous with the Site which is also in the ownership of RBKC.

2.3 The Site is within the LBHF Parsons Green & Sandford ward (RBKC: Chelsea Riverside ward).

Existing

2.4 The Site, insofar as it falls within LBHF, currently comprises a car compound which includes some temporary buildings, a salt store and cabins which accommodate RBKC's recycling service providers, together with parking, materials storage and an access road providing secondary access to RBKC's highway depot to the north.

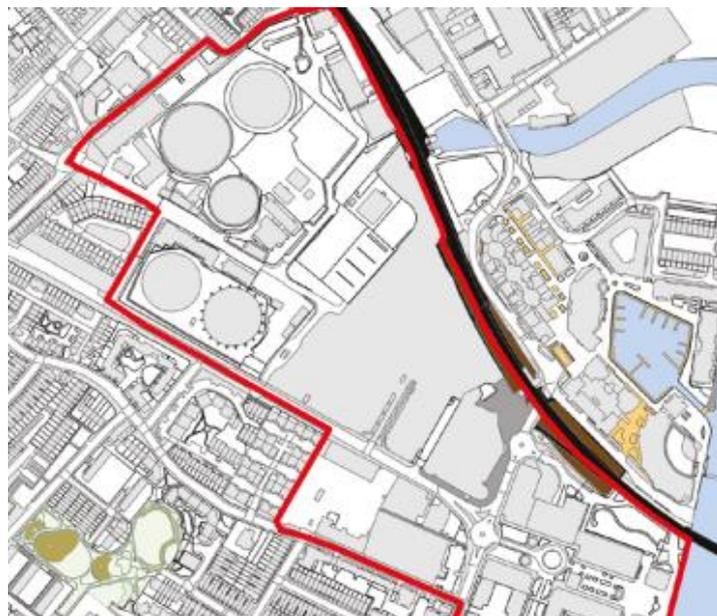
2.5 Some of these existing structures and uses are contiguous across the adjoining boroughs. Within RBKC, the Site also comprises the former two-storey Lots Road Auction House and another two-storey warehouse building accommodating Fairbank Studios, Access Self Storage and mixed retail.

2.6 The Chelsea Creek forms the southernmost part of the site. Chelsea Creek forms part of the River Thames and its tidal tributaries, which are designated as a Site of Importance for Nature Conservation (SINC). This means that the site is recognised for its ecological value. Chelsea Creek, the original line of which marks the boundary between LBHF and RBKC, formerly rose in Kensal Green and flowed south through what is now Little Wormwood Scrubs and into the Thames at the site, however it is now infilled to the north of the existing creek wall on the southern boundary of the site. At present, the existing extent of the Chelsea Creek is mostly bound by a retaining wall over almost all its length, comprising for the most part a combination of concrete, steel sheet piling and brickwork. This provides the edge to the Chelsea Creek and the River Thames into which the creek is connected by an open channel.

2.7 The surrounding area predominately comprises residential dwellings, commercial and educational uses. To the south is Waterman Tower and beyond that the residential buildings of Chelsea Harbour, as well as the Design Centre, all of which are located within LBHF. The West London Line sits directly to the west of the Site boundary, beyond which is the Imperial Gasworks (King's Road Park) site which is allocated within LBHF Strategic Policy (SFRRA1) for the delivery of up to 1,843 homes in buildings of up to 37 storeys, which is currently under construction. To the north of the site within RBKC is Heatherly School of Fine Art. To the east on the opposite side of Lots Road, also within RBKC, there are properties in non-residential uses including Worlds End Studios, Chelsea Academy and the Lots Road Public House, as well as two residential buildings with ground floor commercial units. Further east of this is terraced housing.

Planning Constraints

2.8 The Site in LBHF has no Local Plan designations, however, it is located close to the South Fulham Riverside Regeneration Area (SFRRA), which is to the west of the West London Line (Mildmay) London Underground line. Within the SFRRA, the 'Imperial Gasworks National Grid' site (defined by Strategic Policy SFRRA1 of the LBHF Local Plan) is located on the western side of the West London Line to the Site.



H&F (Inset of South Fulham Riverside Regeneration Area)

2.9 The Site adjoins, and is partially within, the Thames Policy Area, which within LBHF (and RBKC) includes Chelsea Creek in addition to the River Thames. Thames Policy Areas support London Plan 2021 goals by recognising and supporting the multifunctional strategic role of the River Thames and its tributaries and promoting ecological health and public enjoyment of the river (Policy SI 14 of the London Plan 2021). The relevant LBHF Local Plan policies support high-quality, inclusive, mixed-use development of vacant or underused land along waterways (including Chelsea Creek), and provide guidance for development proposals along the borough's riverside, focusing on protecting

existing water dependent transport, leisure and recreational uses, maintaining the borough's three safeguarded wharves, managing flood risk, respecting riverside heritage, enhancing the blue and green natural riparian environment, and improving public inclusive access, including through ensuring that the riverside walk is at least 6 metres wide.

- 2.10 Most of the western half of the Site is located within Flood Zone 1 'Low Probability' of annual probability of river or sea flooding. The eastern half of the site (within RBKC) is located within Flood Zone 2 'Medium Probability' and a small area in the southern part is located within Flood Zone 3 'Greater Probability' annual probability of river/sea flooding, which is associated with Chelsea Creek. The Risk of Flooding from Surface Water (RoFSW) map indicates that most of the Site has a 'Very Low' risk of surface water flooding, with an area at medium-high risk located in the northeastern quadrant.
- 2.11 The LBHF Sands End Conservation Area forms a portion of the southern part of the site, extending over part of the Chelsea Creek. The site is not located within a Conservation Area designated by RBKC; however it lies adjacent to the Lots Village Conservation Area. The site does not include any statutory listed buildings, however it is located within the setting of a number of listed buildings and structures associated with the former Imperial Gasworks to the west of the site, including the Grade II listed laboratory and office buildings and World War I war memorial and a Grade II* listed gasholder, in addition to the Grade II* listed Sandford Manor House to the north, all of which are located within LBHF. Further afield within RBKC is the Brompton Cemetery, a Grade I Registered Park and Garden and a Conservation Area, which contains a number of listed buildings and structures, including the Grade II* Listed Anglican Chapel. The conservation areas (in purple shading), listed buildings (in pink and green) and landmark building (in blue) can be seen on the image below:



- 2.12 The site is not located within an Archaeological Priority Area. However, the LBHF Sandford Manor House Archaeological Priority Area is located to the northwest of the site, and the RBKC Chelsea Riverside Archaeological Priority Area is located to the southeast.
- 2.13 In respect of RBKC, the Site is allocated in its entirety in the Local Plan (2024) for redevelopment under Policy SA6 (Lots Road South), for employment-led mixed-use development for c.100 new residential units, c.65 affordable extra care residential units and c.4,000 sqm of commercial floorspace (Class E and Class B8). Within RBKC the site is identified as an area for potential change under Policy PLV7 (Lots Road Employment Zone). Predating the adoption of the RBKC Local Plan, is the RBKC Lots Road South Design Brief Supplementary Planning Document (SPD) in July 2022. The SPD covers the full extent of the Lots Road South Site (i.e., including the part within LBHF), and provides detailed guidance on the policies within the 2019 RBKC Local Plan (which was at that time the adopted plan) setting 15 design principles. The SPD document was a material consideration for the application presented to the RBKC committee.
- 2.14 The site lies within a 'Cadent Gas Pipeline Consultation Zone' and the 'Outer Zone' of the Richmond to Fulham Cadent Gas pipe.

Public Transport Accessibility

- 2.15 The Site is located within PTAL Zone 3 - 4, indicating that the site has good public transport connectivity on a scale of 0 – 6b, where 0 is "poor" and 6b "excellent". Most of the Site achieves a PTAL score of 4 (very good), however, towards the southern part of the Site the score is 3 (good).
- 2.16 There are several bus stops within proximity to the Site. Bus stops on Lots Road are served by TfL bus route C3, which runs between the Earls Court Tesco and Clapham Junction, and bus routes 11, 22, 328, N11 and N22 serve Kings Road, 215m to the north. The southernmost point of the site is located 300m (approximately a 4-minute walk) from Imperial Wharf London Overground Station (Zone 2) on the Mildmay (West London) Line and Southern Railways services. From Platform 1, it is only one stop to Clapham Junction, while Platform 2 provides services towards Stratford. During peak hours, there are approximately six trains per hour in each direction via the Mildmay line. Imperial Warf is also served by Southern trains operating between Watford Junction and East Croydon. These services provide additional connectivity beyond the London Overground network, linking the Site to key destinations across west and south London. Trains typically run at regular intervals throughout the day, offering convenient access to areas such as Shepherd's Bush, Kensington, Clapham Junction, and East Croydon. The nearest underground station is Fulham Broadway which is 0.9km away from the site (12-minute walk). This station is on the District line, with services running between Wimbledon to Upminster/Edgware Road. Chelsea Harbour Pier, is served by River Bus services, and is located 482m to the southeast. The Site lies within a RBKC Controlled Parking Zone (CPZ) which has hours of control between 08:30 – 22:00 Monday to Friday and 08:30 – 18:30 on Saturday.

Active Travel

- 2.17 The Site is well connected to the cycle network with various local cycle paths and lanes within accessible distance, as well as strategic routes on the London Cycle Network (LCN).
- 2.18 The Site benefits from connectivity to an extensive network of pedestrian routes and facilities within LBHF and RBKC, as well as proximity to key destinations such as Imperial Wharf Station and the River Thames. A signalised crossing with dropped kerbs and tactile paving is located at the northern end of Lots Road at the junction with Kings Road. Informal crossings of Lots Road and Chelsea Harbour Drive with dropped kerbs and tactile paving are also situated near the Site, adjacent to its south eastern corner.
- 2.19 The local highway network has street lighting and good signage to help pedestrians with wayfinding. Along the frontage of the Site and beyond, the footways are of variable width but reasonable quality. As part of the Chelsea Waterfront development, there are ongoing public realm improvement works outside the existing power station. These improvements will enhance the quality of the pedestrian links along the eastern edge of Lots Road.
- 2.20 The entire borough is within an Air Quality Management Area.

Planning History

- 2.21 The developable land within the LBHF part of the Site has not been subject to any significant development proposals, however the southern boundary along the northern edge of the Chelsea Creek has previously been subject to the following applications:
- 2.22 Planning Permission (ref: 2022/01832/FUL) was granted on 9 December 2022 for the replacement of the existing northern bank at Chelsea Creek with the construction of a retaining wall.
- 2.23 A concurrent RBKC application for the works (ref: PP/22/03939) was granted 20 October 2022. As is the case with the current submissions, parallel applications for the works to Chelsea Creek were made to and considered by LBHF and RBKC.
- 2.24 The works approved under the 2022 consents do not cover the full scope of the work proposed under the current applications, which include proposals for a new creek wall. The two previous consents are understood not to have been implemented and have now expired.

3.0 THE PROPOSED DEVELOPMENT

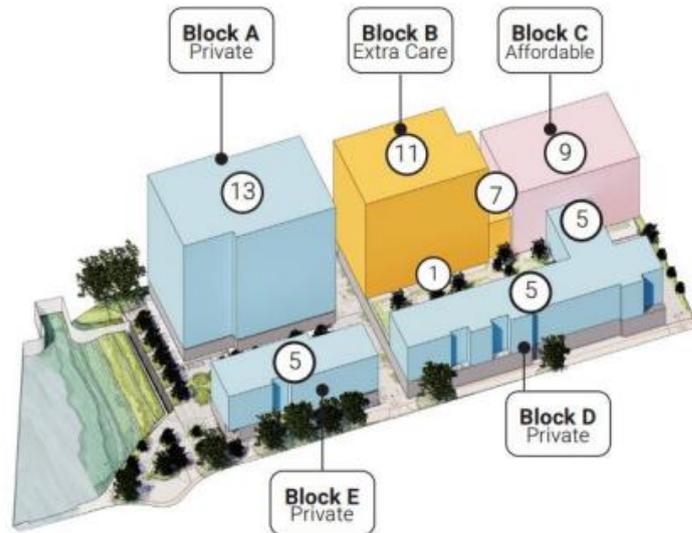
- 3.1 The current applications jointly seek planning permission for the full redevelopment of the Site.
- 3.2 As mentioned above, this includes land within RBKC and LBHF. Although the Site crosses the administrative boundary between the two councils, the

buildings and spaces have been designed to work together as one single development.

- 3.3 The portion of development under the jurisdiction of LBHF cannot be disaggregated from the portion of development sited within RBKC; for example, the means of access to, and much of the communal open space associated with the development proposed within LBHF is located on land within RBKC. It follows that it does not appear possible for the Proposed development to be implemented unless both LBHF and RBKC grant planning permission for the portion of the development which lies within their respective areas. Nonetheless, LBHF can only grant permission (or refuse permission) for the part that lies within LBHF.
- 3.4 As such, this section of the report refers to the 'Proposed development' as a whole. Where considered appropriate and necessary, this report will specifically mention the development as it sits within the administrative boundary of LBHF.
- 3.5 The redevelopment would include the complete demolition of all existing buildings and structures within the Site and the provision of a mixed-use scheme. The scheme would include the provision of residential (Use Class C3) and non-residential (Use Class E, Use Class F1 a/b, and Use Class F2) uses, together with associated landscaping and access. The proposals also include the rebuilding of the existing wall of Chelsea Creek.

New buildings/spaces

- 3.6 The proposed scheme has been designed as three buildings, arranged as five blocks, ranging in height from five up to thirteen storeys.
- 3.7 The development would provide:
- **274 residential homes** across the two boroughs, including:
 - 65 extra care homes
 - 53 affordable general needs homes, and
 - 156 market homes
 - The provision of **2,015sqm of flexible commercial and community spaces**, which would be located entirely at ground floor level:
 - Community Centre (Class F2) = 276 sqm (entirely within RBKC)
 - Affordable workspace (Class E) = 768 sqm (217sqm within LBHF)
 - Other commercial uses (Class E) = 971sqm (112sqm within LBHF)
- 3.8 The image below shows the layout and massing of the three buildings, forming blocks A, B, C, D and E.



- 3.9 Blocks A and E would take the form of standalone buildings, whilst Blocks B, C and D would be a single building with a unified ground floor plate, with the blocks extruding upwards above the podium.
- 3.10 The administrative boundary would run across Blocks A, B and C, as shown in the image below, which illustrates how the footprints of the blocks along the western part of the Site would sit in relation to the boundary between the two boroughs, with LBHF being to the top (west) of the plan. Almost all of Block A would be located within LBHF, approximately 50% of Block B, and approximately between a half and a third of Block C.



- 3.11 Blocks D and E and the podium would be entirely within RBKC, as would the means of access to the development, and the majority of the private and public landscaped spaces provided, whether at podium level or grade. These elements of the proposal would, however, serve the residents of the entire development, including those living within LBHF.
- 3.12 The proposed development has varied heights. The largest blocks would be located in the west of the site, adjacent to the railway line. The proposed

scheme rises progressively from the north (Block C, 9 storeys) towards the south (Block B, 11 storeys, and Block A, 13 storeys), with a 7-storey link between Blocks B and C). These buildings, which are the tallest in the development, are located mainly within LBHF.

- 3.13 Fronting the north boundary to the site to Heatherley School of Art and along the Lots Road frontage, the scheme comprises two-five storey blocks (Blocks D and E). These blocks are entirely within RBKC. The indicative drawings below show the proposed development in the context of the Imperial Gasworks Site beyond (N.B. this section shows the original heights and massing granted under ref: 2019/02100/COMB, with the heights of the H1 and H2 towers being revised under ref: 2024/01420/RES to be 28 storeys and 38 storeys respectively).



- 3.14 The images above show the location of the private housing (in blue), extra care affordable housing (in yellow/green) and conventional affordable homes (in pink). These matters will be outlined further in subsequent sections of this report, however the location of the affordable housing is not related to the distribution of nomination rights between the boroughs (i.e. dwellings allocated to LBHF for the purposes of nominations may be located within LBHF, and vice versa), which is discussed further in this report.

- 3.15 The scheme includes new publicly accessible spaces, including a new community square, play areas and a Creekside promenade. The proposed public realm has been divided into seven-character areas (see below), each designed to serve specific functions. The spaces include:



- **Central Courtyard:** A central, green pedestrian space that provides areas for play, relaxation, gathering and movement shaped by the surrounding ground-floor uses (shaded mid-green);
- **Podium Garden:** A shared residential garden space offering opportunity for the new residents. This area balances semi-public and private interface with a separate garden for the Extra Care residents only (shaded light green);
- **Lots Road Frontage:** Enhanced pedestrian footpath on Lots Road with existing street trees retained and active frontages (shaded red);
- **Chelsea Creek Frontage:** A public realm space fronting onto the creek (shaded blue);
- **Railway Edge:** A functional boundary space with retained and introduced woodland planting to support biodiversity on site (shaded yellow);
- **The Interface with Heatherley School of Art:** A pedestrian and vehicle access for the Lots Road development (shaded orange); and
- **The Lanes:** A connecting pedestrian focused space which forms part of the vehicle circulation route (shaded pink).

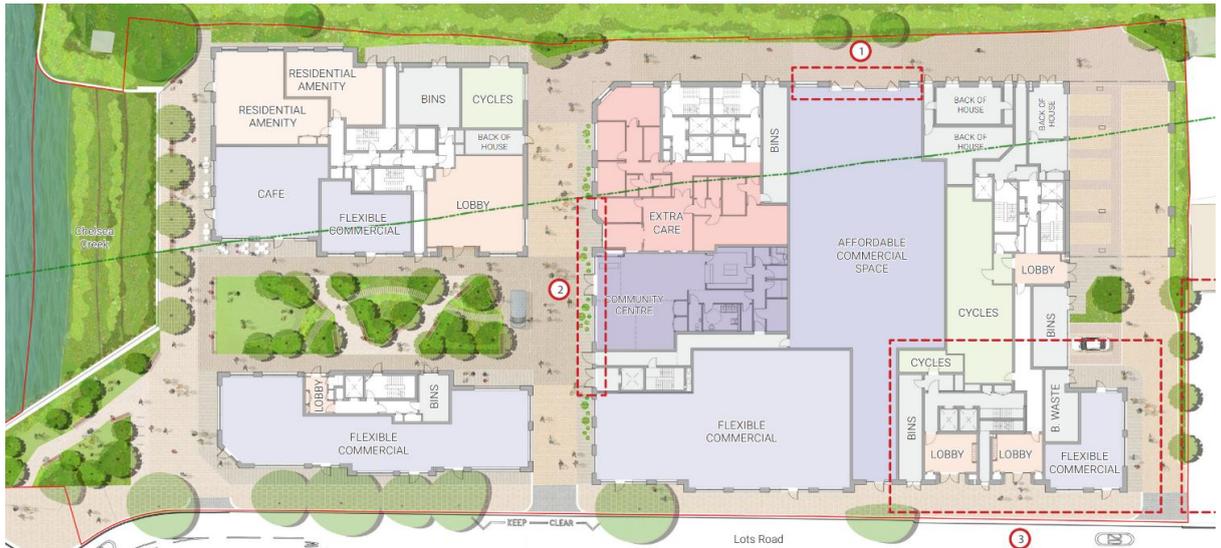
Revised Combined Masterplan with new red line boundary



- 3.16 The proposals include a basement level for plant, servicing, and long-stay cycle parking. This would be located below the podium garden and Block D, i.e. entirely within the RBKC borough boundary.

Land Use

- 3.17 The proposed development includes 2,015 sqm of non-residential floor space, primarily located at ground floor level, as shown on the ground floor plan below.



3.18 Of this, 329.4 sqm would be located within LBHF. The non-residential floor space proposed across the site and within LBHF is broken down by Use Class Order and Block as follows:

Use class	Space	GIA
F2	Community Centre	275.7
E(g)	SIES	685.0
E(a) E(b) E (g)	Café	143.2
E(a) E (g)	Commercial A	84.0
E(a) E (g)	Commercial D	448.9
E(a) E (g)	Commercial D1	81.7
E(a) E (g)	Commercial E	296.6

Commercial LBHF		
Use class	Space	GIA (sqm)
F2	Community Centre	0.0
E(g)	SIES	133.0
E(a) E(b)	Café	126.9
E(a)	Commercial A	45.1
E(a)	Commercial D	0.0
E(a)	Commercial D1	0.0
E(a)	Commercial E	0.0
E(a)	Commercial BOH	24.4
LBHF Commercial		329.4

3.19 All the commercial floorspace falls within Use Classes E(a) and (b), and the employment floorspace within Use Class E (g) (“neighbourly”) employment uses, such as offices and research and development.

3.20 613sqm GIA of the commercial floorspace is proposed to be delivered as Affordable Commercial Floorspace at ground floor level (Social Investment Employment Space (SIES)) within the podium below Blocks B, C and D, of which 133sqm would be within the LBHF borough boundary. This Social Investment Employment Space would be leased back to RBKC in its entirety. Of the remaining commercial floorspace within LBHF, 135.9sqm is proposed to be used for flexible commercial uses (expected to be a café), and 75sqm to be given over to LBHF for use as Affordable Workspace.

3.21 The scheme also proposes to provide a Community Centre which would serve as a flexible, multi-functional space accessed via the central courtyard at ground floor level, predominantly to support the occupiers of the extra care accommodation. This would be located entirely within RBKC.

Residential

- 3.22 The scheme would deliver 274 new homes across the entirety of the site, broken down in terms of size mix as follows:

Category	1 Bed	2 Bed	3 Bed	Total Units
Open Market	64	80	12	156
Extra Care Social	65	0	0	65
General Needs	17	20	16	53
Total Residential	146	100	28	274

- 3.23 The proposed homes would be a mixture of those located entirely within LBHF, entirely within RBKC, or located within “both” administrative areas (i.e. the borough boundary runs through the residential property), as shown in the table below.

	Fully in LBHF	Fully in RBKC	Both
Private	60	48	48
<i>Private %</i>	38%	31%	31%
Extra Care	20	10	35
<i>Extra Care %</i>	31%	15%	54%
Affordable	0	16	37
<i>Affordable %</i>	0%	30%	70%
Total Units	80	74	120
%	29%	27%	44%
	100%		

- 3.24 It is understood that in terms of contributing to each borough’s housing delivery, in line with the Valuation Office Agency’s protocols, the dwellings within Block A will be considered as LBHF properties, and those in Blocks B, C, D and E will be considered as RBKC properties. This means that the housing yield for LBHF in terms of delivery against the housing target will be 108 dwellings of a mix of 12No. 1-bed 1-person (studio) flats, 36 1-bed, 2-person flats, and 60 2-bed, 4-person flats. Although all of the properties within this block will be considered as “LBHF” dwellings in the eyes of the VOA and for the purposes of Council Tax, etc. and contributing towards LBHF housing delivery, in terms of their physical relationship to the boundary between the two boroughs, 60 will be located entirely within LBHF whilst 48 will straddle the boundary (none will be located entirely within RBKC). All of these dwellings will be market homes.

- 3.25 The proposed tenure mix by habitable room across the scheme as a whole is as follows:

- Open Market Homes: 156 dwellings (400 habitable rooms - 56.1%)
- Social Rent General Needs Affordable Homes: 53 dwellings (182 habitable rooms - 24.4%)
- Social Rent Extra Care Homes: 65 dwellings (139 habitable rooms - 19.5%)

- 3.26 The proposed split of affordable housing is 49% LBHF and 51% RBKC by habitable room, which is discussed further in this report.

Extra Care

- 3.27 As identified above, the scheme includes the provision of 65 extra care units falling within Use Class C3 (residential dwellings), providing sheltered accommodation in the form of individual and independent self-contained homes for older persons with a degree of need for additional support, which will also benefit from communal facilities. These properties will all be one-bed dwellings and delivered as social rent for the benefit of RBKC residents.

Transport, Movement and Access

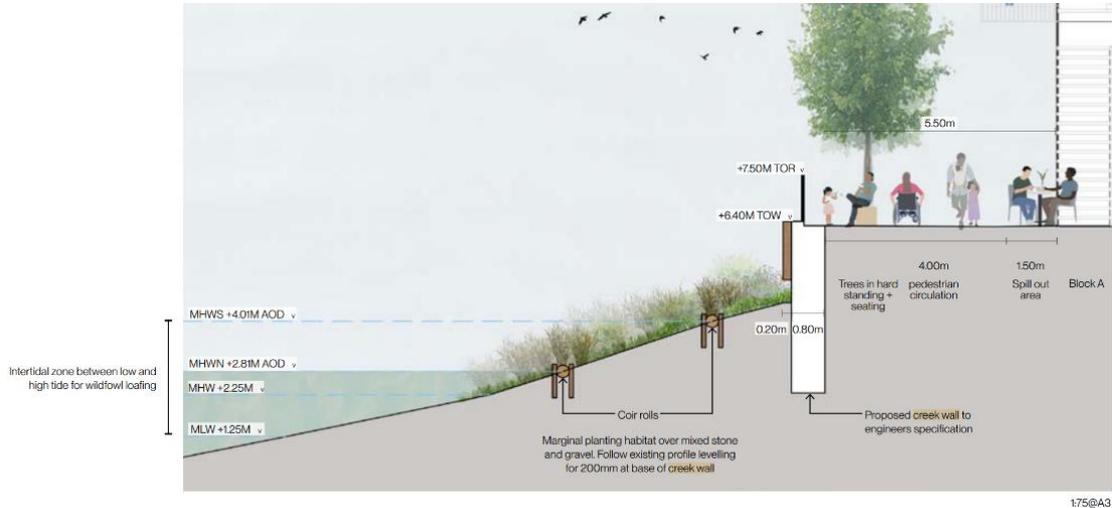
- 3.28 Access will be gained from Lots Road, with defined pedestrian routes leading to the building entrances, public spaces and the Creekside promenade.
- 3.29 The delivery and servicing trip generation is expected to decrease on a daily basis because of the development.
- 3.30 The proposal will be car-free, except for six on-site blue badge parking spaces, with the option of providing two more spaces on-street if required. No general residential parking spaces will be provided. All future residents will be restricted from applying for on-street parking permits.
- 3.31 The cycle parking provision proposes:
- 374 long-stray cycle spaces.
 - 9 short-stay cycle parking spaces.

Works to the Chelsea Creek

- 3.32 The proposed development includes works to the Chelsea Creek wall. Planning permission was granted by the LPAs in 2022 for a new creek wall (ref: 2022/01832/FUL & concurrent RBKC application ref: PP/22/03939). However, these proposals were not taken forward and were never implemented.
- 3.33 The proposal now before Members seeks to revisit the works to the wall and integrate them into the current proposals to include a new piled flood defence wall, repairs and realignment of existing deteriorated sections, and a landscaped embankment to the west (in addition to the existing piled wall section which can be retained). The works would achieve a continuous defensive height of 6.40m AOD, exceeding 2100 flood protection requirements.



3.34 The construction of the new creek wall will enable the creation of the proposed promenade along the creek edge on the southern boundary of the site. The proposed structure provides essential support and protection against erosion and tidal forces and also enables the creation of a new marginal planting habitat with intertidal planning within the creek. A section drawing showing the proposed new creek wall and Creekside promenade can be seen below:



Environmental Impact Assessment ('EIA')

3.35 In March 2025 an application was received by LBHF requesting a screening opinion in relation to a proposed development comprising a) the demolition of the existing buildings on the site; b) erection of three buildings comprising five blocks of up to 13 storeys plus basement, providing approximately 280 dwellings (including affordable extra care housing, affordable general needs housing and market housing) (Use Class C3) and approximately 2,100m² commercial floor space (Use Classes E, F2 and Sui Generis) together with associated servicing, blue badge parking, bicycle storage and public realm; and c) works to the Chelsea Creek wall including construction of a new retaining

wall, raising of the river defences to a height of up to 6.4m AOD and the provision of associated landscaping within Chelsea Creek (2025/00975/SCREIA). A similar request was made to RBKC.

- 3.36 This submission was considered against the criteria for screening of Schedule 2 development as set out in Schedule 3 of the town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
- 3.37 LBHF issued a decision on 9 July 2025 confirming that the development is not EIA development for the purpose of the EIA Regulations. This aligned with the RBKC decision.

Amendments

- 3.38 In January 2026, the LPA accepted minor revisions to the design of balconies to Blocks A and B and further supporting information in relation to matters raised by the GLA (as part of the Stage 1 referral process) and the Environment Agency and other consultees as part of the statutory consultation process. This includes information in relation to the environment and transport. A consultation with residents was not carried out on receipt of this amended and additional information as Officers consider that the revisions and information is minor in nature and no prejudice would arise as a result.

4 PUBLICITY AND CONSULTATION

Pre-Application Engagement

- 4.1 The Lots Road project is a partnership between the Royal Borough of Kensington and Chelsea and Mount Anvil, who were selected by RBKC as its development partner in February 2023.
- 4.2 Pre-application meetings with LBHF officers and the applicant team took place in July and November 2023, June and August 2024, and February, April and June 2025. These included workshops focused on matters such as design and transportation. A site meeting was undertaken in March 2025.
- 4.3 Community engagement has been carried out during the development of the design, and the consultation process ran from the summer of 2023 until the submission of the Applications. As part of this consultation process, the Applicant held workshops and public exhibition events in 2023, 2024 and 2025, and two meetings with the local community prior to submission of the applications to discuss the scheme which took place in March 2025. The details of the stakeholder engagement is set out in the submitted Statement of Community Involvement. The Applicant has suggested that engagement will continue through the next phases of the development (including the construction phase).
- 4.4 RBKC's Local Planning Authority held a 'Development Forum' in April 2025.

Design Review Panel / Inclusive Design Review Panel

- 4.5 The proposals have been the subject of formal design meetings throughout the pre-application process. A review was also undertaken by the RBKC Quality

Review Panel (QRP). The proposals were presented to LBHF's Inclusive Design Review Panel (IDRP) on 30 April 2025. A summary of the outcomes of these reviews is provided in the design section below.

- 4.6 In addition to the above, pre-application meetings were held with the Environment Agency and the GLA prior to the submission of the applications.

Statutory Consultation

- 4.7 The planning application has been the subject of public consultation since 28 October 2025. The Council publicised the application as per normal practice and in accordance with statutory requirements. A summary of all representations received during both rounds of the consultation are summarised below.

- 4.8 The proposals constitute a "major development" as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The application was advertised on the following basis:

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

- 4.9 Notification letters were sent to the adjoining occupiers, statutory consultees, and amenity groups/resident associations. Site notices were displayed around the perimeter of the site, and a press advert was placed in the local newspaper. A list of all the representations received by LBHF are listed above and summarised below.

Consultee Responses

- 4.10 In total, 59 individual representations have been received. This comprises 22 from H&F addresses and 37 from RBKC.

- 4.11 6 representations (4 in H&F) oppose the proposed development and 53 (18 H&F) are in support.

- 4.12 The objections received are summarised below:

- Proposed heights (up to 13 storeys) are too tall, considered excessive and out of character with the area.
- Out of keeping with the established building heights and rhythm of the surrounding area, resulting in visual harm and overdevelopment of a constrained site.
- Development will dominate the local townscape and create an oppressive sense of enclosure for residents living in lower-rise buildings nearby.
- Overall density, height, and scale of the proposed scheme is excessive for this location and will fundamentally alter the character of Lots Road and Chelsea Creek.
- Overshadowing and loss of sunlight for existing homes and businesses contrary to the BRE guidelines.
- Increased overlooking and light pollution for existing homes and businesses.

- Already experiences high levels of congestion, particularly at peak hours, due to the proximity of the Lots Road Power Station development, Chelsea Harbour, and the existing one-way systems.
- Cumulative traffic impact of multiple large-scale developments in this area has not been adequately mitigated.
- Lack of safe pedestrian crossings and for cyclist using Lots Road.
- Risk of accidents at junctions with poor sightlines.
- Construction Impact from demolition, basement and construction works will cause significant disruption to the area during construction. Noise, dust, and heavy vehicle movements will negatively affect residents' health and quality of life. A robust Construction Management Plan must be secured if any approval is considered.
- Impact on already busy C3 bus routes and Overground trains at Imperial Wharf.
- Current building works create appalling smell.
- Need more large grocery stores for the increasing population.
- Too many 'affordable' homes could lead to demographic impacts.

4.13 The representations received in support of the proposals are summarised below:

- Development is a good idea, can benefit the local area and be suitable for everyone.
- The area is quite drab and any regeneration is welcome.
- Will help create new housing. Issues of overcrowding.
- There is a real shortage of affordable housing. More social housing is needed.
- There is increase homeliness and a lot of rough sleeping in the area.
- The 65 extra care support for residents is welcomed as well.
- Will provide more outdoor space and community activities.
- Includes commercial space for small businesses, planting trees, creating a park and space for the kids.
- At the moment, some facilities are overcrowded and there's not enough for the kids.
- Will benefit local wildlife.
- Includes areas for social activities. Will help the community and support people out of work.
- Shops will help as people won't have to travel as far to do their shopping.
- Need to support startups and small businesses/ Will provide job opportunities.
- Development needs to help the young and the elderly plus disabled and vulnerable persons too.
- Need to build more homes even if it's in the form of high-rises. Developments however need community services, parks and infrastructure.
- Sustainability aspect of the development stands out.

Statutory Consultees

- 4.14 Statutory consultees were notified of the application during the initial and second consultation.
- 4.15 Responses were received from the Greater London Authority (GLA), Transport for London (TfL), Historic England, Greater London Archaeological Advisory Service (GLAAS), Environment Agency, Thames Water, Port of London Authority (PLA), Health and Safety Executive, Active Travel England and The Royal Parks.

Greater London Authority (GLA)

- 4.16 Under the terms of the Town & Country Planning (Mayor of London) Order 2008, the Greater London Authority (GLA) has been notified.
- 4.17 The application is referable to the Mayor of London under the following categories of the Schedule to the 2008 Order:
- Category 1A: “Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”.
 - Category 1B (c): “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”
 - Category 1C (c): ‘Development which comprises or includes the erection of a building more than 30 metres high outside the City of London.
- 4.18 The Mayor of London formally considered the proposal on 24 November 2025 and issued a Stage 1 response.
- 4.19 The GLA summarise that the relevant London Plan policies applicable to the development relate to land use, housing, urban design, tall buildings, transport and sustainable development. The GLA response states that whilst the development proposal is supported in principle, the application does not currently comply with all these policies. The key strategic issues are summarised below:
- Land Use Principles: The proposed net loss of commercial floorspace within the LSIS would be contrary to London Plan Policies E4 and E7, and the Site’s Allocation within the RBKC Local Plan. However, the scale of loss (c.2,000 sqm) is not considered to be a strategic issue.
 - The provision of new homes, specialised extra care homes, affordable workspace and community floorspace are all supported by the London Plan and are welcomed.
 - Affordable housing: The proposal delivers 118 affordable housing units (44.5% by habitable room), all to be delivered at social rents. Applying the social rent equivalency procedure within the ‘Accelerating Housing Delivery: Planning and Housing Practice Note’ (December 2024) the scheme is eligible to follow the fast-track viability route.
 - Urban Design and heritage: The proposed layout, scale and massing are

broadly supported.

- Other matters on transport, and environment and sustainable infrastructure also require resolution prior to the Mayor's decision making stage.

Transport for London (TfL)

4.20 TfL broadly support the scheme subject to:

- Updated ATZ assessment. Needs updating and inclusion of night-time safety review.
- Provision of Blue Badge spaces acceptable, if demand for additional on-street spaces can be provided. Parking Design & Management Plan must ensure spaces are leased, not sold. EV charging points required. Permit-free status for all units needs to be secured.
- Cycle Parking Provision: Long-stay provision compliant. Shortfall of 42 short-stay spaces for non-residential uses. Alternative locations are needed. Design must meet London Cycle Design Standards.
- Improved Pedestrian/Cycle Infrastructure: £110,000 contribution sought for docking station or capacity improvements.
- Travel Plan: Must align with TfL guidance (not BREEAM). Suggest incentives should be considered like Santander Cycle memberships. Secure via S106 with monitoring and funding.
- Servicing & Deliveries: Full DSP required by condition (London Plan Policy T7).
- Construction Logistics: Detailed CLP required. Must ensure no adverse impact on bus/rail safety and operations.
- In conclusion S106 securing travel plan, cycle hire contribution, and parking management. Conditions for DSP, CLP, and EV charging compliance.

Historic England (HE)

4.21 HE focusses on the impact of the proposals on the setting and significance of Brompton Cemetery. Consider Block A of the proposed development would be visible in the designed views from the central axis of Brompton Cemetery and would result in some harm to the setting and significance of the grade I RPG and the grade II* listed chapel. Recommend the height of Block A be reduced to ensure that harm is avoided or minimised. In their second response, HE confirms they had nothing more to add.

Historic England (GLAAS)

4.22 Proposed development not located within an Archaeological Priority Area however located adjacent to Chelsea Creek and over the previous course of the infilled Kensington Canal. There is generally low potential for most archaeological periods on the site, excepting the post-medieval and modern. Given the previous development on the site will likely have disturbed the stratigraphy to some extent, the risk to the archaeological resource on this site can be mitigated through a conditioned programme of works.

Environment Agency (EA)

4.23 The EA raised objections to the application based on the original FRA, particularly around the setback distance from the development to the flood

defences. However, the EA have noted that some progress has been made in terms of the applicant dealing with some of their concerns. Despite this, they are still not content that the proposed setback for Block A is adequate as the proposed distance of around 6m restricts access which could also be affected by balconies and landscaping.

- 4.24 It is acknowledged that the scheme includes the proposed replacement and raising of the flood defences on site to the required levels contained in the Thames Estuary 2100 Plan, but repair and maintenance work may still be required and space provided to ensure these works can be undertaken when necessary.
- 4.25 The EA have requested 5 conditions be included on the following issues, all of which have been included:
- Condition 1: Detailed flood wall design of replaced flood defence
 - Condition 2: Detailed surveys of the retained flood defence structures
 - Condition 3: Long term maintenance and monitoring plan
 - Condition 4: As-Built Drawings
 - Condition 5: Landscape
- 4.26 The EA also provided additional advice:
- A Flood Risk Activity Permit is required for works near Chelsea Creek (main river).
 - Development on historic landfill may need an environmental permit
 - Guidance provided on waste use on-site and off-site, recovery tests, and duty of care regulations.
 - Tie-in details for continuous flood defence should be secured via planning conditions.
 - EA requests notification if application is approved contrary to objection.

Port of London Authority (PLA)

- 4.27 The PLA refers to previous comments and proposed conditions around environmental matters within the Demolition and Construction Management and Logistics Plans, inclusion of Chelsea Harbour Pier within the Transport Assessment and part of the Framework Travel Plan and requirement for a River Works Licence, for the redevelopment of the river wall and intertidal area (informative).

Thames Water (TW)

- 4.28 Wastewater Infrastructure: Development within 15m of a strategic sewer. No objection. Condition requested relating to a Piling Method Statement and piling layout plan in consultation with TW. Build Over Agreements required for works within 3m of a public sewer or 1m of a lateral drain.
Surface Water: No objection if not discharged to the public network.
Water Infrastructure: As per Wastewater Infrastructure.
Network Capacity: Current water network cannot accommodate demand. Condition required to ensure network upgrades or phasing plan before occupation. Informative requested to guarantee minimum pressure of 10m head (≈ 1 bar) and flow rate of 9 L/min.

Health and Safety Executive

- 4.29 HSE sent their comments to RBKC, as defined as the designated lead authority (site owned by RBKC and land ownership extends across both boroughs). Notwithstanding this, HSE confirms the comment apply to both applications.

HSE (Land Use)

- 4.30 HSE advises that the application site lies within the outer consultation zone of a major accident hazard pipeline (Richmond to Fulham, operated by Cadent Gas Ltd). HSE's Assessment in respect to the following uses is summarized below:

- Workplaces (commercial floorspace): Acceptable in outer zone.
- Community/learning spaces (<5000 sqm): Acceptable (Sensitivity Level SL2).
- Housing: Acceptable in outer zone.
- Extra care units: Classified as "Institutional Accommodation" (Sensitivity Level SL4). Due to site area >0.25 ha. HSE advises against this element

- 4.31 HSE advises against granting planning permission for the application on safety grounds because of the inclusion of extra care units within the outer zone.

- 4.32 If the Council is mindful to approve, they must notify HSE ("Minded to Grant") and allow 21 days for possible call-in by Secretary of State.

HSE (Fire Statement)

- 4.33 Overall HSE is satisfied with the fire safety design as presented. Acknowledge buildings over 18m (Block A, B, C) will have two firefighting shafts and staircases and Fire safety standards adopted: BS 9991 and BS 9999. Extra care block assessed as residential with a stay-put policy.

- 4.34 Supplementary Information (for later Building Regulations regulatory stages):

- External Fire Spread: Re-entrant corners in Block A – risk of fire spread between windows. BS 9991 recommends $\geq 1.0\text{m}$ separation for openings at angles $< 135^\circ$
- Means of Escape: Block D basement rooms exceed 18m travel distance (low risk, maintenance only) and Ground floor escape routes in Blocks A & C require ventilated lobby solution.
- Fire Service Access: Gate restricting access to Block A must have approved locking or automatic opening linked to fire alarm.
- PV Panels: Install fault detection devices; ensure firefighter safety on roofs.
- Hydrants: Existing hydrants cover most areas except Block C – new hydrant proposed. Current hydrants noted as not operable.

- 4.35 In a second response, HSE remains content with the fire safety design for planning purposes. Updated Fire Statement reflects amended core positions and confirms compliance.

London Heliport

- 4.36 The proposed development was considered from a physical safeguarding perspective only. No objections subject to conditions. The developer shall liaise directly with London Heliport with respect to the installation of cranes.

Active Travel England

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

The Royal Parks (TRP)

- 4.38 The Royal Parks therefore objects to the proposed development due to concerns regarding the visual intrusion into currently open sky space of Brompton Cemetery with the introduction of a tall tower. Expected tree works in the Cemetery involving the removal of diseased trees will further impact on the overall sense of openness from the Cemetery.
- 4.39 TRP reiterate their previous advice, except to add that the tree removal work has now started in the Cemetery, which would make Block A more visible in views from within Brompton Cemetery.

5 POLICY CONTEXT

- 5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the main statutes concerned with planning in England.
- 5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan, unless there are material considerations which indicate otherwise (section 38(6) of the Planning and Compulsory Purchase Act 2004).
- 5.3 In respect of the land within LBHF, the Development Plan consists of the London Plan (2021) and the Hammersmith and Fulham Local Plan (2018). Consideration has also been given to the Planning Guidance Supplementary Planning Document (2018) (hereafter referred to as Planning Guidance SPD), the Affordable Workspace SPD (March 2022) and several other strategic and local supplementary planning guidance documents that are material to the determination of the application. Consideration has also been given to the RBKC Local Plan (adopted on 24 July 2024).

The London Plan

- 5.4 The London Plan was published in March 2021. As the overall strategic plan for London, it sets out an integrated economic, environmental and social framework for the development of London over the next 20-25 years.
- 5.5 The following Mayoral/GLA supplementary planning guidance (Supplementary Planning Guide (SPG), London Plan guidance (LPG)) is also considered of

relevance to this application.

- Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
- Accessible London: Achieving an Inclusive Environment SPG (2014)
- Housing SPG (2016)
- Affordable Housing Viability SPG (2017)
- The Mayor's Environment Strategy (2018)
- London Local Air Quality Management (LLAQM) Technical Guidance (2019)
- Energy Planning Guidance (2022)
- Sustainable Transport, Walking and Cycling LPG (2022)
- 'Be seen' Energy Monitoring Guidance LPG (2022)
- Whole Life-Cycle Carbon Assessments LPG (2022)
- Circular Economy Statement LPG (2022)
- Characterisation and Growth Strategies LPG (2023)
- Housing Design Standards Local Plan Guidance ('LPG') (2023)
- Urban Greening Factor LPG (2023)
- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Air Quality Neutral LPG (2023)
- Air Quality Positive LPG (2023)

Draft London Plan publications for consultation

- Fire Safety draft LPG (February 2022)
- Affordable Housing draft LPG (May 2023)
- Development Viability draft LPG (May 2023)
- The GLA published an 'Accelerating Housing' Delivery practice note in December 2024 which is a material consideration for the purposes of determining planning applications

Hammersmith and Fulham's Local Plan

- 5.6 The LBHF Local Plan was adopted in February 2018 and sets out the strategy for future and current development of the borough. The Site itself has no specific policy designations, but it is located next to the South Fulham Riverside Regeneration Area (SFRRRA) and within this the Imperial Gasworks National Grid Strategic Site Policy (SFFRA1), which are both located on the opposite (west) side of the West London (Mildmay) Railway Line.
- 5.7 Other relevant policies and standards in the Local Plan and the Council's SPDs are set out in the relevant sections of this report.
- 5.8 The Council is in the process of updating the Local Plan. A new Local Plan will contain the Council's vision and proposed policies for guiding and promoting development in the borough up to 2042. This first iteration of the Draft Local Plan has been produced and has been out for its first consultation. The Local Plan (Regulation 18) consultation ran for 6 weeks from 29 October until 10 December 2025. Responses received are in the process of being reviewed.
- 5.9 Following the Regulation 18 consultation, the Council is expected to make changes to the Draft Local Plan, where appropriate, and will then publish the Regulation 19 version of the Plan that it intends to submit to the Secretary of

State for examination. An Examination in Public will then be undertaken by an independent Inspector appointed by the Secretary of State before it can be adopted by the Council. As the Draft Local Plan is at the first stage of the review process, only limited weight is given to this document and the emerging policies at the current time.

National Planning Policy Framework

- 5.10 The National Planning Policy Framework (NPPF) (December 2024) provides the Government's overarching planning policy framework is a material consideration in the determination of planning applications. A key component of the NPPF is the presumption in favour of sustainable development, as set out in paragraph 11. For decision-making this means approving applications that accord with the development plan without delay (paragraph 11 (c), or, where there are no relevant development plan policies, or where the policies most important for determining the application are out-of-date, granting permission unless either: the NPPF policies that protect areas or assets of particular importance (including designated heritage assets) provide a clear reason for refusing a proposed development; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole (paragraph 11 (d) - also referred to as the 'tilted balance').
- 5.11 The NPPF 2024 sets out that in considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the asset's conservation (paragraph 212). The NPPF identifies where less than substantial harm would occur to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use which outweighs the harm or loss (paragraph 215). Weight is also afforded by the framework to the effect of an application on the significance of non-designated heritage assets (paragraph 216).

6.0 PLANNING CONSIDERATIONS

- 6.1 In determining this planning application, consideration has been given to the supporting drawings and documents accompanying the submission, the revised and updated information, consultation responses, the Development Plan, and other material considerations including SPGs, SPDs and emerging policy. It is necessary to assess all the policies in the Development Plan and come to a view as to whether, considering the plan as a whole, the proposal does or does not accord with it.
- 6.2 As summarised above, the Applicant has submitted two identical planning applications, one to LBHF and one to the neighbouring authority, the Royal Borough of Kensington and Chelsea ('RBKC'). The submission of two identical applications for planning permission is in line with the Planning Practice Guidance (PPG).
- 6.3 LBHF can only grant permission for the part of the proposed development that lies on land within its administrative area. However, it is a highly material factor

that these applications represent one, single proposal to redevelop the whole site in which the development on either side of the administrative boundary cannot be disaggregated from the whole, and the assessment of the proposals are considered on this basis, and it is noted that on 16 December 2025, the RBKC planning committee resolved to grant the planning application submitted to the adjoining borough (ref: PP/25/04416).

- 6.4 As a consequence of the fundamentally integrated nature of the applications, representing one, single proposal to redevelop the whole site, there are elements of the holistic proposal which are located on land within the RBKC borough boundary (and therefore beyond the conventional planning control of LBHF), but which are nonetheless necessary to make the development proposed within the LBHF boundary (essentially on a landlocked site) acceptable. These include such features as access to the site from a public highway, sustainable drainage systems, landscaping, child play space, cycle storage and blue badge car parking. LBHF have limited planning controls over their delivery as they are located (either in part or wholly) outside of the borough in the eastern part of the site. To provide some degree of enforcement power over such elements, Grampian conditions have been agreed with the Applicant which prevent occupation of more than 80% of the market housing being delivered within Block A (located primarily within LBHF) prior to delivery of the relevant parts of the development within the neighbouring borough. Where it is necessary to go down this route, the relevant conditions are paired with an LBHF condition and a corresponding RBKC condition.
- 6.5 The following sections of the report provide an analysis of the specific aspects of the proposed development and the principal issues that need to be considered in the determination of the planning application. The key considerations material to the determination of this planning application are:
- Principle of Development: including Good Growth;
 - Non-residential Land Uses: including commercial uses community facilities/social infrastructure;
 - Housing: including affordable and community housing, housing mix and tenure and residential quality including inclusive design, health and safety, fire safety, designing out crime and digital connectivity;
 - Urban Design: including height, massing, architecture and materials, townscape views and heritage (including archaeology);
 - Amenity: whether the impact of the proposal would have an acceptable impact on nearby residential properties;
 - Transport: including trip generation, impact on the highway network, active travel, car and cycle parking, deliveries and servicing and construction traffic;
 - Environment and Climate Change Considerations: including energy, circular economy, flood risk, urban greening, trees, biodiversity, air quality and contaminated land; and
 - Mitigating the impact of the development through planning obligations.

7.0 PRINCIPLE OF DEVELOPMENT

- 7.1 The Site is located in close proximity to the boundaries of the South Fulham Riverside Regeneration Area (Policy SFRRA) and the Imperial Gasworks National Grid Strategic Site (Policy SFRRA1), as defined in the LBHF Local Plan 2018, however the site itself is not subject to any specific economic designations in the Development Plan. It constitutes previously developed land for the purposes of the determination of the application for planning permission, as defined in the NPPF.
- 7.2 Notwithstanding the above, the entirety of the site (including land within LBHF) is an allocated site under policy SA6 of the RBKC Local Plan 2024, which flows from the RBKC Lots Road South Design Brief Supplementary Planning Document (SPD) 2019. In addition to this, the part of the Site located within RBKC is designated as being within the 'Lots Road Employment Zone' (RBKC Local Plan 2024 Policy PLV7) and a Locally Significant Industrial Site (LSIS). The RBKC site allocation seeks delivery of an employment led mixed-use development with a residential yield of around 100 new residential units, 65 affordable extra care units, and 4,000sqm of commercial floorspace. Whilst these policy designations under the RBKC Local Plan are noted, they are of limited weight in the consideration of the development insofar as it relates to land within LBHF.
- 7.3 Paragraph 124 of the National Planning Policy Framework (NPPF, 2024) states that:
- “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land”.*
- 7.4 Paragraph 125 (c) further states that planning policies and decisions should:
- “...(c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land...”.*
- 7.5 **London Plan Policy GG2** (Making the best of use of land) promotes the proactive exploration of intensification of the use of land to support delivery of new homes and workspaces, applying a design-led approach to determine the optimum capacity of sites. The policy advocates a contextual approach to design to strengthen London’s varied character, whilst promoting sustainable approaches to travel. Alongside this, **Policy GG4** (Delivering the homes that Londoners need) recognises the need for a housing market that works better for all Londoners, and prioritises the delivery of good quality homes, including genuinely affordable homes, to create mixed and inclusive communities. These policies seek to embed the Mayor of London’s objective of Good Growth -

growth that is socially and economically inclusive and environmentally sustainable – in planning outcomes across London.

- 7.6 The Site meets the NPPF definition of brownfield or previously developed land. In accordance with Paragraph 125(c), substantial weight must therefore be attached to the value of using the site for homes and other identified needs, which includes the delivery of homes and commercial/employment floorspace.
- 7.7 A comprehensive mixed-use, residential-led development including a quantum of community floorspace and other facilities including public realm and landscaping is proposed for this brownfield site. The full proposal would deliver 274 homes and 2,015sqm of non-residential floorspace across the entirety of the site. Whilst the delivery of the homes and non-residential uses is distributed across both LBHF and RBKC, the redevelopment of the portion of the site within LBHF would provide 80 new homes located entirely within the borough and a further 120 which would be located partially within the borough boundary (i.e. would straddle the administrative boundary with RBKC), together with 329.4sqm commercial floorspace within LBHF, both of which are identified needs within the Borough.
- 7.8 The proposed development would optimise the redevelopment capacity of this brownfield site, in accordance with the overarching aims of the NPPF. The principle of the redevelopment of the site for a mixed use residential led scheme is considered acceptable and aligns with the Council's aspirations for regeneration and growth in the borough in terms of delivering new homes and jobs together with environmental enhancements in a location well served by public transport and local amenities and facilities. For this reason, the principle of redevelopment of the Site for the proposed development is considered acceptable, subject to assessment against relevant Development Plan policy and all other material planning considerations.

8.0 NON-RESIDENTIAL LAND USES

- 8.1 **London Plan policies E1 (Offices) and E2 (Providing Suitable Business Space)** seek to ensure that there is sufficiently located office and other business space, of high quality, flexible and adaptable design, to meet demand and encourage the supply of a range of employment accommodation to meet the varied needs of a wide range of potential future occupiers. These policy objectives are aligned with Local Plan Policy E1 (Providing for a Range of Employment Uses).
- 8.2 In respect of the provision of non-residential commercial floorspace other than employment uses, in accordance with **Local Plan policy TLC1 (Hierarchy of Town and Local Centres)**, proposals should be assessed in relation to their impact on existing centres. As the flexible town centre uses proposed within LBHF total less than 300sqm (excluding employment uses), a retail impact assessment and sequential test are not required to be undertaken. **London Plan policies SD6 (Town Centres and High Streets) and SD7 (Town Centres: Development Principles and Development Plan Documents)** also seek to protect the vitality and viability of existing town centres.

- 8.3 Alongside the policies listed above, **London Plan policy E11 (Skills and Opportunities for All)** and **Local Plan policy E4 (Local Employment, Training and Skills Development Initiatives)** support the delivery of training and employment opportunities through the development management process during the construction and end-use phases.
- 8.4 The application proposal is for a mixed-use redevelopment which would deliver 2,015sqm flexible commercial and community floor space across the Site, of which 329.4sqm would be within LBHF, as shown on the ground floor plan below (commercial floorspace shown in blue and community centre shown in deep purple).



- 8.5 Of the 329.4sqm commercial floorspace delivered within LBHF, 133sqm would form the rear part of a large affordable workspace unit fronting onto Lots Road within Blocks B, C and D, which is to be leased to RBKC as part of its social investment objectives. This unit is to fall within Use Class E(g) ('neighbourly' employment uses such as offices), which is considered to be an appropriate co-location of uses.
- 8.6 The remainder of the commercial floorspace within LBHF was originally intended to be provided as flexible commercial floorspace falling within Use Classes E(a), E(b) and E(c) (retail, cafes and financial, professional or business uses), as shown in the table below which identifies quanta of floorspace, and indicates the indicative use of the flexible units located in Block A ('cafe' and Commercial A).

Commercial LBHF		
Use class	Space	GIA (sqm)
F2	Community Centre	0.0
E(g)	SIES	133.0
E(a) E(b)	Café	126.9
E(a)	Commercial A	45.1
E(a)	Commercial D	0.0
E(a)	Commercial D1	0.0
E(a)	Commercial E	0.0
	Commercial BOH	24.4
LBHF Commercial		329.4

- 8.7 The term 'flexible commercial floorspace' refers to floorspace that is approved for multiple possible uses within Class E. This allows an occupier to initially select any of the approved uses and then subsequently change between those uses without the need for a new planning permission. This flexibility is supported by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). Under Part 3, Class G, premises may change between a specified range of commercial uses for a period of up to 10 years, after which the lawful use becomes whichever of those uses the premises is operating as at the end of that period. The principle of flexible use commercial use falling within the Use Classes sought (Use Classes E(a), E(b) and E(g) (retail, cafes and 'neighbourly' employment uses such as offices and research & development)) is considered acceptable, and the quality, flexibility and layout of the commercial floorspace within the proposed development is considered appropriate.
- 8.8 Notwithstanding the above, conditions are recommended restricting hours of operation in the interests of residential amenity, and the submission, and implementation, of details of ventilation and extraction plant and use of spill out space prior to commencement of any use falling within Use Class E(b) (cafes and restaurants) in the interests of safeguarding the residential amenity of future occupiers and occupiers of existing neighbouring properties.

Community Use

- 8.9 The proposal includes the provision of a 247sqm community centre (Use Class F2) in Block B, facing the northern side of the newly created open space. This would be located fully within RBKC, at ground floor level. Whilst outside of LBHF, the delivery of this facility within the development, which will be used by future residents of the part of the Site falling within LBHF, is welcomed as a benefit of the scheme when the application is considered in the round.

Affordable Workspace

- 8.10 **Policy E3 of the London Plan 2021** relates to affordable workspace. Affordable workspace is defined as a workplace that is provided at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose. It can be provided and/or managed directly by a dedicated workspace provider, a public, private, charitable or other supporting body; through grant and management arrangements; and/or secured in perpetuity for a period of at least 15 years by planning or other agreements. This aligns with **Local Plan policy E1 (Providing for a range of employment uses)** which requires new business development schemes to provide affordable workspace, in accordance with the criteria set out in the **LBHF Affordable Workspace SPD (2022)** which sets out that the delivery of affordable workspace should be considered on a flexible case-by-case basis.
- 8.11 In this case, the applicant proposes delivery of a dedicated 613sqm unit of affordable workspace across the development, of which 133sqm would be located within LBHF and 480.8sqm within RBKC, as shown on the submitted drawings. This should be seen in the context of the loss of the existing on-site low-cost employment land within LBHF (which forms part of RBKC's current depot). The 133sqm within LBHF would form the rear section of the larger offer across the two boroughs (as shown above in the ground floor plan), which is expected, in its entirety, to be leased back to, to be run by or on behalf of, RBKC.
- 8.12 Following negotiations between the Local Planning Authority and the Applicant, it has been agreed that one of the commercial units provided within Block A will be provided as affordable workspace falling within Use Class E(g) ('neighbourly' employment uses such as offices and research & development) for the benefit of LBHF, at a rent of 40% below market value, to be secured by way of an appropriate legal mechanism. This offer will go towards offsetting the allocation of affordable workspace within LBHF being offered to RBKC (as described above). In the event that the workspace cannot be brought forward by the Applicant within 18 months of practical completion of Block A, there will be a mechanism in the legal agreement for a payment in lieu to be calculated in respect of the affordable workspace floorspace in accordance with the Council's Affordable Workspace SPD.

Other Economic Benefits

- 8.13 A number of mechanisms are proposed to be secured by way of an appropriate legal mechanism to ensure that the economic benefits for existing and future occupiers are maximised. These include delivery of apprenticeships, work placements and internships, local procurement requirements, pathway bonds for local young people, which together deliver on the Development Plan objectives of London Plan policy E11 (Skills and Opportunities for All) and Local Plan policy E4 (Local Employment, Training and Skills Development Initiatives) and a financial contribution towards the delivery of associated economic benefits of £204,500, in line with the Council's Upstream London agenda.

Conclusion on non-residential land uses

- 8.14 The proposed development would deliver a mixed-use redevelopment on a

previously developed site, in accordance with the NPPF's support for optimising the use of brownfield land in sustainable locations. Although the proposal would result in a loss of employment land and floorspace, this would be satisfactorily mitigated by way of financial contributions. The development also incorporates appropriate mitigation measures to ensure compatibility between employment and residential uses. On balance, officers consider that the proposed commercial and employment uses are capable of delivering meaningful economic and place-making benefits, subject to the conditions and legal obligations set out above, particularly when set alongside the proposals as a whole, including those elements located within the neighbouring borough such as the community centre. It is considered that the cross-boundary provision will further support the wider benefits in employment and community terms.

- 8.15 Taken as a whole, officers consider that the proposed mix of uses within the LBHF administrative boundary (plus in conjunction with the wider consideration of the development) delivers an appropriate residential led mixed-use redevelopment.

9. HOUSING

Housing delivery

- 9.1 **Paragraph 61 of the NPPF 2024** sets out that *'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'*. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.
- 9.2 **Paragraph 124** sets out that planning policies and decisions should promote effective use of land for homes. In line with paragraph 125(c) of the NPPF, substantial weight should be given to the value of developing brownfield land in meeting housing need, proposals for which should be approved unless substantial harm would be caused. Paragraph 125(d) continues that policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 9.3 **London Plan Policy H1 (Increasing Housing Supply)** aims to increase housing supply and sets LBHF a net housing completion 10-year target of 16,090 between 2019/20 and 2028/29 and 4,480 homes for RBKC.
- 9.4 **Local Plan Policy HO1 (Housing Supply)** states that the Council would 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 strategic sites.

9.5 The site-wide scheme would deliver 274 homes (Use Class C3) which are to be delivered across the site within LBHF and RBKC. Within the onsite housing yield is an element of extra care housing intended for occupation by older persons in need of additional support, some of which will be delivered within the LBHF boundary within Block B. As this is proposed as extra care accommodation falling within Use Class C3 (residential dwellings) rather than Use Class C2 (care homes), this element of the proposal is considered under London Plan policies relating to general housing delivery rather than under the provisions of London Plan Policy H13 (Specialist Older Persons Housing), as per paragraph 4.13.4 of the supporting text. Notwithstanding this policy nuance as expressed in the London Plan, **Local Plan policy H07 (Meeting Needs of People Who Need Care and Support)** does not differentiate between the different types of accommodation (for example, care homes and supported living) and applies in this case. The Local Plan policy is supportive of the delivery of a variety of specialist housing for older persons (which includes a range of accommodation from independent living with support to care homes) where there is an identified need and where the proposed development would not be detrimental to the amenity of the local area or local services.

9.6 The 274 Use Class C3 homes would comprise:

- 65 extra care homes,
- 53 affordable general needs homes, and
- 156 market homes.

9.7 The proposed dwelling mix across the entirety of the site is:

Unit Size	Affordable	Market	Total
1B1P	65	16	81
1B2P	17	48	65
2B3P	7	0	7
2B4P	13	80	35
3B5P	16	0	16
3B6P	0	12	12
Total	118	156	274

9.8 The scheme has been designed as a single, comprehensive redevelopment of the whole Site, rather than discrete elements being defined and shaped by the borough boundary. As a result, the administrative boundary between RBKC and LBHF runs directly through a significant proportion of the proposed residential buildings. Of the 274 homes proposed in total, 120 of these would straddle the boundary between the two boroughs, with parts of the same dwellings falling within both authorities' jurisdictions. This relationship of dwellings to the borough boundary is shown on an upper floor plan floor (level 4) below, on which the boundary can be seen bisecting 13 dwellings of 35 within Blocks A,

B and C (borough boundary shown as a green line).



- 9.9 This relationship would equate to 80 (29%) of the homes being fully within the LBHF borough boundary and 120 (44%) of the homes straddling the boundary, i.e. having parts of their habitable accommodation within the administrative boundaries within both LBHF or RBKC, with 74 (27%) being entirely within RBKC. It is noted that this assessment relies entirely on physical location of the self-contained units in respect of the boundary between the two boroughs and does not take into account the location of ancillary facilities such as bicycle and waste storage, or circulation cores.
- 9.10 The calculation of the contribution that the dwellings will make to the Council's housing target is expected to be based on the Valuation Audit Office protocol; this specifies that housing will be counted towards a borough's housing yield on the basis of whether more than 50% of the block will fall within a borough. In this case, only Block A will fall more than 50% within LBHF and therefore the yield for the borough will be 108 dwellings of the 274 proposed (all of the properties located within Block A and none within Blocks B, C, D and E). The 108 homes which LBHF would gain from the development would contribute to meeting the borough's identified housing need of 1,609 dwellings per annum, and therefore, would support the aims of Policy HO1 of the Local Plan and Policy H1 of the London Plan.
- 9.11 In either case, i.e. whether considered by block or by individual dwelling, the delivery of 80 residential dwellings wholly within the borough boundary on this site together with a further 120 dwellings partially within the borough boundary, of which 108 will contribute towards the Council's housing target (on a parcel of land which is landlocked by the railway line to the west, Chelsea Creek to the south, the boundary with RBKC to the east, and other premises in separate ownership to the north) would make a significant contribution towards meeting evidenced housing need within LBHF, and across the wider site, an even more substantial contribution towards meeting the wider local strategic housing target.

Affordable housing offer, tenure and size mix

- 9.12 Paragraph 64 of the NPPF states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and sets out the expectation that need should be met through onsite delivery.
- 9.13 **London Plan Policy H4** sets a strategic target and that 50% of all new homes delivered across London should be genuinely affordable. Part B of London Plan Policy H4 states that affordable housing should be provided on Site. **London Plan Policy H5** set out a 'Threshold Approach', whereby schemes meeting or exceeding a specific percentage of affordable housing by habitable room (without public subsidy) and meeting other policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant, such as tenure mix, are eligible for the 'Fast Track Route'. Fast tracked applications are not required to provide a viability assessment at application stage.
- 9.14 **Part B (2) of Policy H5 of the London Plan** stipulates that, based on the land being publicly owned, the development should provide at least 50% community housing by habitable room or habitable floorspace. In this instance the appropriate measure would be delivery of housing by habitable room in accordance with paragraph 4.5.3 of the London Plan 2021 which states: "The percentage of affordable housing on a scheme should be measured in habitable rooms to ensure that a range of sizes of affordable homes can be delivered, including family-sized homes".
- 9.15 **Local Plan Policy HO3 (Affordable Housing)** sets out the LBHF policy requirement in respect of affordable housing delivery, specifying a borough-wide target of 50% affordable housing on all sites capable of a total housing yield of 11 or more dwellings, with a preferred tenure mix of 60% social or affordable rental and 40% intermediate within the affordable housing offer, subject to site-specific circumstances including scheme viability.
- 9.16 **London Plan policy H6 (Affordable Housing Tenure)** sets out the preferred tenure mix for affordable housing across London as being a minimum of 30% low-cost rented homes, a minimum of 30% intermediate products (including London Living Rent and London Shared Ownership), with the remaining 40% to be determined by the borough as either low-cost rented homes or intermediate products, based on identified local need. In the case of LBHF, this is determined by **Local Plan policy HO3 (Affordable Housing)** which specifies a mix of 60% social or affordable rented homes and 40% intermediate products. Notwithstanding this, **London Plan policy H6 (Affordable Housing Tenure)** makes the Fast Track Route available for proposals that deliver low-cost rented homes in place of intermediate products subject to the relevant minimum overall affordable housing thresholds being reached (in this case, 50%).
- 9.17 Across the site, 118 of the overall total of 274 dwellings will be provided as affordable housing, representing a site wide affordable housing offer of 43% by unit and 44% by habitable room. Of the 118 affordable dwellings, 65 are

proposed to be delivered as extra care (supported living) accommodation falling within Use Class C3 (residential dwellings), and the remainder (53) as conventional general needs affordable housing. All of the affordable housing will be provided as social rent accommodation. The proposed tenure mix does not accord with the preferred tenure split as set out in Local Plan policy HO3 (Affordable Housing), which supports a mix of affordable housing tenure types including intermediate products, albeit with an emphasis on social rent delivery. However, considering the evidenced need for social rent accommodation within the borough and the clear support of the GLA for delivery of social rent in preference to intermediate housing, this approach is considered to be acceptable in the circumstances of this case.

- 9.18 All of the affordable homes would be provided within Blocks B and C. Of the 118 affordable dwellings, 21 would be located entirely within LBHF, with 26 being located entirely within RBKC. The remainder (71) would straddle the borough boundary.
- 9.19 In this case, due to the distribution of the affordable housing across the site (and across the borough boundary), delivery can only be assessed on a site wide basis as in a majority of cases the dwellings cannot be disaggregated and apportioned to a specific borough in respect of build. Regardless of this, within the total affordable housing yield across the site, nominations will be allocated to each of the boroughs, as shown in the table below (upper tables setting out the allocation of extra care accommodation, and the lower tables setting out the allocation of general needs affordable social rent accommodation).

Total Social Rent homes				RBKC Breakdown 51% by hab room				LBHF Breakdown 49% by hab room			
Extra Care (Social Rent)				Extra Care (Social Rent)				Extra Care (Social Rent)			
Type	No.	HR / type	Total HRs	Type	No.	HR / type	Total HRs	Type	No.	HR / type	Total HRs
1b2p	46	2	92	1b2p	46	2	92	1b2p	-	2	-
1b2p W	10	2	20	1b2p W	10	2	20	1b2p W	-	2	-
1b3p	9	3	27	1b3p	9	3	27	1b3p	-	3	-
Total	65		139	Total	65		139	Total	-		-
General Needs (Social Rent)				General Needs (Social Rent)				General Needs (Social Rent)			
Type	No.	HR / type	Total HRs	Type	No.	HR / type	Total HRs	Type	No.	HR / type	Total HRs
1b2p	17	2	34	1b2p	10	2	20	1b2p	7	2	14
2b3p W	7	3	21	2b3p W	-	3	0	2b3p W	7	3	21
2b4p	13	3	39	2b4p	-	3	0	2b4p	13	3	39
3b5p	16	5	80	3b5p	-	5	0	3b5p	16	5	80
Total	53		174	Total	10		20	Total	43		154
Total	118		313	Total	75		159	Total	43		154

- 9.20 The proposed affordable housing split between the boroughs will be boundary blind; dwellings within LBHF may be allocated to RBKC for nominations purposes, and vice versa. The proposed split of affordable housing has been arrived at in consultation with the LBHF Housing Team and reflects the Council's need for larger homes and particularly those suitable for providing accommodation for families, with 44% of the dwellings offered to LBHF being 2 bed 4 person or larger. In comparison, the RBKC offer (which is understood to have been heavily influenced by the site allocation requirement for extra care units to form part of the housing offer) comprises solely 1 bed dwellings. This distribution of home sizes across the affordable housing offer results in an overall split between the boroughs of 49% LBHF and 51% RBKC within the

affordable housing offer, which will be secured by way of an appropriate legal mechanism. The offer to LBHF reflects the Council's housing demand and is considered to be acceptable.

Viability Testing

- 9.21 The assessment of affordable housing provision has been undertaken on a site-wide basis, reflecting the likelihood that the proposed development will be delivered as a single scheme and the difficulty with disaggregating the affordable housing offer by borough, and the viability assessment of the proposal has been undertaken on that basis. This approach is consistent with that taken by RBKC and the GLA. This aligns with the Financial Viability Assessment (FVA) supporting the application, which has evaluated the overall economics of the development at the site wide level, rather than on a borough-by-borough basis.
- 9.22 The site wide development would provide 44% affordable housing (by habitable room). As such, it would fall short of the 50% threshold set out within London Plan Policy H5 and Local Plan Policy HO3 for schemes on publicly owned land. This application has therefore followed the 'Viability Tested Route' (set out in Part F of London Plan Policy H5) to demonstrate the maximum level of affordable housing that the scheme can deliver.
- 9.23 As set out in the London Plan, the Viability Tested Route will assess the maximum level of affordable housing that a scheme can deliver in cases where the threshold of affordable housing cannot be met.
- 9.24 Notwithstanding the above, the application has been assessed by the GLA as being in compliance with the 'Accelerating Housing Delivery: Planning and Housing Practice Note' in response to current market conditions and with a focus on increasing the provision of affordable homes. Section 4 of the Practice Note centres on the delivery of social rented housing and sets out a process of equivalency, whereby those schemes providing social rented housing can be considered against a lower threshold, of relevance are paragraphs 4.5 and 4.6:

*“4.5 In view of the significant and increasing need for social rent, the Mayor will consider allowing schemes that provide affordable housing as **social rent only** (or with a majority of social rent) at a lower level than the relevant threshold to be delivered without requiring full viability assessments or midterm or late stage reviews, where the social rent provision is the equivalent to the relevant affordable housing threshold level at the local plan tenure split.*

*4.6 For example, where 27 per cent of residential development is provided as affordable housing (by habitable room) which is social rent and this is verified as being the equivalent to 35 per cent affordable housing based on the relevant threshold level and local plan tenure split of 60:40 (social rent: intermediate), or 40 per cent with grant, a full viability assessment and midterm and late stage reviews would not be required. **Similarly, for a site with a 50 per cent threshold, this approach could be taken for a scheme providing 37 per cent affordable housing (all social rent) if this is verified as being the***

equivalent to the 50 per cent affordable housing at the required tenure split.” (Officer emphasis).

- 9.25 When assessed in relation to a policy compliant scheme, as per the guidance, the proposed provision of social rent exceeds that which would have been delivered, as shown in the table below.

	Market (Hab. Rooms)	Social Rent (Hab. Rooms)	Intermediate (Hab. Rooms)	Total (Hab. Rooms)
Proposed Offer	400	313	0	713
%	55.5%	44.5%	0%	
RBKC Target – 50% at 70:30	356	250	107	713
%	50%	35%	15%	
LBHF Target – 50% at 60:40	356	214	143	713
%	50%	30%	20%	

- 9.26 On this basis, the proposed affordable housing delivery is considered to accord with the guidance set out in GLA’s Accelerating Housing Delivery: Planning and Housing Practice Note’ and to constitute Fast Track. As such, an early-stage review is proposed to ensure timely delivery, however no late-stage review is necessary in the circumstances of this case.
- 9.27 It is noted that this conclusion differs from that of RBKC, who consider that as a detailed equivalency calculation undertaken in accordance with the formula set out in Appendix 1 of the Practice Note has not been provided, that equivalence has not been demonstrated and the application cannot qualify as Fast Track, although following review of the FVA RBKC are in broad agreement with inputs and outputs and agree that the maximum quantum of affordable housing is being provided. LBHF officers are satisfied in this case that the degree of exceedance of the policy compliant position in respect of social rent accommodation (as required by the Practice Note) is such that a full demonstration of equivalency is not required in the circumstances of this case, a view which is shared by the GLA Planning Team.
- 9.28 In conclusion, the scheme (as assessed on a site wide basis) would deliver a strong affordable housing offer, comprising 44% affordable housing by habitable room across the site, representing 118 social rent homes, of which

53 would be available for residents of LBHF who are on the housing register. The scheme is tenure-blind, supporting inclusive community development. The homes to which LBHF would have the nomination rights would provide a mix of unit sizes which positively responds to the LBHF evidenced housing need. This represents a significant benefit to be afforded weight in the overall planning balance. Whilst the affordable housing offer would be split across the boroughs, when considering the provision within LBHF alone this would represent delivery of a representative scale to that achieved site wide. As such, when considered in the context of the GLA's 'Accelerating Housing Delivery: Planning and Housing Practice Note', the proposals would comply with policy HO3 of the Local Plan 2024 and Policy H4 and H7 of the London Plan 2021, subject to the terms of the delivery of the affordable housing being secured by way of an appropriate legal mechanism.

Housing Size Mix

- 9.29 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.
- 9.30 **London Plan Policy H10** (Housing Size Mix) encourages the provision of a range of dwelling sizes in the interest of addressing the varied needs of the population and delivering mixed and inclusive neighbourhoods, having regard to local evidence of need and the nature and location of sites and the specific characteristics of individual schemes. The supporting policy text 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. **Local Plan Policy HO5** (Housing Mix) sets out a more granular preferred housing mix, which responds to evidenced local need. This specifies a need for approximately 40% of social rented accommodation to be provided as 2 bed dwellings, and 35% to be provided as 3 bed dwellings, with 10% as 1 bed dwellings and 15% as 4+ beds.
- 9.31 The assessment within this section has considered the scheme as a comprehensive development due to the difficulties with disaggregation of the proposal across the site, as noted elsewhere in this report. As such, there is no breakdown between LBHF and RBKC.
- 9.32 The proposed unit size mix by tenure type across the site is shown in the table below.

Dwelling Size	Open Market	Extra Care Social	General Needs Social	Scheme Total
1 Bedroom	64 (41%)	65 (100%)	9 (17%)	138 (50%)
2 Bedroom	80 (51%)	0 (0%)	28 (53%)	108 (39%)
3 Bedroom	12 (8%)	0 (0%)	16 (30%)	28 (10%)
4+ Bedroom	0 (0%)	0 (0%)	0 (0%)	0 (0%)

- 9.33 In respect of the market homes (156 in total), the development as a whole would provide 41% as 1 beds, 51% as 2 beds and 8% as 3 beds. There are no 4+ bedrooms offered within the market homes. The 2-bedroom homes have been designed as 4-person homes. The proposed mix for the market homes provides a higher percentage of 1 and 2-bedroom homes relative to larger dwellings,

however, this overprovision is not significant and is acceptable given the absence of specific metrics for size mix of market housing in the current Local Plan policy HO5 (Housing Mix) other than that market housing should provide “a mix of unit sizes including larger family accommodation”, which the proposed market yield complies with. As such, the proposed mix of market homes is acceptable.

- 9.34 In respect of the affordable homes (118 in total, of which 53 would be delivered as general needs, and 65 as extra care supported living), the scheme as a whole would provide 62.5% as 1 beds, 24% as 2 beds and 16% as 3 beds, with no 4+ beds. However, when the 65 extra care dwellings (which are all 1 beds and all to be subject to nominations from RBKC) are separated out from the general needs affordable housing offer, these percentages are recalculated as 17% 1 beds, 53% 2 beds and 30% 3 beds, which aligns more closely with the preferred mix as set out in Local Plan policy HO5 (Housing Mix) of 10% being provided as 1 beds, 40% being provided as 2 beds, 35% being provided as 3 beds and 15% being provided as 4+ beds. Given this level of conformity, which is enhanced by the fact that only seven of the 1 bed general needs affordable dwellings will be available for LBHF nominations (officers having secured a higher proportion of larger dwellings in the nominations offer in response to evidenced need) and the preference for extra care accommodation (all of which will be available to RBKC for nominations) to be delivered as 1 bed dwellings by virtue of the nature of its occupation by persons requiring care support, indicate that the proposed affordable housing mix, when considered in the round, is acceptable.

Quality of Accommodation

- 9.35 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, alongside functional layouts, adequate daylight and sunlight, natural ventilation, and access to external amenity space. This is reinforced in **Local Plan Policy HO4 (Housing Quality and Density)**.
- 9.36 The **Mayor’s Housing SPG (2016)** and **Housing Design LPG (2023)** make 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*”. New housing should meet best practice standards for designing homes and associated communal spaces that function well for occupiers and are flexible enough to meet the changing needs of occupiers over time.
- 9.37 The London Plan policies are consistent with those of the Local Plan, including **Local Plan Policy DC2 (Design of New Build)** which states that all proposals for new residential development must be designed to respect the principles of residential amenity and accessible and inclusive design. **Local Plan Policy HO11 (Detailed Residential Standards)** sets out several criteria which should be taken into account to ensure 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.

- 9.38 Both **London Plan Policy D6 (Housing Quality and Standards)** and **Local Plan Policy HO11 (Detailed Residential Standards)** (supported by the **LBHF Planning Guidance SPD Key principle HS2 (Standards)**) require proposals to achieve the Nationally Described Space Standards.
- 9.39 All the homes proposed within the development meet or exceed the minimum space standards for new residential developments as set out in the Nationally Described Space Standards. All units have been designed to provide adequate internal floorspace relative to their occupancy and bedroom count, and the proposed layouts aim to use an efficient use of space, with appropriate room dimensions, storage provisions and circulation areas. Floor to ceiling heights meet and in places exceed minimum standards of 2.5m.
- 9.40 The Use Class C3 (residential dwellings) extra care accommodation is located within Block B, which is predominantly sited within the LBHF boundary. Whilst this accommodation will be occupied by residents of RBKC under the terms of the nominations agreement, it is nonetheless required to be assessed under the provisions of **Local Plan policy HO7 (Meeting Needs of People Who Need Care and Support)**. Although all of these dwellings are 1 beds, reflecting the anticipated needs of the future occupiers the inclusion of the differing unit specifications (although noting they are all 1 bed homes) offers a range of units suitable for elderly and disabled residents requiring care supply. Further to this, all the units are self-contained which allows for independent living with the addition of communal facilities and provision of on-Site support and care for residents who may require it. The extra care block incorporates dementia-friendly design principles, step-free access throughout (including amenity spaces, public realm, and community facilities).

Private outdoor space

- 9.41 **Policy D6 Part F (9) of the London Plan 2021** sets out that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and 1sqm of additional private outdoor space should be provided for each additional occupant. The depth and width of this space is set out at 1.5m. **Key principle HS1 (Amenity Space) of the LBHF Planning Guidance SPD** states the Council would expect to see a more generous provision of outdoor amenity space than the minimum provision standards.
- 9.42 Private amenity space is provided for all the homes in the form of balconies or terraces, meeting the minimum size requirements and largely designed to be accessible from living areas. The scheme also proposes communal public and private amenity spaces, including podium gardens and landscaped courtyards. These spaces have also been designed to include areas of play.
- 9.43 The microclimate generated by the development is expected to result in conditions at ground level which will be suitable for standing or sitting in the wintertime, whilst in the summertime all areas will be suitable for sitting. However, it is noted that a number of the upper-level balconies facing the railway will not be suitable for sitting, even during summer months. Some revisions to these balconies have been made during the course of the

application, and to ensure that the balconies are functional for their purpose further microclimate investigation is necessary to review any impact of these amendments to the localised microclimate conditions. This work, and any necessary mitigation measures required to address the negative microclimate conditions experienced, should be secured by way of an appropriate condition.

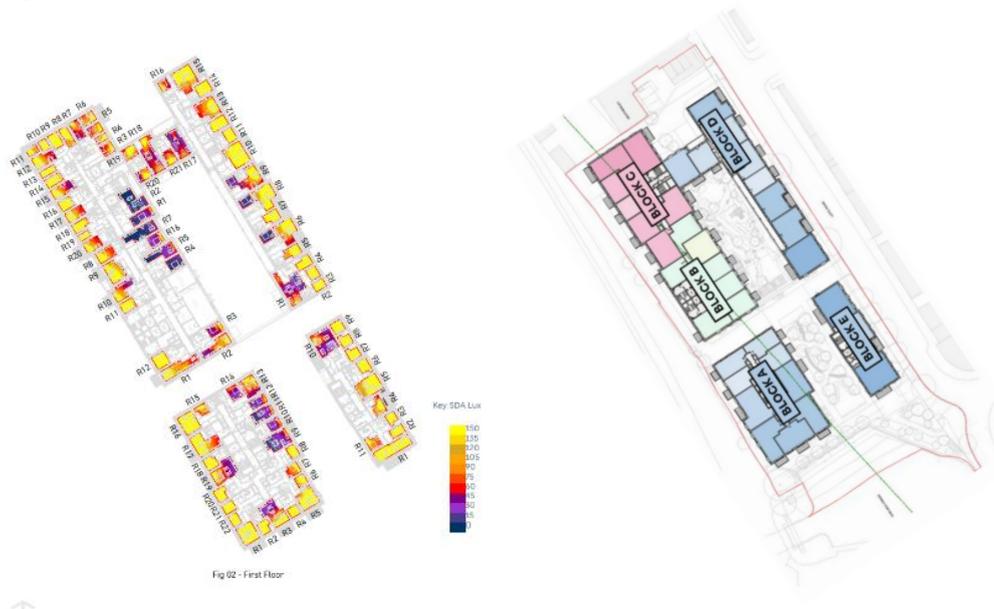
Dual Aspect

- 9.44 **London Plan 2021 Policy D6 Part C** stipulates that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. The Housing Design Guide produced by the GLA (2023) sets out that all residential development should be dual aspect, although it is noted that a proposed relaxation of this guidance is currently being considered.
- 9.45 The proposed homes include the provision of single, dual and triple aspect properties. Whilst guidance sets out that all residential development should be double aspect, 57% of the proposed dwellings across the development are dual (or triple) aspect, and the development has been designed to reduce single aspect properties where possible. Further to this, there are no north facing single aspect properties. Notwithstanding this, only 35% of the dwellings within Blocks A, B and C, which are predominantly located within LBHF, are dual aspect, which is regrettable but a result of the reliance of the affordable housing floorplan on double loaded corridors. Notwithstanding this, when Block A alone is considered (which is the only block which will contribute towards the LBHF housing delivery target) the proportion of dual aspect dwellings increases to 44%. Furthermore, the single aspect dwellings within LBHF will all benefit from views towards and across the railway line, which will provide a sense of spaciousness, or onto the communal spaces within the development, providing a pleasant outlook for future occupiers.
- 9.46 Officers are satisfied that the dual aspect properties have been maximised and that overall, the level of natural light, ventilation and outlook would be acceptable.

Daylight and Sunlight – Internal to the Development

- 9.47 The application has been supported by an Internal Daylight & Sunlight Assessment by The Chancery Group. The submitted assessment has considered all residential units across the full Site, and considers the potential impact of the Fulham Gasworks development.
- 9.48 In relation to daylight, the illuminance assessment demonstrates that 526 out of 723 (73%) rooms assessed would fully comply with BRE Guidelines/target values, with Block A achieving 79% compliance with the target values, Block B 64%, and Block C 70%. Most of the impacted rooms which do not meet the BRE Guidelines/target values are the rooms located beneath projecting balconies that restrict daylight potential, and are internal to the development, i.e. facing inwards across the podium and courtyard gardens at low heights (at first, second and third storey levels). As set out within the assessment, this is quite common for higher density developments, and the balconies provide additional outdoor amenity and aid in solar shading.

9.49 There are rooms which will achieve a low lux level, very few of which would be physically located within the boundary of LBHF. However, the number would increase by a small amount when considering Block A (the dwellings that will contribute to LBHF housing delivery) or the properties for which LBHF will have nomination rights for. The “worst case scenario” is shown below on the lux plot for the first floor level, which is north oriented and shows Block A in the bottom left corner and the general needs affordable housing in the top right corner (with a plan showing the affordable housing distribution and borough boundary alongside for reference).

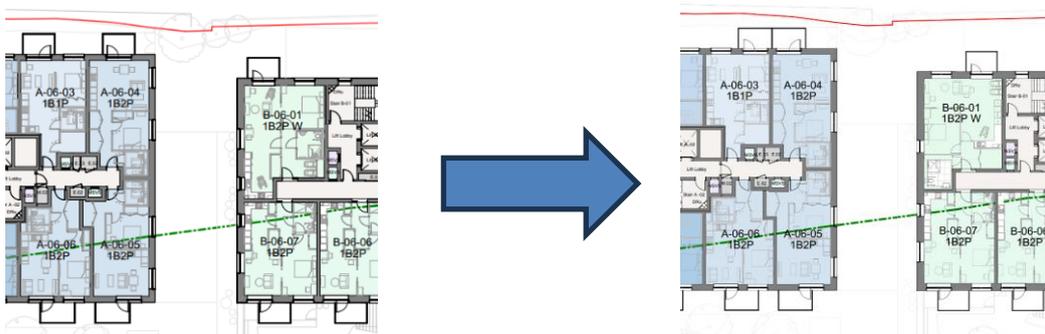


9.50 Even at lower heights within the development (first, second and third storey levels), most of the rooms would comply with BRE guidelines and targets, and the proportion achieving the target values improves with height. Overall, the level of light to internal spaces for properties that can be considered as either falling geographically or administratively within LBHF, as well as for the wider site as a whole, is acceptable for a development in a built-up area such as this.

9.51 The assessment provided also includes a sunlight hours assessment to determine the potential amount of sunlight within the proposed amenity areas. The sun on ground assessment shows that the ground floor landscaped area would meet the BRE Guidelines target criteria for 2 hours sun on at least 50% of the area on 21 March. The submitted assessment indicates that at least 50% of the podium amenity space would receive at least 2 hours of sun on the 25 April, and that the area would receive good sunlight in the summer months (shown on the 21 June). However, the area would not meet the target value on 21 March with 0% of the area receiving 2 hours of sun on this date. Notwithstanding this, on balance the proposed sunlight to the amenity areas, and within is considered to be satisfactory to give future occupiers a reasonable quality outdoor amenity space, when considered alongside the private amenity spaces provided and the courtyard garden at ground floor level, which will achieve the BRE target criteria.

Privacy

- 9.52 All the proposed dwellings would have access to private amenity spaces in addition to the communal open spaces provided. However, it is noted that there would potentially be a degree of mutual overlooking between some properties, particularly those to the north elevation of Block A and the south elevation of Block B, although this is not considered to be unusual for the type of development proposed.
- 9.53 Due to the distance between the blocks (approximately 7m), there would be harm from direct overlooking between the flank windows on Block A and B (as shown on the extract from the Level 6 floorplan shown below on the left). In response to the concerns raised, the Applicant has revised the window arrangement to these flank elevations (as shown on the extract from the Level 6 floorplan shown below on the right).



- 9.54 This has increased the degree of offset between facing openings, and the distance between Block A and the closest balcony to Block B.
- 9.55 LBHF can only control the development within its administrative boundary, which in this case means the five windows 'above' the borough boundary. A condition is considered necessary given that the positioning of the openings to the relevant elevations would, notwithstanding the revisions to the placement of openings, result in undesirable mutual overlooking of the properties located at the north end of Block A and the south end of Block B.
- 9.56 To remedy this, it is suggested that the secondary openings to the living areas of units A-xx-04 and the kitchen areas of units B-xx-07 should be obscurely glazed to mitigate direct overlooking and overcome the need for screening to the balconies of units B-xx-01 with minimal impact on daylight and outlook to the affected dwellings; this can be secured under the scope of the LBHF planning permission as these openings are located on parts of the buildings which are within the boundary of LBHF. It is noted that this will not address the overlooking between the two windows within RBKC, however this is not within the gift of LBHF to resolve. However, an approach that obscurely glazed to the north facing window to units A-xx-05 rather than the south facing window to units B-xx-07 would be encouraged, firstly due to their relative orientation and benefit to the individual units in terms of light, secondly so as not to compromise the future occupiers of the extra care units (who may spend more time inside in comparison to other tenure occupiers) and lastly, to address the oblique

overlooking between the flank openings of Block A and the balcony of units B-xx-07.

Thermal Comfort

- 9.57 **London Plan 2021 Policy SI4** requires that major development demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems. This application has been supported by an Overheating Assessment which provides details of the thermal comfort strategy in compliance with Building Regulations Part O and CIBSE TM59. This will be further considered as part of the Environment Considerations section of this report; however, in general the Overheating Assessment methodology followed the GLA passive cooling hierarchy and has prioritised passive measures.
- 9.58 Overall, the development would provide an acceptable standard of residential quality for occupiers of the buildings within LBHF, occupiers of affordable housing properties for which LBHF would have nomination rights over, and across the wider site, both in terms of the space, light, outlook and privacy of individual dwellings and communal spaces when considered in the context of this urban setting. Where there are concerns over potential mutual overlooking between Blocks A and B, this can be successfully mitigated by way of an appropriate condition requiring installation of obscured glazing. For these reasons, subject to the recommended conditions, the proposal is considered to be acceptable.

Inclusive Design

- 9.59 **NPPF paragraphs 96 and 135** require new development to be inclusive, safe and accessible to all. Alongside this, **London Plan 2021 Policy D5** states that development proposals should achieve the highest standards of accessible and inclusive design, providing high quality, people focused spaces that are convenient and welcoming with no barriers for use by disabled people, designed to incorporate safe and dignified emergency evacuation for all building users. **London Plan 2021 Policy D7** (Accessible Housing) requires a minimum of 10% of all new housing to be built to Building Regulations Part M4(3) standards for “wheelchair user” dwellings, with all remaining homes being delivered as Part M4(2) “accessible and adaptable” dwellings. This aligns with **Local Plan Policy HO6** (Accessible Housing), which specifies that 90% of new housing should be M4(2) compliant, with 10% being M4(3) compliant.
- 9.60 The development has been designed to achieve 100% compliance with M4(2) standards, meaning that all new homes are designed to be accessible and adaptable, capable of meeting the needs of residents as they change over time.
- 9.61 The definition of M4(3) wheelchair user dwellings can be placed into two categories ‘wheelchair accessible’, i.e. a home readily usable by a wheelchair user, and ‘wheelchair adaptable’, i.e. homes that can easily be adapted to meet the needs of a wheelchair user. National Planning Policy Guidance states that wheelchair accessible homes should only be applied to homes the local authority have responsibility for nominating a person to live in, otherwise M4(3) dwellings should be wheelchair adaptable.

9.62 Overall, 10% of the homes are fully compliant with M4(3) standards, meaning they are designed to be wheelchair user dwellings; within the affordable housing, these comprise 10 of the extra care dwellings and 7 of the general needs dwellings. Within Blocks A, B and C, i.e. the parts of the development which are located partially within the boundary of LBHF, the M4(3) (b) dwellings are located within the boundary of LBHF in relation to Blocks A and B, but within the boundary of RBKC in respect of Block C as shown on the example floorplan below (relevant dwellings marked with an underlined W). Notwithstanding this, the required proportion of M4(3) (b) dwellings will be delivered across the site as a whole, and the social rent general needs accommodation for which LBHF will have nomination rights.



9.63 For the private dwellings all wheelchair homes would be delivered to M4(3) (a), in line with the guidance. These units are either fully accessible at the point of completion or are easily adaptable without structural alterations.

9.64 The M4(3) homes are distributed across the development and tenure types. Furthermore, each of the dwellings is provided with step-free access from street level and communal areas, with layouts designed to accommodate wheelchair circulation in all rooms and accessible bathroom and kitchen facilities. Delivery of the M4(3) homes should be secured by way of a planning obligation in order to ensure ongoing delivery of at least 10% of the new homes as wheelchair user dwellings, within the development located within the LBHF borough boundary, within the dwellings to which LBHF have nomination rights regardless of location relative to the borough boundary, and across the Site as a whole. Subject to this obligation, the development would meet the requirements of Policy HO6 of the Local Plan and Policy D5 of the London Plan.

Health and Safety Executive (Land Use) Comments

9.65 The Health and Safety Executive (HSE) is a statutory consultee for developments located in the vicinity of major hazard sites and pipelines. It has been identified that the Site lies within the HSE consultation distance of an accident hazard pipeline operated by Cadent Gas Ltd (8022_2280 Richmond to Fulham). The entire Site is located within the 'outer zone', shaded blue (see

below).



9.66 The comments received from HSE have been considered using HSE’s Land Use Planning (LUP) methodology. Under this methodology, the sensitivity level of a proposed development is determined by the type(s) of development involved and the size and scale of each element. A proposal may comprise several different development types. These two factors (sensitivity level and location) feed into a decision matrix, which can be seen below.

Level of Sensitivity	Development in Inner Zone	Development in Middle Zone	Development in Outer Zone
1	DAA	DAA	DAA
2	AA	DAA	DAA
3	AA	AA	DAA
4	AA	AA	AA

DAA = Do not Advise Against development
AA = Advise Against development

9.67 HSE set out four basic development types, these are:

1. People at work, Parking
2. Developments for use by the general public
3. Developments for use by vulnerable people
4. Very large and sensitive developments

- 9.68 For the proposed development, HSE has classified the following development types:
- Commercial, business and service floorspace ('workplaces')
 - Local community and learning floorspace ('indoor use by the public')
 - Residential development including extra care units ('housing') and ('institutional accommodation and education')
- 9.69 HSE has outlined that the extra care accommodation falls within "institutional accommodation and education." While HSE does not advise against housing in the Outer Zone, as the extra care element is assessed as being of the highest level of sensitivity development type and the Site area exceeds 0.25 hectares and is therefore considered SL4, the HSE advise against this part of the scheme.
- 9.70 The Applicant has responded to HSE's concerns, providing clarification that the extra care facility is located within Block B and represents only a small proportion of the overall Site area, with a footprint of 0.072 hectares (below the 0.25-hectare threshold cited by HSE). It is also noted that the extra care accommodation, in planning terms, falls within Use Class C3 (residential) and does not comprise care home accommodation that would be classified as falling within Use Class C2 (residential institutions), albeit that some occupiers of extra care facilities may potentially have similar levels of need in terms of additional support.
- 9.71 HSE has maintained its position, noting that while small extra care facilities may be SL3, larger facilities are SL4. Given the number of dwellings (65), HSE considers this to be a large facility, with a significant number of vulnerable occupants who may face difficulties evacuating in the event of an emergency.
- 9.72 In reaching a view on the HSE's "Advise Against" response, both Local Planning Authorities (LPA's) have carefully considered both the technical reasoning provided by HSE and the wider planning context, which includes the delivery of extra care affordable housing and highest standards of fire safety (as confirmed through the Gateway One process). The Site lies wholly within the Outer Zone, where residential development (including extra care) is not automatically precluded and can be supported. The 65 affordable extra care dwellings have also been demonstrated to comprise a small physical footprint relative to the overall Site area.
- 9.73 HSE has advised that major accident hazard pipelines may require emergency plans. An informative is therefore recommended to ensure that the Applicant consults with the Council's Emergency Planning Team and liaises directly with Cadent Gas Ltd.
- 9.74 On this basis, LBHF Planning Officers support RBKC's view that the extra care element is acceptable and can be safely incorporated into the redevelopment, notwithstanding the HSE comments on the application.

9.75 Regardless of the above conclusion, HSE guidance states that if the LPA is minded granting planning permission contrary to HSE advice, advance notice should be given to the HSE, allowing 21 days for consideration of whether to request that the Secretary of State call in the application. Both LPAs are aware of HSE's advice and are acting in full understanding of the advice and its potential consequences. In cases of "exceptional concern," HSE may consider whether further options exist to resolve or reduce public safety risks following a planning decision to grant permission against its advice. HSE's published "call-in factors" confirm that its decision-making process is based on a range of considerations, and that it is rare for a single factor alone to lead to a case of exceptional concern. In any case, the LPA will fulfil its duty to notify HSE of any recommendation to grant permission, as part of the Committee report process and subsequent Stage 2 referral to the GLA.

Fire Safety

9.76 The relevant London Plan policies for fire safety are **Policies D12 and D5**. **Policy D12(A)** sets out the aim that all development proposals must achieve the highest standards of fire safety. **Policy D5 B** of the London Plan sets out that development proposals should achieve the highest standards of accessible and inclusive design and should:

"be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building."

9.77 As of August 2021, all developments within the scope of the Building Safety Regulator (BSR) are subject to Planning Gateway One. Currently residential buildings over 18m in height measured from the ground level floor to the topmost storey or higher than six storeys, are categorised as "relevant buildings" and developers are required to submit a fire statement with their planning statement. All of the proposed buildings within the proposed development within the LBHF borough boundary would be considered "relevant buildings".

9.78 In line with Policy D12 of the London Plan the application is accompanied by a fire safety statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Further to the above, proposal meets the requirements of Policy D5 within the London Plan which seeks developments incorporate safe and dignified emergency evacuation for all building users. As a result, the fire safety statement complies with London Plan Policies D12 and D5 and all proposed measures should be secured by appropriate conditions. The submitted drawings confirm a second staircase is included within all buildings over 18 metres.

- 9.79 The HSE (Planning Gateway One) confirm that they are content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations. HSE has identified some matters as supplementary information which they recommend that Applicant should try and address in advance of later regulatory stages.
- 9.80 Notwithstanding the above, to ensure the ongoing highest level of accessibility, inclusivity and safety for all future occupiers, a condition is proposed requiring the submission of an Inclusive Accessibility Management Plan, which should include details of how the development will deliver on the measures set out in the Fire Statement (as may be amended during the Gateway 2 process), measures to ensure that at least one lift per core will operate at all times and that no wheelchair occupiers are trapped if a lift breaks down, and an effective fire evacuation strategy.

Safety and Security

- 9.81 Explanatory paragraph 3.3.14 of the London Plan 2021 stipulates that measures to design out crime should be integral to development proposal and be considered early in the design process. This is reflected in Policy D11 of the London Plan 2021 and Local Plan Policy DC2.
- 9.82 As part of this application a consultation was carried out with the Metropolitan Police Designing Out Crime Team. No comments were received, however, conditions are recommended to minimise the risk of crime and meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design at pre-commencement and post-completion stages. As such, subject to these conditions, the proposed development would comply with Policy D11 of the London Plan, DC2 of the Local Plan and section 17 of the Crime and Disorder Act 1988.
- 9.83 More generally, the proposals include the provision within the site of CCTV, which will be required by way of the legal agreement to be compatible with the LBHF and Metropolitan Police systems. It is noted that LBHF provide coverage for both LBHF and RBKC.
- 9.84 The development will result in increased footfall between Lots Road and Imperial Wharf Station, an area which is currently under provided with CCTV coverage. As such, a planning contribution is sought towards enhancing provision through the installation, maintenance and monitoring of additional CCTV in the local area to mitigate the increased risk of crime and antisocial behaviour that is expected to arise as a result of the development. A contribution is also required to meet the additional pressures on the borough to fund help for victims and provide access to services to address abuse against all genders, including ending violence against women and girls (VAWG). The borough launched its first VAWG strategy in 2015 and has its existing strategy in place until 2027. A contribution is included towards community and safety which will be secured by way of a legal agreement.

Digital Connectivity

- 9.85 London Plan 2021 Policy SI6 requires that development provides sufficient ducting space for full fibre connectivity. A condition is recommended to secure compliance with London Plan 2021 Policy SI6.

Housing Conclusion

- 9.86 The proposal would deliver new residential accommodation, including affordable housing which would be available for LBHF residents, and its contribution of 108 dwellings to LBHF's housing delivery is considered to be a benefit that is material to the assessment.
- 9.87 The proposal as a whole represents a meaningful contribution to meeting London's strategic housing need, delivering a total of 274 new homes across a mix of market, community and extra-care accommodation. The number of homes available to LBHF make a meaningful contribution towards addressing the borough's housing pressures.
- 9.88 The scheme provides a strong affordable housing offer, comprising 118 affordable homes (53 for LBHF at a ratio of 49% to 51% in comparison to RBKC by habitable room) all at genuinely affordable social rent levels. This offer to LBHF, which includes a large proportion of dwellings suitable for occupation by families, responds positively to the borough's evidenced housing need, and will provide high-quality, tenure-blind homes.
- 9.89 Although the overall proportion of affordable housing (44% by habitable room) falls below the 50% target for publicly owned land, the Applicant has justified this through a Financial Viability Assessment. Furthermore, the quantum of social rent affordable housing proposed allows the application to be considered under the Fast Track route, as set out in the GLA's 'Accelerating Housing Delivery: Planning and Housing Practice Note' and the GLA Stage 1 Report. Officers are satisfied that the scheme provides the maximum reasonable level of affordable housing in accordance with Local Plan Policy HO3 and London Plan Policies H4 and H7, delivery being secured by way of an appropriate legal mechanism including early-stage review.
- 9.90 The proposed mix of dwelling sizes, internal space standards, provision of private outdoor amenity space, levels of daylight/sunlight, aspect, outlook and privacy, thermal comfort and commitment to M4(2) and M4(3) accessibility requirements all comply with relevant Local Plan and London Plan policies. The scheme therefore provides a high standard of safe, secure residential accommodation that will support long-term community sustainability.
- 9.91 Overall, the scheme complies with the relevant Development Plan policies and national planning guidance and legislation, and as such the housing offer of the proposed development is considered a significant benefit of the scheme and should be afforded significant positive weight in the overall planning balance.

10 DESIGN, HERITAGE, AND TOWNSCAPE

Design

- 10.1 **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.
- 10.2 **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.
- 10.3 **Chapter 3 (Design) of the London Plan 2021** seeks to secure the delivery of good design through a variety of ways. Policies D3 (Optimising Site Capacity through the Design-Led Approach), D4 (Delivering Good Design), D6 (Housing Quality and Standards), D8 (Public Realm) and D9 (Tall Buildings) are particularly relevant to the consideration of this application. Policy D3 highlights that all developments 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 standards that new housing development should aim to achieve. Policy D8 sets out a series of criteria to ensure that the public realm is well-designed, safe, accessible, inclusive, attractive, and well-connected. Policy D9 promotes a plan-led approach to tall buildings and a framework to assess the impacts of such developments.

- 10.4 **Local Plan Policies DC1, DC2 and DC3** are particularly relevant to the assessment of design. **Policy DC1** (Built Environment) states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. **Policy DC2** (Design of New Build) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. **Policy DC3** (Tall Buildings) identifies four areas within which tall buildings may be appropriate; the policy also sets a framework to assess proposals for tall buildings in those areas.
- 10.5 **Layout** - The Site would be redeveloped following the demolition of all buildings on-site. The proposals would bring forward development with a perimeter block approach, featuring a centralised public space, flanking Chelsea Creek and extending north to the central portion of the site. This space would be flanked by two blocks of development to the east and west. The northern portion of the Site would follow podium approach to development and would at upper levels feature U-shaped blocks overlooking a centralised external amenity podium located at first floor level. Of these main blocks of development, only those located in the west of the site (Blocks A, B and C) would be located in (or partially within) LBHF.
- 10.6 **Considering residential quality** - The individual layouts of each of the 5 blocks of development would optimise living accommodation with primarily east and west facing orientations, with all units served by private amenity space. Overall, the principles of the layout of the scheme are considered to represent a positive design approach to a constrained site. The residential quality of the residential development being proposed within LBHF is discussed in more detail above.
- 10.7 **Scale and Massing** – The scale and massing strategy of the proposals follows an approach which limits the height of the development along the Lots Road frontage, (to a maximum height of 6 storeys), and bring forward stepped taller blocks of development to the western portion of the site within LBHF, stepping between 9, 11, and 13 storeys respectively. The taller elements of the scheme would address the adjacent railway line, and the adjacent redevelopment of the Fulham Gasworks site beyond, whilst also providing a key frontage to Chelsea Creek. The principles of this approach are understood from design perspective, and would seek to reaffirm the character of Lots Road, whilst also optimising the potential of the site. The taller building occupying the south-western aspect of the site would provide some additional wayfinding to the Creek and the new public open space at the centre of the scheme. Consequently, the massing approach is considered to be acceptable in urban design terms.
- 10.8 **Appearance and materiality** – The architectural approach of the scheme seeks to introduce a relatively consistent approach to the appearance and detailing of the individual blocks, with brick being the predominant treatments. These features are broken up through use of projections/recessive elements and a mix of balcony formats; entrance features to add to the character of the individual

blocks.

- 10.9 Frontages to Lots Road and Chelsea Creek, alongside the internal façades fronting the central public space, aim to provide activated frontages to animate these different spaces thorough the day, with residential cores distributed across the site.
- 10.10 Throughout the course of the application, officers have sought to work with the Applicant to seek improvements of the treatment of the western facing blocks; and as changes to the massing strategy of these blocks could not be agreed; revisions to the detailing of these blocks, through the location, appearance and materiality of balconies have been brought forward to break-up the form of the elevations in wider views of the site. Consequently, based upon these revisions, it is considered that the architectural approach of the scheme would represent a good quality of design.

Tall building assessment

- 10.11 Local Plan Policy DC3 (Tall Buildings) states that tall buildings which are significantly higher than the general prevailing height of the surrounding townscape and which have an unacceptably disruptive and harmful impact on the skyline will be resisted by the Council. The policy also highlights several areas within which development of tall buildings would be appropriate.
- 10.12 The application site forms a small element of land which is located just outside of the South Fulham Riverside Regeneration Area, an area within which tall/large buildings are appropriate in principle. The application site is not situated in an area within which tall/large buildings would be considered appropriate and therefore there would be a partial conflict with Policy DC3 in this regard.
- 10.13 **London Plan Policy D9** (Tall Buildings) is split into three elements. Part A provides a London-wide definition of a tall building. Part B highlights the need for boroughs to take a plan-led approach to the development of tall buildings within Local Plans. Part C provides an impact framework to assess proposals for tall buildings. The policy definition of a tall building is a building which is 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 10.14 The three blocks proposed to the western extent of the site within LBHF, would qualify as tall buildings for the purpose of Policy D9.
- 10.15 Following the adoption of the London Plan in 2021, the interpretation as to how Policy D9 should be applied has been subject of debate and recent consideration by the High Court in the Hillingdon case. The outcome of this case has provided clarity upon how the policy should be applied by decision makers and was taken into consideration in the recent call-in decision by the Secretary of State relating to the redevelopment of the site of the former Edith Summerskill House, situated within Hammersmith and Fulham. (Application reference: 2020/01283/FUL). The outcome of Hillingdon is that Policy D9 should not be considered as a 'gateway' policy. Regardless of the conflict with

Part B of policy, any application for the development of a tall building should be assessed against the Impact assessments of Part C of this policy. As such, whilst the proposal site is not within a defined location for the development of a tall building within the Local Plan (2018); the acceptability of a tall building at this location should be based upon due consideration of London Plan Policy D9 when read as a whole.

10.16 The following section provides a detailed assessment of the application against the impact framework of Policy D9 as required based on part C of the policy.

(1) visual impacts

a) the views of buildings from different distances:

- *long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views*
- *mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality*
- *immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.*

10.17 Views of the proposed development have been provided within the Heritage, Townscape Visual Impact Assessment (HTIVA) submitted in support of the planning application. These are discussed in further detail in the Heritage and Townscape section of this report.

10.18 Generally the proposals, given their relatively modest scale compared to other completed/implemented or consented schemes in the immediate townscape context including within the Fulham Gasworks Strategic Site located to the west, would not result any significant changes to strategic or borough-wide views. Similarly, at mid-local level the development would reaffirm the layering and transition between these significant tall buildings and the more Victorian character found within the surrounding environment, namely to the east of the site.

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

c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan

10.19 The proposals would form a group of emerging tall buildings in the local area;

including the Fulham Gasworks development to the west and existing Lighterman Towers development to the south, which transition in scale to the immediate environment of Lots Road. The development is based upon a robust approach to architecture and detailing which give the tall buildings proposed a good quality of design.

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

10.20 These elements are assessed in the Heritage and Townscape section of this report. However, where harm has been identified, this is generally less than substantial harm overall. This harm is considered alongside the heritage merits and other public benefits of the scheme, in the concluding sections of this report.

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

10.21 The proposal site is not within the setting of a World Heritage Site.

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

10.22 The location of the proposed development would be in close proximity to the River Thames and Chelsea Creek. The modest scale of the tall buildings and existing/proposed tall buildings in this location would retain the open quality of the river and make more of a feature of the public realm fronting the creek. These are considered to be positive outcomes overall.

g) buildings should not cause adverse reflected glare

10.23 The facing materials for the tall buildings would not result in adverse glare, and the lighting scheme has been designed to minimise light pollution.

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

10.24 The application is accompanied by a Lighting Strategy which indicates that light pollution from the development can be minimized, and conditions requiring further details and a lights off strategy for the commercial premises are proposed to ensure that this will be secured in the interests of both amenity and biodiversity.

2) functional impact

a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants

10.25 The application is supported by a Fire Statement that shows how the buildings have been designed with the safety of occupants in mind, which (along with the associated condition) is discussed above.

b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process

c) entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas

10.26 These matters are addressed in detail in the Transportation section of this report.

10.27 Notwithstanding this, appropriately worded conditions as detailed elsewhere in this report requiring the submission, and implementation of approved, details of an inclusive accessibility strategy, and deliveries and servicing management will secure the quality and safety of access and servicing arrangements.

d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building

e) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area

f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings

10.28 These matters are addressed in the documentation that has been submitted in support of the planning application, and which are considered elsewhere in this report.

3) environmental impact

a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not

compromise comfort and the enjoyment of open spaces, including water spaces, around the building

b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions

c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building

10.29 These matters are addressed in the documentation that has been submitted in support of the planning application, and are considered elsewhere in this report.

4) cumulative impacts

a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.

10.30 The cumulative visual, functional and environmental impacts of the proposed development are considered elsewhere in this report.

10.31 The design of the proposals integrate environmental mitigation measures, and it is not anticipated that retro-fitting will be required.

Public access

D Free to enter publicly accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings where they should normally be located at the top of the building to afford wider views across London.

10.32 The proposed residential uses for each of these blocks, particularly the tallest block. Block 1 means that it is not considered viable, owing to fire safety management implications, and building cores and management arrangements, to facilitate public access to their upper floors.

Tall Building conclusion

10.33 Considering the development of a tall building at this location, and given the surrounding townscape context, the current proposals are not considered to have a disruptive or harmful impact on the skyline for the purposes of Policy DC3, but would be a partial conflict with the policy when taken as a whole, given that the site is not a plan-led location for a tall building.

10.34 Furthermore, the scheme is considered to provide a positive addition to the skyline and the surrounding townscape creating a more balanced transition

between existing and consented tall buildings and the lower density of the surrounding context.

- 10.35 As such, the proposal is considered to comply with the impact framework set out in London Plan Policy D9. Given that it would not have a disruptive and harmful impact on the skyline the significance and extent of the conflict with Local Plan Policy DC3 is reduced to some extent.
- 10.36 The scheme is considered to provide a positive addition to the skyline and the townscape of the borough and overall to comply with London Plan Policy D9. The significance and extent of the conflict with Local Plan Policy DC3 is reduced by the absence of any disruptive or harmful impact on the skyline. (The full assessment against the framework of DC3 is considered in concluding section of this report, as other material considerations).

Heritage and Townscape

- 10.37 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.
- 10.38 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, specifically 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.
- 10.39 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.
- 10.40 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. [...]”
- 10.41 Paragraph 208 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.”

- 10.42 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.”
- 10.43 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.”
- 10.44 Paragraph 213 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.
- 10.45 Paragraph 214 of the NPPF states: “[W]here 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.
- 10.46 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.”
- 10.47 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.”
- 10.48 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).

- 10.49 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.
- 10.50 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.
- 10.51 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.
- 10.52 The southern portion of the site, (the area around Chelsea Creek), is situated in the Sands End Conservation Area and the portion of the site located in LBHF does not include any other formally designated/non-designated heritage assets. The western portion of the site does however include the non-designated heritage asset number 65-69 Lots Road, located in RBKC. As such, the proposal scheme would impact directly and indirectly on heritage assets, largely through impacts upon the setting of adjacent heritage assets. These impacts are considered separately in the following sections.

Assessment methodology

- 10.53 As part of the application and environmental statement submissions, the applicant has submitted a Heritage, Townscape, and Visual Impact Assessment, (HTVIA) which, in summary, concludes that there would be less than substantial harm to a number of heritage assets, mainly within RBKC, arising from the development.
- 10.54 To fully assess the proposal scheme, officers have agreed the scope of supporting documents with the applicant. These documents, submitted with the application, identify the impact on the significance (through changes to their setting) of designated/non-designated heritage assets within a study area surrounding the application site, covering assets within both LBHF and the RBKC area.
- 10.55 The affected heritage assets were identified using theoretical Zone of Visual Influence (ZVI) modelling and a desk-based study, including testing of massing models. The HTIVA then assessed whether the proposed development would impact on the significance of those heritage assets (through changes to their setting) and, if so, to what degree.

10.56 In planning policy terms, 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 214 and 215 of the NPPF as appropriate.

10.57 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".

10.58 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

10.59 As mentioned above, a small section of the north-western boundary of the site is located within the Sands End Conservation Area and this constitutes the only designated heritage asset within the LBHF part of the application site boundary.

Sands End conservation area

10.60 The Sands End Conservation Area was designated in 1991 and covers a significant portion of the Thames riverside. Its designation was intended to assist in managing and protecting the riverside from unsympathetic development and promote high-quality design/enhancement of the riverside. The area has been subject of ongoing significant change owing to the redevelopment of the South Fulham Riverside Regeneration Area.

10.61 This section of the conservation area relates to the creek itself and forms a narrow area of the creek edge; this then draws into the Thames. The creek edge is built to a lower level and features soft landscaped edge which has

limited visibility and public access. However, the area does have historic significance linked to historic industrial activities and evolution of the area.

Assessment of harm

- 10.62 The proposals would directly impact upon this portion of the conservation area, through the works to the creek wall and secondly through the introduction of tall buildings within the setting of this portion of the conservation area; changing and enclosing these views and the appreciation of the creek. However, the layout, design and landscaping provided by the scheme; opening up public views and access to experience the creek are considered to in part diminish the extent of this harm. As such, the harm to the setting of this conservation area is therefore considered to be at the low end of less than substantial harm.

Non-designated heritage assets

- 10.63 Considering the non-designated heritage assets occupying the application site, (within the RBKC section of the site boundary), No's 65 – 69 Lots Road are brick warehouse buildings, which would be demolished to allow redevelopment of the site. These buildings are considered to be heavily altered and therefore would have very low significance overall. Furthermore, the buildings, (alongside others occupying the site), make no contribution to the setting or significance of the adjacent Lots Road Conservation Area.
- 10.64 Nonetheless, their demolition would result in complete loss of the non-designated heritage assets which should be balanced against the public benefits of the scheme considering the NPPF tests.

Adjacent Heritage Assets – for which their setting would be impacted by the development

- 10.65 As discussed above, given the scale of the proposed development, officers have worked with the developer team to review the extent of impact upon the setting and significance of adjacent heritage assets.

Conservation areas

- Imperial Square & Gasworks Conservation Area (LBHF)
- Lots Village Conservation Area (RBKC)
- Brompton Cemetery Conservation Area (RBKC)

Statutory Listed Buildings

- Gasholder No.2 Fulham Gasworks (Grade II*)
- Office building at The Former Imperial Gas Works (Grade II)
- War Memorial (Grade II)
- Former Laboratory at The Imperial Gas Works (Grade II)
- Sandford Manor House (Grade II*)
- London Country Council Pumping Station (Grade II)

Registered Parks and Gardens

- Brompton Cemetery (Grade I)

Assessment of harm methodology

- 10.66 Aside from the applicant's HTVIA, consideration has been given to relevant provisions within the Town & Country Planning Act 1990, the NPPF and the London Plan (particularly Policies HC1 and D9, in which tall buildings are required to avoid harm to the significance of London's heritage assets and their settings, and to provide clear and convincing justification for any harm including public benefits that outweigh that harm).
- 10.67 Officers have also considered Local Plan Policies and guidance documents including the following: Greater London Authority Planning Practice Note: Heritage Impact Assessments and the Setting of Heritage Assets; The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (Historic England, 2017, 2nd Edition); and Tall Buildings: Historic England Advice Note 4 (Historic England, 2022).

Heritage Assets within LBHF

Imperial Square & Gasworks Conservation Area

- 10.68 The Imperial Square and Gasworks Conservation Area was designated on 8 August and was extended on 23 February 2005 to include buildings within Harwood Terrace and Imperial Road, and the northern part of the gasworks site that is linked to the Imperial Square development. The area was predominately designated owing to the industrial gasworks site and secondly the Imperial Square development to the north.
- 10.69 This conservation area has been subject of change most recently, owing to the ongoing redevelopment of the Fulham Gasworks site as part of its redevelopment as a residential-led scheme. The phased development of the site incorporates a number of taller buildings to the eastern edge of the site, adjacent to the railway line and within the main area surrounding the new central park, within which the retained gasholder is located.
- 10.70 These consented developments would significantly screen the proposed buildings in views from the conservation area; and whilst there would be some additional visibility from several views within the area, these would in part be considered within the context of the modern developments within the Fulham Gasworks site overall. For this reason, the proposals are not considered to result in any harm to character, significance or setting of the Imperial Square and Gasworks Conservation Area.

Statutory Listed Buildings

- 10.71 The group of statutory listed buildings within LBHF largely consists of assets within the Fulham Gasworks site, comprising the Gasholder No.2 Fulham Gasworks (Grade II*), Office building at The Former Imperial Gas Works (Grade II), War Memorial (Grade II), and Former Laboratory at The Imperial Gas Works (Grade II). As with the comments above, it is not considered that the proposed development would impact upon the setting of these assets, given that the ongoing redevelopment of the Fulham Gasworks site would largely screen the development from localised views, including those of the closest asset Gasholder No. 2. Otherwise, the Sandford Manor House is the closest other

listed building in close proximity to the site and again, there would be no visibility of the development from this asset.

10.72 As such, officers conclude that the setting of these heritage assets would not be harmed by the proposals, and their character, appearance and setting preserved.

Assets within Royal Borough of Kensington and Chelsea

10.73 As mentioned in the initial sections of this report, a joint application for the redevelopment of the site has recently been considered by RBKC heritage officers. This assessment included details of the degree and extent of harm to the setting of heritage assets in the borough.

10.74 Officers have reviewed these comments in the published officer report and agree with the conclusions made by RBKC officers; the table below summarises these impacts:

Heritage Asset/Receptor	Designation	Degree of Harm/Benefit
Lots Village	Conservation Area	Mid-range (less than substantial harm). Cumulative impact on Victorian character of the area, introducing taller, modern blocks with an increase in massing visibility and urbanising impact - particularly note setting impact.
London Country Council Pumping Station	(Grade II)	No Harm
Brompton Cemetery	Grade I Registered Park and Garden	Very low end of less than substantial harm. The development would increase and compound the scale of harm created by permitted developments within key southern views of the site, (namely through redevelopment of the Fulham Gasworks site).
Church of England Chapel (Grade II*) and Arcades (Grade II*)	Grade II*	Very low end of less than substantial harm. The development would increase and compound the scale of harm created by permitted developments within key southern views of the site, (namely through redevelopment of the Fulham Gasworks site). The introduction of a tall building in the background would be visible in glimpsed views along the central avenue and through the arcade openings. While this would introduce a modern element into the historic setting, the distance, partial screening by existing vegetation, and the retention of primary vistas means that the chapel and arcades would remain legible as the focal point of the site, with the overall architectural and group value of the cemetery

		largely preserved.
Other monuments and listed structures within Brompton Cemetery	Mixture of Grade II* and Grade II	No harm

Historic England Response

- 10.75 Historic England have provided a consultation response that focuses mainly on the impact on designated heritage assets in RBKC, and particularly Brompton Cemetery (Grade I Registered Park and Garden, within which is located a Grade II* Listed Chapel).
- 10.76 Historic England do not give a specific assessment of harm for the above assets but conclude that some harm would be caused by virtue of the height of Block A (especially when considered alongside the Fulham Gasworks development), which will therefore need clear and convincing justification as set out in the NPPF.

Archaeology

- 10.77 NPPF Section 16, London Plan Policy HC1 and Local Plan policy DC8 recognise the positive contribution of heritage assets of all kinds and identify the conservation of archaeological interest a material planning consideration.
- 10.78 **Paragraph 207 of the National Planning Policy 2024 Framework (NPPF)** states: “...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”. NPPF paragraphs 202 and 210 and London Plan Policy HC1 emphasise the positive contribution heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities.
- 10.79 **Part D of London Plan 2021 Policy HC1** states that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation.
- 10.80 **Local Plan Policy DC8** supports the protection, restoration and enhancement of heritage assets, including unscheduled archaeological remains, and reiterates the need for regard to be had as to the scale and impact of any harm or loss and the significance of the heritage asset resulting from development, and where harm or loss will occur, for a proportionate analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough, in accordance with paragraph 218 of the NPPF.
- 10.81 The Site is not located within a designated Archaeological Priority Area (APA). The Sandford House APA is located to the north west of the site within LBHF, and Chelsea Riverside APA is located to the southeast of the Site within RBKC,

primarily following the River Thames and extending north towards King's Road.

- 10.82 A desk-based assessment was submitted in support of this application. The assessment shows that the site has a low archaeological potential for prehistoric, Roman, Saxon, and medieval periods. Evidence of past activity is primarily limited to the post-medieval and modern periods, particularly associated with the 19th-century construction and later infilling of the Kensington Canal and historic landfill. While there is some potential for the presence of post-medieval features such as wharves or revetments within the made ground and channel fill deposits, overall archaeological significance is assessed as low. The geoarchaeological assessment supports this, concluding that no Holocene alluvium or peat deposits are present and that the paleoenvironmental potential is minimal.
- 10.83 The Greater London Archaeological Advisory Service (GLAAS) have noted in their comments that the site is located adjacent to Chelsea Creek and over the previous course of the infilled Kensington Canal. GLAAS also note that Prehistoric material has also been found on the site in the form of Iron Age potsherds.
- 10.84 The archaeological potential for the Site is considered to be generally low for most archaeological periods on the site, excepting the post-medieval and modern. Given the previous development on the site will have likely disturbed stratigraphy to some extent, the risk to the archaeological resource on the site can be mitigated through a condition requiring a programme of works, as requested by GLAAS.
- 10.85 GLAAS advised the development could cause harm to the archaeological remains and field evaluation is therefore needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, considering the nature of the development, the archaeological interest and/or practical constraints are such that it is considered a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify nature and extent of surviving remains, followed, if necessary, by a full investigation. As such, a condition to this effect is proposed. Subject to this recommended condition, the development would comply with the requirements of Policy DC8 of the Local Plan and Policy HC1 Part D of the London Plan 2021.

Townscape

- 10.86 As discussed in the above, the HTVIA supporting the application includes zone of theoretical visibility modelling which has informed the approach to scoping and assessing harm to heritage assets. The outcome of this assessment has also assisted officers in undertaking an assessment of the scheme relative to the tall building impact frameworks of London Plan Policy D9, particularly focused upon the impact of the proposals upon townscape views.

Long-range views

- 10.87 When considering long-range views, given the scale of the development, the scheme would have limited appreciation from these views, apart from the views from Battersea Bridge and Wandsworth riverside and Brompton Cemetery, here

the scheme would form a composition and be consistent with other more contemporary developments of a much more significant scale. The changes to these views are considered to be neutral overall and would not impact upon strategic or borough-wide views.

Mid-range/localised views

- 10.88 A similar conclusion is reached considering mid-range and localised views of the site, particularly those from within the Fulham Gasworks development and Lots Village. The buildings would provide a varied scale to those of the Lots Village and Lots Road but would provide a transition to the scale of the ongoing development of the Fulham Gasworks (including tall buildings of significant scale) and other existing tall buildings already forming background features of these views. Use of design and materials help to mark this transition in an appropriate manner. The changes to these views are considered to be neutral overall.
- 10.89 The proposals are acceptable in townscape and visual impact terms and proposals are not considered to result in an unacceptably disruptive and harmful impact on the skyline of the borough.

Design Review

RBKC Quality Review Panel (QRP)

- 10.90 As discussed in the consultation section above, the proposals have been subject of presentation to the RBKC Quality Review Panel (QRP) twice. However, through the second review the panel acknowledged positive design development since the previous review but suggested that further refinement is still required to ensure a high-quality, contextually appropriate development. This included consideration of the unique character of Lots Road must be embedded more clearly in the design approach, including architecture, materiality and public realm. They also welcomed landscape improvements, particularly the community square and east-west route, and stronger relationship with Chelsea Creek.
- 10.91 Many of these revisions have been made as part of the planning application submission.

Inclusive Design Review Panel

- 10.92 Again, as discussed in the consultation section above, The LBHF Inclusive Design Review Panel reviewed the proposals during the pre-application process on 30 April 2025. In summary, the panel were supportive of the intention to deliver a mixed-use scheme, public realm and improvements to Chelsea Creek.
- 10.93 It was considered necessary to look at how future residents and visitors to the could access the site and how the public realm is designed in detail to encourage access for all. The residential elements of the scheme, particularly the adaptable and accessible units, should be carefully reviewed to ensure these are liveable and functional for future residents.

10.94 These suggestions have assisted further review of the scheme and updated details of the scheme design are detailed in the Design and Access Statement accompanying the application.

Design, Heritage, and Townscape Conclusion

10.95 The proposed scheme represents an opportunity to optimise development of a partially vacant site in accordance with the London Plan and Council's Local Plan policies. The site currently fails to contribute positively to the permeability, legibility, and identity of the local area overall and the proposed scheme provides considerable potential to address these issues.

Urban Design and Heritage Balance:

- The application site is not located within an area identified for a tall building and as such there would be conflict with Local Plan policy DC3 overall and part of London Plan Policy D9. However, officers conclude that the proposed development would not result in a disruptive or harmful impact on the skyline and would comply with the impact framework of London Plan Policy D9 and with Policy D9 considered as a whole.
- The development would have some intervisibility in mid-range to localised townscape views, however the impact upon these views would be neutral overall.
- The configuration, design and materiality of the proposed development is thought to be well considered and would provide a high-quality development which would enhance the appearance of the local area, complementing the character of other tall buildings in the local area.
- The proposed buildings would provide substantial environmental benefits to future occupiers and the wider locality by way of providing enhanced pedestrian routes protected by the built form, and by substantial urban greening and landscaping.
- The proposed scale, massing and design of the proposal would result harm to the significance of the Sands End Conservation Area, and harm to the settings of the Lots Road Conservation Area, Brompton Cemetery Grade I registered park and garden, and Church of England Chapel (Grade II*) and Arcades (Grade II*). In all instances these harms would be less than substantial.
- The proposals would also result in the complete loss through demolition of non-designated heritage assets No's 65 – 69 Lots Road.

10.96 Considerable importance and weight must be given in the planning balance to these findings of harms to the settings of heritage assets, even if these harms are considered to be less than substantial.

10.97 Officers are satisfied that the overall character and significance of the settings of all these heritage assets would be preserved either entirely or substantially,

notwithstanding these harms. In the case of assets within RBKC, although the settings of these assets would be subject to change and the proposals would introduce features which would distract from and visually compete with existing assets, the assets themselves would clearly remain capable of being appreciated for their individual character and significance, as would their substantially preserved settings.

10.98 There are no heritage benefits which would outweigh the less than substantial harms to the Sands End Conservation Area, and the settings of adjacent heritage assets identified by officers and considering the necessary NPPF tests. Further discussion of the public benefits of the scheme are referenced in in the conclusion of this report.

10.99 Taking these wider benefits into consideration, officers consider that for the reasons summarised in the concluding sections of this report, it is appropriate to grant planning permission, having had special regard to the desirability of preserving the settings of relevant listed buildings (section 66, 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 relevant conservation areas (section 72, the 1990 Act).

10.100 The proposal is also in line with national guidance in the NPPF and strategic local policies on urban design and high-quality development. In summary, it is considered that by optimising the use of the site to provide a development of this scale it is possible to provide the number of significant important benefits outlined above. Although some elements of conflict with policy have been identified above, overall, the Proposed development is considered acceptable having regard to the NPPF, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2, DC7 and DC8 of the Local Plan (2018).

11.0 RESIDENTIAL AMENITY OF NEIGHBOURING OCCUPIERS

11.1 The following section of the report covers the impact of the proposed development on the living conditions of surrounding properties and occupiers. The assessment considers the scheme in its entirety, in accordance with LBHF planning policies and relevant guidance. It is recognised that the impacts on residents cannot be disaggregated between the portion of the scheme within LBHF and that within the adjoining borough of RBKC. Therefore, the submitted documentation and assessment considers the effects on residential amenities within LBHF in respect of the proposed development as a whole, including impacts such as daylight, sunlight, outlook, privacy, noise, and general environmental quality, reflecting the integrated nature of the proposed development.

11.2 The NPPF sets out that when considering proposals for new development, care should be taken to ensure that there isn't a loss of amenity for current or future occupiers. This could arise because of several issues, including noise or disturbance, impacts on privacy, loss of daylight or sunlight, artificial lighting or odour.

- 11.3 **Policy D6 of the London Plan** requires development to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising the usability of outside amenity space. This is expanded in the Mayor's Housing SPG which states that: 'an appropriate degree of flexibility needs to be applied when using BRE Guidelines to assess the daylight and sunlight impacts of new development on surrounding properties...Guidelines should be applied sensitively against higher density development, especially in...larger Sites and accessible locations, where BRE advice suggests considering the use of alternative targets'
- 11.4 There are no specific policies on daylight, sunlight or overshadowing in the Local Plan. **Local Plan Policy DC2** (Design of New Build) however states that all new builds must be designed to respect good neighbourliness and the principles of residential amenity. **Policy DC1** (Built Environment) and **DC3** (Tall Buildings) require development to be well designed and respect of the principles of good neighbourliness. **Policy HO11** includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area 'including issues such as loss of daylight, sunlight, privacy and outlook'. **Key Principles HS6 and HS7** of the Planning Guidance SPD (2018) seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.

Daylight, Sunlight and Overshadowing

- 11.5 **Paragraph 130 (c) of the NPPF** states when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (if the resulting scheme would provide acceptable living standards). **Paragraph 135 (f)** sets an expectation that new development will be designed with a high standard of amenity for existing and future users
- 11.6 Daylight, sunlight and overshadowing is considered against the Building Research Establishment's (BRE) guidance 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' (BRE 209 3rd edition, 2022), which in turn references the British Standard BS EN17037:2018 'Daylight in Buildings'. The 2022 BRE guidelines introduced a new method of assessment for internal daylight and sunlight amenity within new developments. The guidance set out in the BRE guide is widely accepted as the approved methodology when calculating light levels in habitable rooms.
- 11.7 This application is supported by an External Daylight and Sunlight Assessment by the Chancery Group. The Chancery Group has undertaken a daylight, sunlight, overshadowing and solar glare assessment. This assessment focuses on the potential effect of the Proposed development on the key surrounding residential properties when compared to the existing buildings on site. Fulham Gasworks in LBHF (Blocks H1 and G1) have been included within the existing baseline and assessed as these blocks are currently under construction.
- 11.8 The report has noted that if the Fulham Gasworks site is not fully constructed in accordance with the planning permission, due to the distance and location of

the other surrounding properties, it is not considered that this would materially alter the assessment results or conclusions within the submitted report.

- 11.9 A solar glare assessment has also been undertaken on the proposed development to understand if any solar glare could affect train drivers heading north and south on the railway tracks located closest to the Proposed development.

Daylight

- 11.10 As recommended in the BRE guidelines, to assess daylighting, the Vertical Sky Component (VSC) test has been carried out. VSC is a measure of the amount of visible sky available from a point on a vertical plane, usually a point at the centre of a window. The BRE guidelines explain that diffuse daylight may be considered adversely affected if, after a development, the VSC is less than 27% and where the resultant amount is less than 80% of its former value.
- 11.11 The BRE daylight recommendations set out above are a nationwide standard based on a uniform 25-degree development angle which directly correlates to the 27% VSC target in the guidelines. Commonly, development angles in London are in excess of this, around 40 to 50 degrees, for comparison, an angle of 40 degrees correlates to 18% VSC while 50 degrees correlates to a VSC of 13%. It is accepted that the wider area in which the site is located is within an urban setting. Streets are narrower and buildings higher and the urban grain is typically fine.
- 11.12 To supplement the VSC test, the 'no skyline' (NSL) test has also been carried out. This tests the distribution of daylight within a room, as opposed to light reaching a point on the vertical plane. The NSL is a line which separates areas of the room that do and do not have a direct view of the sky measured on a working plane 0.85 metres high. The BRE guidelines explain that the impact may be noticeable if the area that receives direct skylight is reduced by more than 20%.
- 11.13 The BRE guidelines explain, specifically in relation to NSL, that the 'guidelines need to be applied sensibly and flexibly. The values set in BRE guidelines are derived on a suburban model may not be obtainable in more dense urban areas or large-scale regeneration schemes.

Sunlight

- 11.14 The Annual Probable Sunlight Hours (APSH) metric has been used to assess the impact of the development on sun lighting levels of nearby residential windows. The BRE guidelines explain that if living rooms have a window facing within 90 degrees due south and any part of the development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then sun lighting to the property may be adversely affected. This will be the case if the window receives:
- Less than 25% of the annual probable sunlight hours and less than 0.8 times its former annual value, or

- Less than 5% of annual probable sunlight hours between 21 September and 21 March and less than 0.8 times its former value in that period.
 - The overall loss in APSH is more than 4%.
- 11.15 The recommended target number of hours of sunlight to be received within the proposed rooms are:
- Minimum level of sunlight exposure - 1.5 hours
 - Medium levels of sunlight exposure - 3 hours
 - High levels of sunlight exposure - 4 hours

Daylight/Sunlight Assessment

- 11.16 The assessment carried out has considered the potential daylight and sunlight impacts to the following properties/buildings within LBHF.

Chelsea Creek (Block H and G)

- 11.17 These properties are located to the southwest of the Site and form part of the recently completed development. Detailed floor plan information has been obtained and used for this property.

- 11.18 The results for the VSC assessment demonstrate that 30 of the 33 windows assessed would fully comply with BRE Guidelines. Of the remaining 3 windows (W2 and W3 located on ground floor within Block G and W3 located on the first floor) demonstrate minor to moderate alterations of up to 33% from the existing condition. However, these windows are located under a large overhang and the absolute VSC alterations are between 0.74% and 1.27% which is small.

- 11.19 Given this, and noting the minor impacts within the VSC assessment, the overall living conditions for these Blocks are considered to be acceptable, and therefore, would comply with Policy DC2 of the Local Plan in relation to daylight and sunlight impacts. All relevant rooms would be fully compliant with BRE Guideline for the NSL assessment, and all rooms assessed would be fully compliant with the annual APSH criteria. The effect of the Proposed development would be Minor and Not Significant.

Fulham Gasworks (Block H1 and G1)

- 11.20 As part of the Daylight and Sunlight Assessment a sensitivity assessment has been undertaken on the Fulham Gasworks development to determine the potential daylight values for future occupants. The Fulham Gasworks development is a scheme that is currently under construction and there are no existing residents to experience a change in the daylight levels, the focus of the assessment is on the retained daylight values (lux levels) following construction of the proposed development.

- 11.21 Overall, it is acknowledged that some of the rooms within Block H1 and G1 would experience daylight alterations and some of the lux values would be below the target criteria following the construction of the proposed development. This impact is however limited to only a small number of rooms within Block H1. Therefore, on balance, the proposed development would not cause a significant impact on the overall living conditions of this residential block.

Conclusion

- 11.22 The application has considered the impacts of daylight and sunlight to neighbouring sensitive receptors. In general, good standards of daylight and sunlight would be retained with alterations within acceptable parameters against BRE standards for daylight and sunlight (especially when considering that some windows serve the same room, and therefore the retained VSC levels for groups of windows would be considered to represent a minor impact.
- 11.23 Some of the assessed windows associated within the Daylight & Sunlight Assessment show that there would be a reduction in levels more than BRE guidance for daylight and sunlight. As such, officers consider the proposals would comply overall with the aims of Policy DC2 of the Local Plan in relation to daylight and sunlight impacts.

Overshadowing

- 11.24 The impact of overshadowing of gardens and open spaces is considered in the BRE guidance. It recommends that for an open space to appear adequately sunlit through the year, more than half of the space should receive at least two hours of sunlight at the March equinox. Overshadowing to the proposed communal amenity spaces has been assessed in accordance with BRE guidance, which recommends that at least 50% of an amenity area should receive a minimum of two hours of direct sunlight on 21 March.
- 11.25 The assessment of overshadowing predominantly relates to premises within RBKC, with consideration given to the impacts on Chelsea Academy sports pitch and the rear garden at No.58 Burnaby Street. No other areas were considered relevant and/or would demonstrate a significant effect. Officers agree with this approach.

Solar Glare

- 11.26 London Plan 2021 Policy D9 Criterion C (g) stipulates that (tall) buildings should not cause adverse reflected glare.
- 12.27 Solar glare occurs when light from the sun is reflected off surfaces such as solar panels and buildings. The effect of solar glare can result in visual impairment caused by reflection off surfaces which could for example result in distraction from activities such as driving, or cause discomfort to pedestrians. As a result, the impact of solar glare is particularly focused to areas such as pedestrian crossings, road junctions, or where glare could result in temporary blinding of drivers.
- 11.28 The results demonstrate that there would be potential solar glare within 30° of the train driver's line of sight heading north and south along the nearest railway tracks to the Proposed development. In all instances, solar glare occurs beyond 10° of the driver's line of sight and in most cases, above the 5° visor. The train driver could therefore use the visor as mitigation, if required. Furthermore, given the nature of the façade materiality and recessed windows, the potential glare would generally be limited throughout the year. In addition to this, no concerns about this nature have been raised from Transport for London or Network Rail.

As such, officers are satisfied that in relation to solar glare, the development would comply with Policy D9 (g) of the London Plan 2021.

Sense of Enclosure – outlook

- 11.29 The proposed development will result in the introduction of built form of a relatively high density on what is currently an open site (in respect of the southern part) and buildings of two storey height (in respect of the northern part).
- 11.30 Notwithstanding this, the larger massing of the proposed development will be primarily located on the LBHF site, which extends across approximately 50% of the southern Site boundary. Although this will bring 13 storey development to within 6m of the creek wall, this will be offset by the delivery of the 5-storey building fronting onto Lots Road and the public landscaping which will separate the two built forms, meaning that the aspect observed by occupiers of the dwellings to the south will not be perceived as creating an oppressive sense of enclosure. It is noted that the frontage to the western boundary of the site is fairly solid, however this is mitigated by the gap between Blocks A and B, and the lower linking element between Blocks B and C. It is also noted that the railway line is located between this frontage and the buildings under construction to the west of the Site, and this separation and spatial relationship will mitigate the outlook of the occupiers of these future dwellings.

Overlooking and Privacy

- 11.31 Local Plan Policy DC2 seeks to protect the amenity of existing residents. Proposals should be designed to avoid overlooking and protect privacy. Consideration has to be given as to whether the scheme would give rise to any unacceptable levels of overlooking and loss of privacy to nearby residential or sensitive properties.
- 11.32 Due to the distance (approximately 45m), and intervening presence of the Chelsea Creek providing a physical separation between Block A and occupants of the Lighterman Tower (Chelsea Harbour) building, the visual privacy of the occupants of the existing dwellings to the south would be preserved.
- 11.33 Further to this, whilst Blocks A, B and C would introduce openings onto the western elevation which would face onto the railway and the Imperial Gasworks site, it is not considered that the presence of these openings would cause significant harm to the future living conditions of the buildings currently under construction to the west of the Site (given the orientation of the blocks) by virtue of the presence of the railway line and the physical separation distances and spatial relationships between the consented and proposed properties.
- 11.34 In summary, the proposal would ensure reasonable visual privacy for occupants of existing and emerging properties which may potentially be affected by the proposal. As such, the scheme would comply with Policy DC2 of the Local Plan.

Basement

- 11.35 The proposed development would result in the construction of a single storey basement. The basement would be sited within RBKC.

11.36 The application is supported by a Basement Impact Assessment. The proposed basement would be located beneath Block C and D (towards the northeastern side of the Site). The basement would be located fully within RBKC and would be used to provide cycle store and associated plant rooms for the proposed development, which would in part serve the development within LBHF. The proposed basement would be single storey, and all the required technical reports have been provided to demonstrate that the basement could be constructed without any structural impact to the surrounding properties.

12.0 HIGHWAYS AND TRANSPORT

12.1 The assessment of transport and highway impacts has been undertaken on a comprehensive basis, considering the proposed development as a whole. This approach reflects the integrated nature of the scheme, where the transport effects cannot reasonably be disaggregated between the portion of the site within LBHF and that within RBKC. For example, vehicular access for the entirety of the development proposed within LBHF is entirely reliant on land within RBKC.

12.2 **NPPF Paragraph 111** states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

12.3 The NPPF requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

12.4 **London Plan Policy T6** sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards in relation to hotel and leisure uses as well as blue badge parking at **Policies T6.4 and T6.5**. **London Plan Policy T5** sets out the requirements for cycle parking in accordance with the proposed use.

12.5 In determining this application, consideration has also been given to the requirements of **London Plan Policies T1, T2, T4, T5 and T7**, as well as the Healthy Streets for London Strategy, published by TfL, in assessing the effects on the local highway network along with the proposed car parking, cycling parking and servicing requirements. Officers are satisfied that the comments raised from the GLA in the Stage 1 response have been appropriately addressed by the Applicant.

12.6 **Local Plan Policy T1** sets out the Council’s intention to work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail.

12.7 **Local Plan Policy T2** relates to transport assessments and travel plans and states “*all development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network*”.

12.8 **Local Plan Policies T3, T4, T5 and T7** relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction logistics. **Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste.

Site Location and Accessibility

12.9 **Policy T1 of the London Plan** sets out the strategic approach to transport. Part B of this policy states that all developments should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensuring that any impacts on London’s transport networks and supporting infrastructure are mitigated.

12.10 Most of the Site achieves a PTAL score of 4 (very good), however, towards the southern part of the Site in LBHF the score lowers to a score of 3 (good). The blue colour on the image below shows the score of 2 and the green shows the part within a ‘good’ PTAL.



12.11 Notwithstanding the PTAL score of 2 in the southern part, overall, the Site has a good level of accessibility to public transport. There are several bus stops served by the C3 route within close proximity to the Site, and additional bus services available on Kings Road are less than 300 metres from the northern boundary of the site, which would be less than a 5-minute walk. The bus

services in the proximity of the Site provide access to local public transport networks, including central London and the surrounding areas. The proximity of public transport services offer sustainable options and modes of travel for occupiers and visitors of the development and will reduce reliance on private car use.

- 12.12 The Site is within a less than 5-minute walk of Imperial Wharf Overground Station and there are eight bus routes within a 10-minute walk of the Site. Fulham Broadway is the closest London Underground station and is located within a 15-minute walk of the Site although it is noted that this sits outside of the catchment area used in the PTAL methodology.
- 12.13 The Site is well connected to both local and strategic highway networks. The Site is bound by Lots Road which provides a north-east route between the A308 and the A3220. To the north, the A3220 connects with the M4 heading west via Heathrow Airport. The A3212 to the east forms part of TfL Road Network (TLRN), providing a strategic route between Westminster and Kensington.
- 12.14 The Site is well situated and connected to support a primarily car-free development (with the exception of blue badge parking) and enable future occupants to access the Site by sustainable modes of travel.
- 12.15 The existing Site is currently occupied by a vehicle pound with capacity for around 60 car parking spaces and at least 10 operational trucks, two warehouse buildings providing spaces for the Lots Road Auction House, Fairbank Studios and Access self-storage which is a mix of commercial and retail uses and storage areas for road salt, street sweeping and recycling. This provision will be removed or relocated off the Site as a result of the proposal. The Site's frontage along Lots Road currently has a large amount of activity mainly consisting of car parking along the eastern kerbside and loading activity associated with the (former) Auction House, Fairbank Studios and the self-storage facility. This activity reduces the effective highway width and often means vehicles cannot pass creating an often-congested environment, not conducive to an attractive environment for road users, cyclists and pedestrians. The proposed development includes measures to improve conditions along the Lots Road frontage, the details would be approved by RBKC Highways.
- 12.16 A 'car-lite' approach is proposed with car parking and servicing movements designed to be minimised to reduce the number of trips to/from the development. The only vehicular access point is proposed via Lots Road with additional access points to draw pedestrians and cyclist into the Development. The vehicular access is intended to be two-way for blue badge holders and one way for all other vehicles permitted to use it. The southern connection will primarily be for egress to Lots Road and will be prioritised for pedestrian and cycle access, with the vehicle route round the back of the Site from the northern access. There will be one-way vehicle egress from the southern access, assisting in the operation of delivery and servicing. This access point may be designated as two-way only if required for emergency service vehicle entry.
- 12.17 There is currently single yellow line enforcement along the extent of the site

frontage which results in unrestricted pick up / drop off activity. The site lies within a RBKC CPZ, which has hours of control between 08:30 – 22:00 Monday to Friday and 08:30 – 18:30 on Saturday. Elsewhere within the surrounding area within LBHF and RBKC parking is controlled, with most streets operating under Controlled Parking Zones (CPZs) and restrictions on duration of stay. The development proposes minimal on-site parking, with no general parking and only prioritising disabled blue badge users.

- 12.18 In terms of safety and accessibility, the Transport Assessment submitted with the application includes a detailed Active Travel Zone (ATZ) assessment. These studies highlight opportunities to improve pedestrian crossings, lighting, and footway conditions, particularly around key junctions and routes to transport hubs. The assessments also consider the needs of vulnerable users, including women and girls, and recommends targeted interventions to enhance comfort and security.

Trip Generation

- 12.19 The Trip Generation provides a detailed forecast of the number of journeys expected to be generated by the proposed land uses, broken down by mode and time of day.

- 12.20 **Policy T2 of the Local Plan** requires large-scale developments to submit Transport Assessments and Travel Plans. This application has been supported by a Transport Assessment (including an addendum following the amendments).

- 12.21 The Transport Assessment includes a multi-modal assessment of the existing and forecast trips generated by the Site.

Existing Trips

- 12.22 The Transport Assessment submitted with the application includes a multi-modal assessment of the existing and forecast trips generated by the Site. To calculate the existing trips for the auction house, office floor space, and self-storage, the Applicant has relied on CCTV surveys undertaken in 2023 at the Site access points for these uses. These surveys were undertaken across two neutral weekdays between 07:00 and 19:00.

- 12.23 The calculated trip rates have been applied to 2011 Census mode share data for non-residential uses which assumes 20% of trips being made by private car. For the car pound use, a manual classified traffic count was undertaken on a single weekday (Tuesday) between 07:00 and 19:00 in July 2023. As the access points are used by both the car pound and the highways maintenance yard, the Transport Assessment assumed that 25% of observed vehicular activity related to the car pound and 75% to the highways compound.

- 12.24 The maintenance compound is to remain operational; the access will be relocated to the north of Heatherly School of Fine Arts, outside the site boundary as approved under an earlier planning application (reference PP/23/03552). Accordingly, while these trips will remain on the wider network, they will no longer occur through the Proposed development.

12.25 The overall existing trip generation by mode is set out in full within the Transport Assessment, and is summarised as:

	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)			Daily (00:00-00:00)		
	In	Out	Two-way	In	Out	Two-way	In	Out	Two-way
Public Transport	14	9	23	5	12	17	274	272	546
Taxi	0	0	0	0	0	0	1	1	2
Motorcycle, scooter or moped	1	1	2	0	1	1	19	19	38
Driving a car or van	10	14	24	3	7	10	210	191	401
Passenger in a car or van	0	0	0	0	0	0	3	3	7
Bicycle	2	1	4	1	2	3	42	42	84
On foot	4	2	6	1	3	5	73	72	145
Other method of travel to work	0	0	0	0	0	0	2	2	5
Total	32	27	59	12	25	37	625	602	1227

Proposed Trip Generation

12.26 For the proposed residential element of the Lots Road South Site, the Applicant has used TRICS survey data from comparable London Sites which forecasts that this would generate 1,208 two-way trips per day, including 120 two-way trips in the AM peak (08:00 – 09:00) and 95 in the PM peak (17:00-18:00). The mode share has again been derived from 2011 Census Data with the proportion of trips by private car reduced to 3% to reflect the limited parking provision on Site and the permit-free nature of the development.

12.27 For the proposed commercial uses, the Transport Assessment applies the same trip rates derived for the existing uses on Site.

12.28 The overall proposed trip generation by mode has been set out in the Transport Assessment as:

	AM Peak (08:00-09:00)			PM Peak (17:00-18:00)			Daily (00:00-00:00)		
	In	Out	Two-way	In	Out	Two-way	In	Out	Two-way
Public Transport	17	67	85	39	31	70	465	476	941
Taxi	0	3	3	2	1	3	16	16	32
Motorcycle, scooter or moped	1	3	4	2	2	4	25	26	51
Driving a car or van	3	3	6	2	3	6	44	45	88
Passenger in a car or van	0	1	2	1	1	1	8	9	17
Bicycle	2	6	8	3	3	7	45	46	91
On foot	5	18	22	10	8	18	122	125	247
Other method of travel	0	2	2	1	1	2	12	12	23
Total	29	103	132	61	50	111	737	754	1491

- 12.29 The proposed development is expected to generate a total of 132 and 111 two-way trips in the AM and PM peak periods respectively, with 1491 total daily movements across all modes of transport.
- 12.30 The non-residential units will generate approximately 2 two-way trips in both the AM and PM peaks and 41 daily trips in the On Foot category, Non-residential units are expected to generate approximately 13, 15 and 284 two-way trips on an AM and PM peak and daily basis respectively for all modes. Combining Taxi, Driving a Car and Passenger in a Car, it can be seen that the non-residential units are anticipated to generate 2, 3 and 55 vehicular-based trips in the AM and PM peaks and daily basis respectively. This includes visitor trips to the site.
- 12.31 The residential units will generate a more “public transport heavy” trip generation, with 70 and 53 two-way trips in the AM and PM peaks respectively whilst also generating 625 daily trips. Combining Taxi, Driving a Car and Passenger in a Car, it can be seen that the residential units are anticipated to generate 7, 6 and 66 vehicular-based trips in the AM and PM peaks and daily basis respectively. This includes visitors of residents to the site.
- 12.32 The extra-care units generate 8 and 9 two-way trips for public transport in the peaks and 162 daily trips. Combining Taxi, Driving a Car and Passenger in a Car, it can be seen that the extra-care units are anticipated to generate negligible trips in the AM and PM peaks regarding vehicular-based trips, as well as 17 daily trips. This includes visitors of residents to the site.
- 12.33 The high level of public transport usage is expected due to Fulham Broadway Underground Station and Imperial Wharf Rail Station located in proximity to the Site. This is alongside travel by bus and on foot which follows due to a good level of amenities located within 20-minutes, encouraging sustainable modes of travel.
- 12.34 The net trip generation is calculated as the difference in value between the trip generation associated with the Proposed development, and the estimate of the existing trip generation associated with the Site.
- 12.35 The development is to generate a net increase of 112 and 152 two-way trips in the AM and PM peaks respectively, and 264 trips across a day. Travel via public transport is among the highest mode shares, which is to be expected due to frequent bus services alongside Fulham Broadway Underground Station and Imperial Wharf Rail Station located in proximity to the Site. Travel on foot also has a high mode share with 16 and 14 more AM and PM peak trips and 102 more daily trips. This is due to a good level of amenities located within 20 minutes, encouraging sustainable modes of travel.
- 12.36 As the proposed non-residential units are car-free, they will contribute to the predicted reduction in car driver trips. This can be seen with a reduction of 18 and 5 additional net car drivers in the AM and PM peaks, whilst there is expected to be a reduction of approximately 313 daily car driver trips.

12.37 Overall, the trip generation assessment identified an overall net increase in trips generated by the development but with a greater proportion of trips being undertaken by public transport and on foot with significant reduction in overall car trips on the local network. The Proposed development is expected to generate fewer vehicular trips overall compared to the existing Site uses, particularly given the permit-free requirement for all residential units and the removal of land uses that generate significant levels of trips by private car such as the auction house and car pound. Therefore, the Proposed development would not be likely to have any unacceptable adverse impact upon the safe and efficient operation of the surrounding highway network.

Site Layout and Access

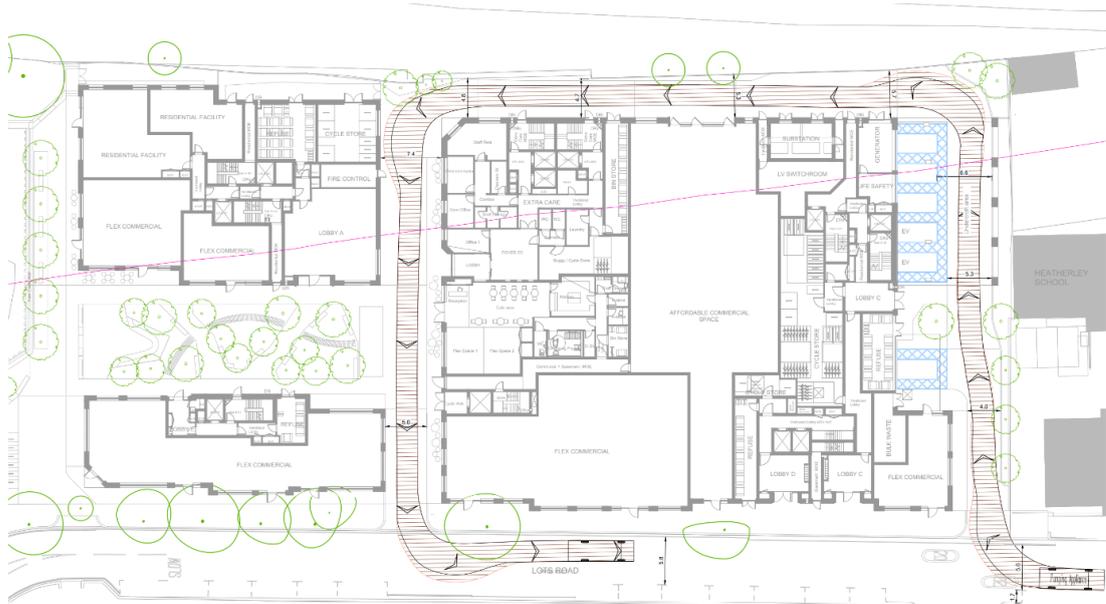
12.38 The proposed development includes three distinct buildings arranged as five blocks (A-E), arranged around new areas of open public realm. Blocks D and E (within RBKC) front onto Lots Road with Blocks A, B, and C aligned to the rear, adjacent to the railway embankment. Whilst part of the Site sits within LBHF, the single vehicular access point into and out of the site would be from Lots Road (RBKC) with three pedestrian access routes into the wider proposed development.

12.39 The land within LBHF is landlocked by the railway line to the west and Chelsea Creek to the south and by the land within RBKC to the east, which are current constraints to permeability, however, the development is designed to improve pedestrian permeability into the Site through the introduction of multiple pedestrian access points into the Site accessed through and within the public realm area of the Site in order to deliver a sustainable scheme by improving footfall and alleviating pressure on existing footways surrounding the Site. Public access / right of way to the public realm and Chelsea Creek shall be secured by way of an appropriate legal agreement.

12.40 The eastern boundary of the Site (when considered as a whole) will have direct frontage onto Lots Road which will benefit from the proposed public realm improvements such as widened pavements and on street tree planting.

12.41 Entrances to the commercial and residential within RBKC are proposed on the Lots Road frontage. Entrances for the remaining blocks, including those within LBHF are set within the site and would be accessed through the proposed public realm.

12.42 A main vehicle access is proposed off Lots Road, in the northeast of the Site, adjacent to the vehicular access and car park/servicing area for Heatherly School of Fine Art. This access is intended to be two-way for blue badge spaces (discussed further below) which would be located to the northern edge of the development and one way for all other vehicles that are permitted to use it. The access would also facilitate vehicular access for servicing and for the proposed the one-way vehicular loop which runs along the north and west boundaries of the Site and egresses onto Lots Road between Blocks D and E, as shown on the plan below. This arrangement would be acceptable and comply with London Plan Policy T4.



- 12.43 The southern point of vehicular access will primarily be for egress to Lots Road and prioritised for two-way pedestrian and cycle access, with the vehicle route through the Site being accessed from the north. There will be one-way vehicle egress from the southern access, assisting in the operation of delivery and servicing. This access point may be designated as two-way only if required for emergency service vehicle entry. To ensure an appropriate quality of detailing, and to secure the safety of users and an inclusive environment for all users, details of the routes (including materials and detailing) through the site are required by way of condition.
- 12.44 At the southern end of the site, the existing access point will be re-landscaped to become level with the surrounding pavement, and a new access point will be introduced near the southeast corner of Block E for the purpose of providing infrequent maintenance access to the creek wall.
- 12.45 There is proposed to be space within the site close to the extra care and community centre uses, and within the central courtyard area, for ambulance, community bus and taxi pick up / drop off associated with the extra care facility. The ability for ambulances and community buses to pass each other when parked has also been accommodated within the design. The drop-off area is proposed to be located opposite the community centre to ensure that any parked vehicle does not block the access doors into either the extra care building or the community centre. A site management plan would be secured by condition, to manage the bus and taxi pick up / drop off associated with the extra care facility.
- 12.46 No general parking is proposed within the site. The off-street parking provision would comprise of essential need parking only. A total of 6 disabled parking spaces are proposed with an option to provide 2 further spaces on Lots Road.
- 12.47 It is noted that the vehicular access and egress points, as well as most of the pedestrian, cycle and vehicular routes through the site are located on land

outside of LBHF, so a Grampian condition is also required to secure delivery of the elements outside of the borough boundary in this case.

- 12.48 A buffer zone secured within the LBHF land is proposed along the full length of the site adjacent to the railway, to allow for a future cycleway and pedestrian route. A pedestrian route would be formed up to of the western edge (adjacent to the railway embankment) however, pedestrian movement would not be achieved for the whole western edge due to the siting of Block A). In addition to this, there would be a new pedestrian route along Chelsea Creek. The submitted plans indicate a “potential future connection” to the northwestern corner of the site and therefore shows the ability to connect to the further western edge of the borough. The safeguarding of this route would be secured within the legal agreement.

Car Parking

- 12.49 **London Plan Policies T6, T6.1, T6.4 and T6.5** state that proposals should encourage a reduction in the need to travel, especially by car, with car parking limited to operational needs, parking for disabled people and the needs for servicing as necessary. **Policy T4 of the Local Plan** seeks properties in development above PTAL 2 areas, to be car permit free and a minimum of 25% of parking spaces to be equipped with electric charging points and a further 25% passive provision.
- 12.50 There are currently 13 on-street car parking spaces along the eastern side of Lots Road opposite the site frontage. It is not currently expected that any of these will need to be removed to accommodate larger vehicles, such as refuse collection, that will need to access the proposed development. The occupancy levels of these parking spaces (as well as all spaces within 500m of the site) have been reviewed by a parking beat survey. Parking surveys were undertaken on two consecutive weeknights (Tuesday – Thursday) between 00:00-05:30. The survey of on-street parking was undertaken within 200m and 500m walking distance from the Site. This information was used to understand the parking demand along Lots Road and the existing parking stress within the local area to determine any impacts the development may have on the on-street parking demand. The parking beat survey demonstrated that local streets in the area (within RBKC) show some parking stress. So, residents of the proposed Development will not be eligible to apply for a residential parking permits to avoid increases in parking stress in the vicinity of the site. The proposal would not result in overspill parking or parking stress within LNHF.
- 12.51 The Transport Assessment indicates that the proposal would be car free apart from disabled persons parking comprising six blue badge car parking spaces along the vehicular access route on the northern edge of the site and two further spaces on street within RBKC. It is accepted that there are limited opportunities to provide further spaces within the public realm without unduly impacting upon the function or quality of the space. There is an opportunity to provide additional dedicated blue badge spaces on-street within close proximity of the development on Lots Road to eligible residents should there be a requirement to do so, and RBKC as highway authority has raised no objections to this approach. No general parking is offered.

- 12.52 The applicant has provided a draft Parking Design and Management Plan as part of the submission. This sets out how all parking will be managed. TFL highlighted that the vehicle spaces should be leased and not sold. A parking management plan should be secured by condition, to manage the allocation of the off-street parking within the site. The provision of essential parking only is appropriate, however, under the London Plan Standards, a minimum of 3% of residential units should be provided with blue badge parking bays from the outset. Based on the total number of units (274), the essential need for parking would equate to eight spaces. The proposed layout therefore falls short of this requirement by 2 spaces.
- 12.53 It is accepted that there are limited opportunities to provide further spaces within the public realm without unduly impacting upon the function or quality of the open spaces. There is an opportunity to provide additional dedicated blue badge spaces on-street (Lots Road) within proximity to the development to eligible residents should there be a requirement to do so. The provision of the on-street space would be located within the RBKC. On this basis no objection is raised to the number of spaces provided. To ensure an efficient use of kerbside space, a demand led approach is proposed with on-street bays only being provided when demand for disabled parking bays from eligible persons exceeds the proposed provision. This approach would be secured through the Legal Agreement.
- 12.54 No car parking provision is proposed for the community centre. It is not envisaged this will generate any vehicular operational traffic beyond taxi and community minibus access and staff and visitors would be expected to utilise local public transport. A loading space proposed within the Community Square for ambulance, community minibus and taxi pick-up / drop-off associated with the extra care and community centre facilities. This has been assessed to show that a vehicle parked for drop-off purposes can be passed by other vehicles manoeuvring in the site. A site Car Parking Management Plan would be secured by condition, to manage the bus and taxi pick up / drop off associated with the extra care facility.
- 12.55 It is recommended that Electric Vehicle Charging Points (EVCPs) should be provided in accordance with London Plan policy, and as such, conditions (including a Grampian condition in respect of the parking spaces and EVCPs within RBKC) are recommended to secure an appropriate level of provision. In accordance with the Local Plan and London Plan all new residential homes must be secured as permit-free through the Legal Agreement. The Applicant has identified this within the Transport Assessment; and therefore, subject to an appropriate legal agreement being entered into, the development would comply with the Development Plan in respect of residential car parking standards.

Deliveries and Servicing

- 12.56 Currently, the existing commercial uses onsite require frequent collections and drop-offs throughout the day. The surveys demonstrate that the existing on-site facilities generated 91 vehicle-based deliveries per day taking place on Lots

Road. There is currently only yellow line enforcement without loading restrictions along the site frontage.

- 12.57 It is proposed that delivery and servicing will be undertaken either on-street on Lots Road in a reduced loading zone by the site boundary, or via the on-site routes, routing from the northern access, and exiting at the southern access point. It is proposed that due to the nature of the Proposed development compared to the existing use, the proportion of HGVs and other large vehicles will decrease.
- 12.58 A Delivery and Servicing Plan (DSP) has been submitted with the application it outlines the proposed delivery and servicing strategy for the site. Deliveries associated with the commercial units in Block A, extra care Block and Community Centre are proposed to be undertaken from the drop-off zone within the Site. The remaining delivery and servicing trips are expected to service the development via Lots Road.
- 12.59 The proposed development results in an overall decrease of 39 trips in delivery and servicing demand throughout the day and a slight increase during the peak hours from the existing operation of the Site. With six on-site parking spaces available for blue badge holders, it is assumed that each space generates two two-way trips per day, resulting in a total of 24 trips. No private cars other than the blue badge holders may access the site. Visitors to the residential units and community centre are expected to be dropped off via Lots Road. Taxi trips are expected to use Lots Road for driver efficiency. The exception is trips to the extra care units, where drivers may drop off residents within the development.
- 12.60 In an emergency, fire vehicles will access the site from a new junction at the northern end of the site and route along the western route to the rear of the site and exit onto a new junction at the southern end of the Site. In an emergency, there will be an area for ambulances to park within the footprint of the Site off Lots Road, accessible from a new junction at the north end of the site. This area will also function as a taxi pick-up / drop-off area for Extra Care and Community Centre Facilities only. Vehicle tracking of these vehicles including a fire tender has been provided.
- 12.61 At the southern end of the site, a new access point will be introduced near the southeast corner of Block E. The only purpose of this new vehicular access point is to safeguard the ability for a variety of vehicles to access the site, on an infrequent basis, to maintain the creek wall, in future.
- 12.62 By considering the methodology described above, it can be deduced that 191 vehicles are expected to be generated daily for the purposes of the proposed development. This is split between 25 daily vehicular trips anticipated to navigate the on-site routes and 142 vehicular trips being allocated to Lots Road instead. The Delivery and Servicing Plan (DSP) would be secured by a condition with the associated monitoring secured by a s106 obligation. Subject to the above, officers consider that the proposals would not have any undue impact upon the local highway network in LBHF.

Cycle Parking

- 12.63 **London Plan Policy T5** relates to cycling. This states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.
- 12.64 **Local Plan Policy T3** relates to cycle parking. This states that development must provide inclusive, accessible, secure cycle parking facilities and make provision for high quality ancillary facilities that promote cycle usage including changing rooms, showers, and lockers.
- 12.65 Along with RBKC the Council is committed to creating a borough-wide network of cycle routes to enable more people to cycle.
- 12.66 The cycle parking standards set in the London Plan 2021 are expressed as minima. Quality standards of cycle parking are set out in the London Cycling Design Standards (LDC). Additional bicycle hire docking stations or other shared micromobility facilities will be sought where appropriate.
- 12.67 Cyclists will be able to access the development via the ground floor direct from Lots Road. The development will provide 374 long-stay spaces, with 9 short-stay cycle parking spaces are proposed, including spaces to accommodate the extra-care units cycle parking in accordance with standards set out in the London Plan. The resident cycle stores are located on the ground floor of Blocks A, B, C and D, as well as in a basement below Block D. A lift is provided for access to the cycle store in the basement. The ground floor cycle store of Blocks A, B and C provides spaces for larger and non-standard bicycles, meeting the 5% policies for accessible spaces entirely at ground floor level.
- 12.68 The ground floor store of Blocks B (extra care homes) provides Sheffield stands. The extra care units require 1 space per 10 bedrooms for long stay use and 1 space per 40 bedrooms for short stay use.
- 12.69 The design of the bicycle parking will be in accordance with the London Plan, London Cycle Design Standards (LCDS) and relevant guidance from RBKC and LBHF. The proposed cycle parking will largely be consolidated within a localised area in the basement of Block D.
- 12.70 All cycle parking spaces for Block B and Block C are provided at ground floor level within dedicated stores specific to each block. In Block A, 10 spaces for larger, non-standard cycles are provided within the ground floor store. This provision meets the 5% requirement (equivalent to 9 spaces) for this block. Similarly, Block B includes 4 spaces for larger, non standard cycles at ground floor level, exceeding the 5% requirement (3 spaces) for that block. The additional 2 spaces are intended to accommodate any potential demand for larger, non standard cycles from Block E. However, as Block E does not include any M4(3) wheelchair accessible homes, such demand is not anticipated. A total of 10 Sheffield stands are also provided across the ground floor stores in Blocks A and D.
- 12.71 The remaining Sheffield stands and two-tier racks serving Blocks A, D, and E

are located in the basement-level store. Access to this store is via a centrally located, highly visible entrance from the community square, served by a lift that exceeds standard dimensions.

12.72 The proposal includes the provision of 22 short-stay cycle parking spaces provided in small clusters and integrated within the public realm landscaping. While short-stay cycle parking provision has been carefully considered, the design has prioritised the delivery of a high-quality public realm ahead of meeting the full long stay requirements of 64 spaces. A cycle parking management plan would be secured by condition, the plan would monitor short stay cycle parking demand and would include a strategy to deliver additional spaces if demand exceeds the on site provision.

12.73 Further details of the proposed cycle parking within the Site would be secured by planning condition. The provision of cycle parking located within RBKC that is necessary to serve the development within LBHF will be secured by way of Grampian condition.

Mitigation (TfL)

12.74 Transport for London (TfL) have outlined that the proposal will increase demand for cycle hire, and this increase will need to be mitigated, in line with London Plan Policies T2 and T4. A financial contribution of £110,000 has been sought by TfL towards capacity enhancements within the local area (to construct a new docking station or capacity improvements/servicing) pro rata'd for LBHF as £54,010.

12.75 LBHF considers that a financial contribution would not meet the legal tests required to secure the contribution as a financial contribution would not be required to make the development acceptable in planning terms, or be fairly and reasonably related in scale to the development (as part of the statutory requirements). As such, this has not been sought as part of the draft Heads of Terms set out within Section 7 of this report.

12.76 The GLA Stage 1 report outlines that relevant Infrastructure Protection conditions/obligations/approvals should also be secured for London Overground and Buses to ensure continued safe and efficient operation in line with London Plan Policies T4 and T7. It is unlikely that the development would have a material impact on the surrounding infrastructure, and therefore, no further mitigation is required for this.

Refuse Storage

12.77 Waste collection for all Blocks within LBHF will be on site. The waste collection vehicle will enter at the north end of the site and circulate around the designated vehicle route, pulling up close to the waste stores for Blocks A, B and C, which are expected to be within 20 metres of the vehicle circulation route. A bulk waste store serving the entirety of the development is proposed within the ground floor of Block D which will be collected as required. Dwell times within the Site are not expected to impact on the limited other traffic that will use the on-site routes.

12.78 It is currently not confirmed how collection of waste and recyclables will be

arranged, however it is likely that LBHF will undertake the waste collection from Block A, and RBKC the waste collection from Blocks B, C, D and E. The waste vehicles for both authorities have been assessed for access to the site. Overall, the proposed arrangements are considered appropriately located and would allow for comfortable collections. Full details will however be required to ensure that they are suitable in size to accommodate the level of refuse generated by the proposal. It would be preferable for residents to have access to the bin store from the internal lobby to provide more convenient storage areas and negate the need for residents to pass through external doors when depositing their waste. Accordingly, conditions are recommended to secure final details of refuse storage areas (including a Grampian condition to secure waste and recyclables storage and collection located within RBKC that is necessary to serve the development within LBHF) to ensure compliance with Local Plan Policies CC7 and HO11 and SPD Key Principles WM1, WM5, WM9 and WM10.

Travel Plans

- 12.79 An Outline Travel Plan is included as part of the submission, with several potential actions to help improve mode shift and sustainable transport. TfL note that the detailed Travel Plan will need to be amended to comply with TfL guidance rather than BREEAM and have a range of targets set out. TfL have also suggested the Applicant could also explore Santander Cycle Memberships for first occupiers of the residential buildings and as a measure for the workplace travel plan. The travel patterns of the occupiers will be influenced by the car-free nature of the development. The final Travel Plan should cover all occupiers, including staff connected to the extra care accommodation and commercial/community users as well as residents. It shall set out the objectives and measures to be incorporated in order to increase sustainable travel and maximise on-site facilities to promote and encourage cycling and walking. There are currently seven Zipcar car club spaces located in proximity of the Site, up to 1.1km (an approximate 4 – 15-minute walk) from the Site. The promotion of car club membership should be a measure promoted in the Travel plan for occasional car use and as an alternative to car ownership. The final Travel Plan should be secured by way of an appropriate condition and monitored and funded through an appropriate legal agreement.

Active Travel Zone (ATZ) Assessment

- 12.80 An Active Travel Zone (ATZ) Assessment was undertaken to assess the quality of the walking and cycling routes surrounding the site. It was undertaken in accordance with TfL's ATZ assessment guidance, with the ATZ comprising of the main walking and cycling routes between the Site and key location destinations, amenities, and facilities. The ATZ includes a daytime and nighttime assessment. The purpose of the ATZ assessment is to support and demonstrate how the local area meets the TfL's Healthy Streets indicators along the key routes likely to be used by future occupants. The ATZ comprises a 20-minute walking and 20-minute cycling isochrone taken from the centre of the Site. The assessment looked at 7 destination types: public transport stops and stations, cycle network, town centres, parks, schools/colleges, hospitals/doctors, and places of worship.
- 12.81 The ATZ audit was carried out on 13th June 2023 along the identified routes.

The purpose was to observe and evaluate the characteristics of the area surrounding the Site, as well as to assess walking and cycling conditions and identify potential opportunities for improvement. A further, more recent assessment of the Site was undertaken in June 2025 to determine whether any significant changes had occurred within the ATZ since the original assessment in 2023. Where notable changes were identified, the findings from the 2023 assessment have been reviewed and updated accordingly.

- 12.82 The ATZ audit suggests the cycle and pedestrian routes connecting the Site to local destinations are generally of good quality, with adequate supporting infrastructure. There are only a few locations where the condition of footways and cycling facilities is substandard. The Active Travel Zone (ATZ) audit includes recommendations to address these issues and identifies opportunities to enhance alignment with the Healthy Streets Indicators.
- 12.83 An updated ATZ report has been provided. The updated documents satisfy the requirements of policy T1 of the London Plan and supports the mode shift towards active travel and public transport. A Stage 1 Road Safety Audit would be secured by way of the proposed Legal Agreement. It is anticipated that construction of the new junctions into the Site would be undertaken by the applicant, and therefore, a Road Safety Audit before these works are carried out is considered appropriate. The mitigation will be secured through any final highway works secured as part of the Legal Agreement.

Construction Logistics Plan

- 12.84 London Plan Policy T7 and Local Plan Policy T7 seek that all developments prepare a Construction Management Plan to manage the construction impacts and ensure the smooth operation of the highway network.
- 12.85 This application is supported by a framework Construction Logistics Plan (CLP). At this stage the information is very limited, and this does not provide sufficient details on how the demolition and construction methodology will be maintaining most of the vehicular activity within the site boundary. As such, conditions are recommended (prior to any development) for the final details of the management of construction traffic for both the demolition and construction phases. The final documents secured by condition will be required to provide a greater level of detail covering construction processes, details regarding environmental and amenity impacts and associated mitigation measures, site logistics plan, traffic management vehicle routing, health and safety and advance community liaison meetings set up to inform the approach to the build-out of the site, including key stakeholders. These elements should set out how the approach to construction will minimise the likelihood of congestion during the construction phase, how strict monitoring and control of vehicles entering and exiting the site will be undertaken. The document will be required to be fully aligned with the TfL CLP guidance, ensuring the contractor is a member of CLOCS and vehicles accessing the site are FORS Silver or above and Direct Vision Standards for Star rating 4 or above are embedded into the approach. The vehicle routing to and from the site will also be expected to have had a Risk Assessment undertaken, as per Section 5.1 of the CLOCS standard. The final document will be expected to include the proposed vehicle routes to the site,

agreed with LBHF. The documents will need to be fully finalised and developed to comply with the TfL Construction Logistics Plan (CLP) guidance, which seeks to minimise the impact of construction traffic on unsuitable roads and restrict construction trips to off-peak hours only. The final documents covering both demolition and construction would be secured by condition, with a monitoring fee per annum, covering the full duration of the works secured as an obligation. Subject to the additional conditions, the proposal would accord with Local Plan Policy T7.

- 12.86 The stage 1 report issued by the GLA (Appendix 2) outlines that a Delivery and Servicing Plan and Construction Logistics Plan (outline) should be secured. These are recommended condition 22 and has been further considered as part of the Transport assessment set out in the earlier section of this report.
- 12.87 It is important that the future DLP and CLP are developed with the local community (cross borough liaison), and the Applicant should seek to engage with residents/businesses to outline how the construction (including the demolition works) would continue to maintain an acceptable relationship with nearby residential/business properties; and how their living/operational conditions will be safeguarded. The engagement with residents and the wider community would be secured by appropriate wording to Conditions and Informatives relating to the DTMP and CTMP.

Riverside Access

- 12.88 **Local Plan Policies RTC1 (River Thames) and RTC2 (Access to the Thames Riverside and Foreshore)** require that new development adjacent to the River Thames or Creek deliver improved access and connection to the water for walking, cycling and recreation alongside it. All waterside developments are required to respect flood defences and enhance these where necessary. **Policy RTC2** identifies that riverwalks should generally be at least 6 metres wide. **Local Plan Policy RTC3** requires development to respect the riverside including the foreshore, be of a high standard of accessible and inclusive design and maintain and enhance the quality of the built, natural and historic environment.
- 12.89 The proposal includes clear and unobstructed access to the Chelsea Creek in the south of the site which is welcomed. The requirement for this route to be fully publicly accessible at all times is necessary to secure policy compliance, and would be secured through the legal agreement.

Conclusion on transport

- 12.90 In summary, the proposal would have limited impact on the surrounding highways and the cycle and pedestrian network in LBHF, and these can be satisfactorily managed by way of appropriate conditions and requirements within the legal agreement. Conditions are recommended to secure further details as described below and to minimise any potential impact to the surrounding highway.
- 12.91 Subject to the conditions and obligations to address the concerns raised and respond to mitigation measures, officers consider that the proposed

development is broadly acceptable and in accordance with London Plan policies T6, T6.1, T6.4 and T6.5 and Local Plan Policies T3, T4, T5, T7 and CC7.

13.0 ENVIRONMENT AND CLIMATE CHANGE CONSIDERATIONS

13.1 The assessment of environmental and climate change impacts has been undertaken on a comprehensive basis by considering the proposed development as a whole. This reflects the integrated nature of the scheme, where operational impacts – including energy demand, carbon emissions, and wider sustainability measures – cannot reasonably be disaggregated between the portion of the Site within LBHF and that within RBKC. Where possible, the LBHF portion of the Site has been specifically identified, and compliance with the borough specific requirements have been outlined – for example, in relation to the Urban Greening Factor. This ensures that the assessment captures both the collective operational impacts of the scheme and the detailed requirements expected within the policies within the Development Plan.

Energy

13.2 **Section 14 of the NPPF** requires development to be planned in ways that reduce greenhouse gas emissions, while both local and national policy requires development to be net Zero-Carbon.

13.3 An assessment of the proposed development has been carried out against the relevant Policies of the LBHF Local Plan, alongside the strategic requirements of the London Plan.

Energy and Heat Risk

13.4 **London Plan Policy SI2 (A)** requires all major development to be net-zero carbon. This means reducing greenhouse gas emissions in operation and minimising annual and peak energy demand in accordance with the energy hierarchy:

- (1) **Be Lean:** use less energy and manage demand during operation
- (2) **Be Clean:** supply energy efficiently and cleanly
- (3) **Be Green:** maximise opportunities for renewable energy
- (4) **Be Seen:** Monitor, verify and report on energy performance.

13.5 **London Plan Policy SI2 (C)** requires a minimum on-site carbon dioxide emissions reduction of at least 35 percent beyond Part L Target Emission Rate of the 2021 Building Regulations for major development. Non-residential development should achieve 15% and residential development should achieve 10% carbon emissions through energy efficiency measures.

13.6 Only when it is clearly demonstrated that on-site carbon reductions have been maximised and the zero-carbon target cannot be fully achieved on site, then a contribution to a carbon offset fund or reductions provided off-site can be considered.

13.7 **London Plan Policy SI2 (E)** requires major developments to calculate and

minimise carbon emission from any other part of the development, including plant or equipment, that are not covered by the Building Regulations i.e. unregulated emissions.

- 13.8 **London Plan Policy SI3** requires major development proposals within Heat Network Priority Areas (HNPA) (applicable to the Site as LBHF as a whole is within the HNPA) to have a communal low-temperature heating hierarchy.
- 13.9 **London Plan Policy SI4** requires proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. Major developments should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy:
1. Reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure.
 2. Minimise internal heat generation through energy efficient design.
 3. Manage the heat within the building through exposed internal thermal mass and high ceilings.
 4. Provide passive ventilation.
 5. Provide mechanical ventilation.
 6. Provide active cooling systems.
- 13.10 **Local Plan Policy CC1** requires all major developments to be accompanied by an Energy Strategy, demonstrating how developments have optimised building design to reduce energy demand and carbon dioxide emissions.
- 13.11 The Applicant has submitted an Energy Statement (updated during the course of the application) which sets out how the reduction of carbon emissions will be achieved on site utilising the framework of the London Plan energy hierarchy. The updated energy statement provides the residential and non-residential carbon dioxide savings from each stage of the energy hierarchy, and demonstrates that, through the implantation of passive design measures (Be Lean) and the integration of low and zero carbon (ZLC) technologies, including air source heat pumps (ASHP) and photovoltaic (PV) panels (Be Green), the development would achieve 81% residential reductions and 36% non-residential reductions in regulated carbon emissions beyond part L 2021 baseline. This is a combined reduction of 79% beyond Part L.
- 13.12 For the 'Be Seen' element of the energy hierarchy, the applicant has committed to monitoring and reporting on energy performance through a comprehensive strategy. This would be secured in the recommended terms of the Legal Agreement.
- 13.13 The Applicant has provided EUI and space heating demand modelling for the domestic and non-domestic parts of the scheme. This is set out against the advisory targets in the GLA Energy Assessment Guidance 2022.

- 13.14 The Energy Strategy sets out the details of the passive design and energy efficiency measures such as improved insulation levels which are calculated to reduce CO2 emissions by 14% for the residential units and 21% for the non-residential elements of the scheme, meeting the London Plan minimum targets of 10% and 15% respectively.
- 13.15 **London Plan Policy SI2** sets out that where it is demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided through a cash in lieu contribution or off-site. It is acknowledged that the shortfall must be addressed in line with London Plan Policy SI2 (E) and Local Policy CC1. Given the scale of the shortfall, off-site provision is not feasible or desirable given the urban context and the complexities of the site. As such, the shortfall should be met through a cash in lieu contribution to the Council's carbon offset fund. This will be calculated and contributions sought within the Legal Agreement.
- 13.16 The London Plan supports boroughs developing a local price for offsetting carbon, and where a local tariff is not in place using the price of £95/tonne for carbon offset payments. RBKC use the London Plan amount for their offset calculations, but LBHF has developed a local carbon pricing mechanism following completion of a Carbon Pricing Viability Assessment in 2024.
- 13.17 A report was approved by the LBHF Cabinet on 1 April 2025 allowing the publication of a carbon offset cost guidance note. The guidance note establishes a new "sliding scale" approach to calculating carbon offset payments for major new developments based on the local carbon pricing mechanism set out in the guidelines, rather than the current GLA cost of £95/tonne. Developments are still required to maximise carbon savings through on-site measures before resorting to use of the offset payment. The "sliding scale" approach is intended to encourage this approach and incentivise developers to include more on-site carbon reduction measures.
- 13.18 The Energy Strategy submitted in support of the application confirms that the proposed development would need to off-set just under 55 tonnes of CO2 (site wide) a year.
- 13.19 The site wide offset requirement will be required to be split appropriately across the two boroughs. It has been agreed between the boroughs that this will be done on the basis of floorspace delivered within each authority, given that the energy generated is linked to the envelopes and use of the buildings. The LBHF offset contribution has been calculated to be £235,223, which shall be secured within the Legal Agreement, subject to review post-completion to ensure no gap between the carbon offset and achieved carbon reductions.
- 13.20 Subject to securing the contribution, the application would comply with Policy SI2 of the London Plan with Policy CC1 of the Local Plan.

Energy Supply

- 13.21 **London Plan Policy SI3** requires major development proposals within Heat

Network Priority Areas (HNPA) (applicable to the Site as LBHF as a whole is within the HNPA) to have a communal low-temperature heating hierarchy. The scheme's primary source of heating and hot water will be Air Source Heat Pumps supplemented by on-site electricity generation from roof mounted PV panels (1200sqm across the site).

- 13.22 As part of the further clarifications provided by the Applicant, the updated Energy Strategy suggests that there are no viable district heat networks near the Site. Correspondence has been provided regarding connection to the World's End heat network located in RBKC, and RBKC officers have confirmed that the World's End heat network did not go any further than a feasibility study at this stage. However, the proposal scheme will provide a future flow and return connection within the plant area should it become viable to connect to a district heating network in the future, and this shall be secured by way of the legal agreement.

Overheating

- 13.23 **London Plan Policy SI 4** requires that development reduces potential overheating risk and thus reliance on air conditioning systems. **Local Plan Policy CC2** requires developments to meet high levels of performance, be comfortable and secure for users and to be adaptable to the potential impacts of climate change. The London Plan 2021 provides a 'cooling hierarchy', which sets out to minimise heat gains, reduce heat entering buildings in summer, and manage heat gains.

- 13.24 The initial development design has been revised to increase the benefits of passive design measures such as improved glazing and external shading to demonstrate reduced overheating risks, decreasing cooling demands. All rooms pass the overheating risk assessment.

Whole Life-Cycle Carbon

- 13.25 **Policy SI2 (part F) of the London Plan** also requires calculations of Whole Life-cycle Carbon (WLC) emissions. **London Plan Policy GG6** seeks to improve energy efficiency and support the move towards a low carbon circular economy. **Policy SI 7** on Reducing Waste and Supporting the Circular Economy further sets out that resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by promoting a more circular economy, to improve resource efficiency and innovation, keeping products and materials at their highest use for as long as possible.

- 13.26 The whole life-cycle carbon approach also covers carbon emissions resulting from the operational energy use of a building, including unregulated operational emissions. Unregulated emissions are not covered by Building Regulations and are largely produced by the energy use of plug-in appliances. Although developers have limited scope to influence these emissions, major development should target LETI Energy in Use consumption targets within the whole life-cycle carbon assessment and demonstrate improvement measures for unregulated emissions, quantifying the energy use associated with landlord areas and external features, such as lighting.

- 13.27 This application is supported by a Whole Life-cycle Carbon Assessment. As part of the review and in response to the comments raised by the GLA in the Stage 1 referral, additional information has been provided by the Applicant to address the shortfalls identified in relation to Whole Life-Cycle Carbon.
- 13.28 Following the additional information submitted to the LPA's and the GLA, the GLA have provided an updated review and response, confirming that the Applicant has provided all information required at a detailed planning application stage, in line with the GLA WLC Assessment guidance document. The GLA have confirmed that there are no further comments and no further actions required by the applicant at this planning stage. A condition is recommended to require the Applicant to submit a post-construction assessment to report on the development of actual WLC emissions.
- 13.29 Officers are satisfied that the proposed development has taken actions to reduce whole life-cycle carbon emissions and therefore complies with Policy SI2 of the London Plan.

Circular Economy

- 13.30 **London Plan Policy D3** requires development proposals to integrate circular economy principles as part of the design process. **London Plan Policy SI7** seeks to reduce waste and increase material reuse and recycling and promotes a circular economy. The policy also sets several waste targets including a strategic target of zero biodegradable waste or recyclable waste to landfill by 2026.
- 13.31 **London Plan Policy SI7** does not prohibit demolition but requires priority consideration to retaining materials in use at their highest value for as long as possible and are then re-used or recycled, leaving a minimum of residual waste.
- 13.32 **Local Plan Policy CC1** requires aims for all major developments to implement energy conservation measures.
- 13.33 The applicant has provided a Circular Economy Statement, in line with the adopted London Plan Guidance: Economy Statements (March 2022), including the completed Circular Economy template and accompanying written report.
- 13.34 As part of the Stage 1 review by the GLA, further details were requested which have been provided.
- 13.35 The Applicant has confirmed that a pre-demolition audit has been prepared, but that further work is to be undertaken by the demolition contractor, and the GLA has provided updated comments to confirm that this will be required to be secured by way of condition.
- 13.36 The Applicant has provided a commitment on targets for demolition waste, excavation waste, construction waste, municipal waste and reused/recycled content in line with the London Plan Policy SI7.

13.37 Conditions are recommended to ensure a Post-Construction Report is submitted to the Council, which should include a pre-demolition audit. Overall, Officers are satisfied that the scheme has followed the circular economy principles, and the submitted circular economy statement meets the general requirements of the London Plan. The Applicant has also provided further clarification within the Application to confirm matters raised. As such, the development would comply with Policy CC1 of the Local Plan and Policy SI7 and D3 of the London Plan.

Sustainability standards including BREEAM

13.38 **London Plan Policy SI5 Part C** part 3 requires development proposals to achieve at least the Building Research Establishment Environmental Assessment Method (BREEAM) 'excellent' standard for the 'Wat 1' water category (or equivalent for commercial developments). Local Plan Policy CC2 requires the implementation of sustainable and construction measures in all major developments, requiring submission of Sustainability Statements, which can include BREEAM assessments. BREEAM targets are applied to non-residential development, to help achieve an 'excellent' standard including, but not limited to, smart metering, water saving, and recycling measures in new development.

13.39 The application submission is supported by BREEAM Pre-Assessments. These assessments confirm that the commercial elements of the application would target a BREEAM 'Excellent' rating which would comply with the Local Plan and London Plan 2021 requirements. A condition would secure BREEAM certification requiring achievement of the 'excellent' standard. In addition, there are separate assessments on sustainability related measures covering the whole site such as the Energy Strategy, Overheating Assessment, Circular Economy, Whole Life-cycle Carbon, Flood Risk and Drainage, Urban Greening and Biodiversity Net Gain and others which demonstrate integration of sustainable design and construction measures.

13.40 Notwithstanding the above, a condition requiring the sustainability measures identified within the Sustainability Statement submitted in support of the application to be implemented in full in order to ensure the highest possible standards of sustainability in the development is also recommended.

Green Infrastructure

13.41 **Policy OS5 of the Local Plan** requires development to contribute to the overall greening of the borough and to maximise opportunities for green infrastructure, ensuring it is fit for purpose and high quality. **Policy OS2** requires the provision of accessible and inclusive open space in major developments.

13.42 **The London Plan 2021 Policy G1** requires that development proposals incorporate appropriate elements of green infrastructure. **Policy G4 of the London Plan 2021** requires, where possible, the creation of publicly accessible open space.

13.43 Green infrastructure can be found in many forms. The NPPF definition of green infrastructure also includes blue spaces such as rivers, ponds, canals etc.

Urban greening measures will help improve green cover in the borough and will provide multiple benefits, including reducing pollution, improving air quality and providing benefits to mental and physical health.

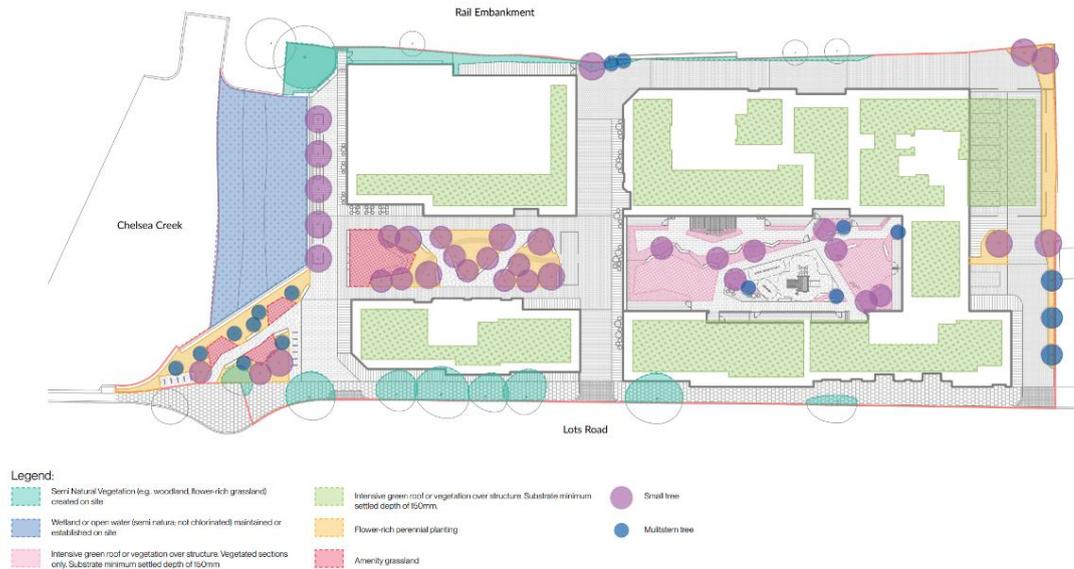
Urban Greening Factor (UGF)

13.44 The Urban Greening Factor (UGF) was introduced by **Policy G5 (Urban Greening) of the London Plan** and allows the quality of the green infrastructure in a development to be assessed/quantified. The Council uses the GLA's recommended target score for major developments, these are: - A score of 0.4 for developments that are predominately residential; and - A score of 0.3 for developments which are predominately commercial. For mixed developments (such as this), the target will be that of the predominant land use.

13.45 UGF is a tool which is designed to ensure that greater priority is given to the integration of urban greening within new development in London. UGF is a measure by which an evaluation of quality and quantity of 'greening' i.e. soft landscaping proposed within new development sites is understood. In calculating this score all areas of proposed external planting are measured and given a score ('calculation'), dependent on the category of defined 'surface type'. The total 'contribution' score is then divided by the Site area to provide the UGF figure, which for this application Site should be 0.4 or above.

Urban Greening Factor Calculator				
Surface Cover Type	Factor	Area (m ²)	Contribution	Notes
Semi-natural vegetation (e.g. trees, woodland, species-rich grassland) maintained or established on site.	1	397	397	254m ² Existing tree canopy 57m ² existing retained scrub 86m ² Proposed native woodland
Wetland or open water (semi-natural; not chlorinated) maintained or established on site.	1	462	462	Note: This is a larger area than the additional area added for the creek due to the move of the creek wall further into the site
Intensive green roof or vegetation over structure. Substrate minimum settled depth of 150mm.	0.8	1924	1539.2	273m ² podium (all planting on podium including 120m ² lawn) 1651m ² Biodiverse roof - Roof level.
Standard trees planted in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree.	0.8	0	0	
Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket) – meets the requirements of GRO Code 2014.	0.7	0	0	
Flower-rich perennial planting.	0.7	415	290.5	All ground floor planting excluding pots
Rain gardens and other vegetated sustainable drainage elements.	0.7	0	0	
Hedges (line of mature shrubs one or two shrubs wide).	0.6	0	0	
Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree.	0.6	452.7	271.62	
Green wall –modular system or climbers rooted in soil.	0.6	0	0	
Groundcover planting.	0.5	0	0	
Amenity grassland (species-poor, regularly mown lawn).	0.4	99	39.6	
Extensive green roof of sedum mat or other lightweight systems that do not meet GRO Code 2014.	0.3	0	0	
Water features (chlorinated) or unplanted detention basins.	0.2	0	0	
Permeable paving.	0.1	271	27.1	
Sealed surfaces (e.g. concrete, asphalt, waterproofing, stone).	0	0	0	
Total contribution			3027.02	
Urban Greening Factor				0.40587557

13.46 The predominant land use in this instance is residential, and therefore, a target score of 0.4 is required. The scheme achieves an UGF score of 0.4 across the site and seeks to maximise soft landscaping where feasible including through the provision of biodiverse living roofs to all buildings, and therefore, meets the requirements of Policy G5 of the London Plan 2021.



13.47 Conditions are proposed requiring the submission, implementation and ongoing maintenance of landscaping including living roofs within LBHF alongside a corresponding Grampian condition requiring delivery of the landscaping within RBKC.

Play Space

13.48 **Policy S4 of the London Plan** sets out that for schemes that are likely to be used by children and young people development proposals should increase opportunities for play and informal play recreation and enable children and young people to be independently mobile. Residential developments should incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child that:

- a) provides a stimulating environment
- b) can be accessed safely from the street by children and young people independently
- c) forms an integral part of the surrounding neighbourhood
- d) incorporates trees and/or other forms of greenery
- e) is overlooked to enable passive surveillance
- f) is not segregated by tenure

13.49 **Policy OS3 of the Local Plan** also requires major developments that include residential floorspace to provide on-site external play space.

13.50 Based on the GLA's yield calculator for play space provided, the site-wide development will have 88.1 children, which results in a play requirement of 798.8sqm for the scheme. This is then broken down into targeted age groups (including ages 0-4, 5-11, 12-15, and ages 16- 17). The total proposed play space for the scheme is estimated to be 289sqm, which aims to provide play space for children aged 0-4 years.

13.51 The play space is concentrated in the first-floor communal residential garden, and the features have been integrated within soft planting and seating zones.

There are also some additional incidental play opportunities within the publicly accessible ground floor central garden. The proposed development would still deliver a shortfall of 509.8sqm of play space.

- 13.52 The GLA Stage I report outlines this under provision. It suggests that the LPAs should consider incorporating space required for Under 5's on-site for doorstep play. The Applicant has provided some further justification on the under provision of the play space, and the opportunity to provide on-site doorstep play. The Applicant has confirmed that the public realm provides a space usable for all ages, while still offering opportunities for children to explore and engage in informal play. It adds the proposed space will include playful, exploratory elements, such as stepping stones through the raingardens and lawn areas, that children can adapt and interpret as they wish, rather than fixed 0–5-year focused play equipment.
- 13.53 It is noted that all of the proposed play space is provided within RBKC (shown in pink on the plan above), however it will be accessible to all occupiers of the development, regardless of tenure. This on site, out of borough delivery will be secured by way of Grampian condition. Officers accept that the full requirements for play space cannot be achieved on the Site without undermining the viability of the scheme due to site constraints and the size of the open space proposed. As such, a financial contribution towards the improvement and maintenance of local open spaces that provide child play space within LBHF is been agreed.
- 13.54 Subject to these requirements, the proposal is considered, on balance, to satisfactorily comply with Policy OS3 of the Local Plan and Policy S4 of the London Plan 2021.

Trees

- 13.55 **London Plan 2021 Policy G7 Part C** identifies that development proposals should ensure existing trees of value are retained, although the policy notes that if planning permission is granted which necessitates the removal of trees there should be adequate replacement. Local Plan Policy OS5 stipulates that the Council will seek the retention of existing trees and provision of new trees where feasible and resist the loss of protected trees.
- 13.56 The application is supported by an Arboricultural Impact Assessment incorporating tree survey and tree protection plan which shows the trees/scrub to be removed to facilitate the redevelopment. All trees within LBHF are to be retained, and a condition is proposed to require the necessary protection of these specimens. In the event that the best quality tree is lost during the process of construction, a CAVAT payment will be made to mitigate the amenity and biodiversity impact of its loss, which has been secured by way of the legal agreement.
- 13.57 All trees to be removed are within RBKC and have been classified as 3 category C trees (low quality and value) and 3 category U trees (unsuitable for retention). All but one tree along Lots Road itself will be retained.

- 13.58 A comprehensive planting strategy is proposed across the wider site, which proposes the provision of over 40 new trees (alongside other soft landscaping). A condition is recommended to provide further details on soft and hard landscaping which should include:
- New tree sizes
 - Planting methodology including details of tree pit dimensions, stabilizing methods, formative pruning
 - aftercare including irrigation plans/watering schedules, removal of stakes
- 13.59 As set out above, there may be a circumstance where emergency access is required to the proposed flood defences associated with Chelsea Creek and that some of the trees along Lots Road will need to be removed to allow for access. Consequently, a mechanism within the Legal Agreement is proposed to ensure that any tree which is removed is replaced with a suitable tree within a certain timeframe. This will ensure that any trees which are removed for the purposes of providing emergency access to the creek wall are replaced/re-provided, and to an equivalent standard in terms of amenity and biodiversity.
- 13.60 Subject to these conditions and terms within the Legal Agreement, the development would comply with Policy OS5 of the Local Plan.

Biodiversity

- 13.61 **Paragraph 193 of the NPPF** requires planning decisions to minimise impacts on and provide net gains for biodiversity when taking planning decisions. In addition, in England, under Section 40 of the Natural Environment and Rural Communities Act 2006, all public bodies are required to have regard to biodiversity conservation when carrying out their functions.
- 13.62 **London Plan 2021 Policy G6** states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively, and that development proposals should aim to secure Biodiversity Net Gain (BNG).
- 13.63 **Local Plan Policy OS4** requires development to take opportunities to enhance and attract natural habitats. The justification for this policy requires that development proposals protect natural habitats in, and adjacent to, the borough's Sites of Importance for Nature Conservation (SINCs) or by the River Thames.
- 13.64 The Site is partially within the River Thames and Tidal Tributaries Site of Importance for Nature Conservation (SINC), identified as being of Metropolitan Importance. In accordance with policy, it should be set out how any direct or indirect impacts on SINC will be avoided as well as any mitigation required to minimise development impacts. In addition, the West London (Mildmay) Line is designated in the Local Plan as a green corridor to which Local Plan policy OS1 applies.

13.65 As outlined in the GLA Stage 1 report, further details of the biodiversity impacts of the proposal (and in particular, those on the SINC) should be provided prior to Stage II to demonstrate full compliance with Policy G6 of the London Plan. The Applicant has provided a 'Biodiversity Response' and an updated Preliminary Ecological Appraisal to address the comments raised by the GLA. The Applicant provided additional information setting out how they will avoid direct or indirect impacts on the SINC, and how these will be expanded upon within a CEMP. The proposed development now meets the requirements of Policy G6 of the London Plan. Conditions are recommended to secure a CEMP and an updated Preliminary Ecological Appraisal to cover the full extent of the Creek.

Biodiversity Net Gain (BNG)

13.66 The application is supported by a BNG report and the Statutory Biodiversity Metric matrix. The Applicant has also provided updated details following the Stage 1 response by the GLA to further justify the reasoning for a lack of on-site biodiversity gain for the watercourse units.

13.67 The proposed habitat creation includes modified grassland, mixed scrub, green roof, reedbed, hardstanding and planting of 48 individual trees. The development would retain 10 existing trees across the Site, of which 5 (including 2 category B specimens) would be located within LBHF. The habitat values are split into tree categories: area-based 'Habitat Units' (HU), linear-based 'Hedgerow Units' (HeU) and aquatic linear-based 'Watercourse Units' (WU). Baseline assessments are undertaken on these values, and the development should provide a net gain of 10% above the baseline.

13.68 The baseline values for the Site have been calculated as 1.09 for HU and 0.12 for WU. The 10% BNG targets are therefore 1.20 for HU and 0.13 for WU, ideally fully on-site.

13.69 The post-development design proposals are predicted to deliver 2.69 hedgerow habitat which is a net gain of 1.60 (equivalent to +145.99%). This exceeds the 10% target.

13.70 In terms of the watercourse, the proposed development does not include any works to the watercourse itself, although habitat creation and enhancement are proposed on the bank face of the Chelsea Creek and within 10m of the bank top within the southern extent of the Site in association with the works to the creek wall. However, these measures have not resulted in an overall change to the assigned condition of the watercourse, or the extent of riparian and watercourse encroachment recorded (i.e. the watercourse currently remains unchanged).

13.71 Achieving a 10% BNG for the watercourse habitat on-site would require additional enhancement measures to deliver a further 0.012. As set out within the BNG report, one option would be to improve the watercourse condition from 'Poor' to 'Fairly Poor', which would provide the necessary uplift. However, this would involve significant works to the bank face and channel along the entire 250m surveyed length of the Chelsea Creek, which lies outside of the Site

boundary. Alternatively, replacing all hardstanding within the 10m riparian zone on-Site with 100% vegetation would sufficiently reduce riparian encroachment to achieve 10% BNG. However, this would conflict with the areas designated for a proposed building and hardstanding needed for access.

- 13.72 In line with this, the Applicant suggested off-site compensation to provide an additional 0.012 WU. In line with national guidance, if developers cannot achieve all their BNG on-site, they can deliver through a mixture of on-site and off-site BNG. Developers can either make off-site biodiversity gains on their own land, outside the development site or buy off-site biodiversity units on the market. In addition to this, if developers cannot achieve on-site or off-site BNG, they must buy statutory biodiversity credits from the government. This should be a last resort. The government will use the revenue to invest in habitat creation in England. Any off-site provision must follow the steps in the biodiversity gain hierarchy.
- 13.73 The provision of off-site BNG will be secured within the Legal Agreement, as will the overall Habitat Management and Monitoring Plan and a contribution towards monitoring BNG. Alongside this, conditions are proposed to require the submission and implementation of details of the Biodiversity Net Gain Plan and landscaping conditions which include details of ecological enhancements to be incorporated into the wider landscaping on the site.
- 13.74 As such, subject to the provision of the Legal Agreement and the recommended conditions in relation to BNG, the proposal would comply with Policy G6 of the London Plan.

Conclusion on Green Infrastructure

- 13.75 Overall, the development delivers a comprehensive green infrastructure strategy that accords with the requirements of the Local Plan and the London Plan. The proposal achieves the required Urban Greening Factor target across the Site, incorporates high-quality soft landscaping and tree planting, and provides a new publicly accessible open space consistent with the Development Plan. Although the scheme cannot meet the full on-site play space requirement due to site constraints, the shortfall will be appropriately mitigated through a financial contribution to LBHF towards improvements to nearby facilities, ensuring compliance with Policy S4 of the London Plan.
- 13.76 Trees of value will be retained within the site and protected by way of condition and legal agreement, and the onsite biodiversity will be enhanced through significant planting and landscaping measures, ensuring alignment with Local Plan Policy OS5 and London Plan Policy G7. The scheme has appropriately assessed biodiversity impacts, provides substantial onsite biodiversity gains on site, and will secure the required off-site compensation to meet the 10% Biodiversity Net Gain requirement for watercourse habitats, in accordance with Policy G6 of the London Plan.
- 13.77 Subject to the recommended conditions and planning obligations, the Proposed development is considered to comply with the relevant policies of the Local Plan and the London Plan 2021, and the NPPF.

Flood Risk, Sustainable Drainage and Water Efficiency

- 13.78 **Paragraph 170 of the NPPF** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for the lifetime without increasing flood risk elsewhere.
- 13.79 **Paragraph 181 of the NPPF** requires applications in the Environment Agency's Flood Zone 3 such as this one to be supported by a site-specific flood-risk assessment which will need to demonstrate that a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Flood Risk

- 13.80 **London Plan 2021 Policy SI 12 Part C** states that: "Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of the watercourses". **Part G of Policy SI 12** states that: "Natural flood management methods should be employed in development proposals due to their multiple benefits including increasing flood storage and creating recreational areas and habitat"
- 13.81 Local Plan 2018 Policy CC3 states that development must address and reduce flood risk and its impacts. The policy requires site-specific Flood Risk Assessments for all development in Flood Zone 2 and 3 and developments over 1 hectare in size in Flood Zone 1.
- 13.82 The Site lies partially in Flood Zones 1, 2 and 3 associated with a risk of flooding from the tidal River Thames. As required, the application is supported by a Flood Risk Assessment (FRA) which has assessed the risk of flooding to the Site from all sources and has also considered the impact of the development on the risk of flooding elsewhere.
- 13.83 The site benefits from flood defences, including the Thames Barrier and other local flood walls and structures which currently provide a high level of flood protection from tidal flood risks. The main conclusions of the FRA are that the risk of flooding to the Site from the River Thames, both now and in the future is low and that the Site is not at risk of a breach of the flood defences which will be raised as part of the development proposals.
- 13.84 The proposed development includes the reconstruction of much of the existing river wall and riverbank along the southern Site boundary. The new flood defence level requirements in the Thames Estuary 2100 (TE2100) Plan would

be provided. As such, there would be no need to raise the defences in the future, based on the current modelled levels. An environmental permit will be required from the Environment Agency for this modified flood defence; however, this sits separately to the considerations against the Development Plan policies.

- 13.85 The proposed buildings would have a minimum finished floor level of 6.13m AOD, which would provide at least 300mm freeboard above peak flood water levels in the TE2100 Plan.
- 13.86 Floodplain storage has been considered as part of the FRA. As a result of the reconstruction of the eastern river wall, there will be a net gain in floodplain storage within the tidal Chelsea Creek. This is considered acceptable and in line with policies CC3 and RTC1 of the Local Plan.
- 13.87 The Environment Agency recommend that new developments adjacent to the River Thames (including Chelsea Creek) should be set back by 16m from the Thames flood defence unless there are circumstances that can demonstrate acceptability of a smaller setback distance to enable the sustainable and cost-effective upgrade of flood defences in line with the requirements of the Thames Estuary 2100 plan. This is also highlighted in Local Plan justification text for the River Thames related Policy RTC3.
- 13.88 It is noted that the proposed buildings on part of the site would not be set back by the recommended 16m distance to the flood defences. Specifically, Block A (which is located predominantly within LBHF) would be set back 6.3m from the Thames flood defence. However, as the flood defence will be constructed at the peak TE2100 levels, there will be no need to increase the height of the flood defences in this location at a later date, or within the lifetime of the development.
- 13.89 The Environment Agency (EA), as a statutory consultee, have raised concerns about the proximity to the flood defences and initially raised an objection to the development. Whilst some of the original concerns have been overcome from the initial comments by the EA, they have stated that they are still not content with the proximity of the proposed development to the flood defences, noting that the proposal involves work within 16m of a flood defence, which is not in line with their general operational requirements.
- 13.90 In addition to this, the EA consider that access to the flood defence is restricted due to presence of trees and street furniture in the area between Block A and the flood defence, although the Applicant has submitted additional information to show that these can be removed should maintenance activities be required (as recommended to be secured as part of the Legal Agreement).
- 13.91 The comments from the EA also outline that following the upgrades on site, there will be small sections of the flood defence structure to the east and west that will be retained in its current form. It is noted that there has been no information or details provided on the retained historic walls outside the application Site (and if they can be raised); however, this is not considered to fall within the remits of the planning application or be required to make the

development acceptable.

13.92 The EA have requested 5 conditions requiring the submission (and implementation, where appropriate) of the following matters in the interests of overcoming the concerns raised about ongoing maintenance and access in particular:

1. Detailed flood wall design of replaced flood defence;
2. Detailed surveys of the retained flood defence structures;
3. Long term maintenance and monitoring plan;
4. As-built flood defence drawings; and
5. Landscape.

13.93 These conditions have been reviewed and are considered to comply with the six tests for conditions as set out in the NPPF, and in particular to be necessary in order to protect the ongoing integrity of the proposed flood defence and prevent increased risk from flood going forward.

13.94 The GLA has set out some concerns that the FRA has not adequately assessed the risk of ground water flooding. Ground water flood risk is considered in Section 4.2 of the submitted Flood Risk Assessment and Drainage Strategy. The assessment considered the available information in the Council's Strategic Flood Risk Assessment and Surface Water Management Plan. The assessment also considered the ground investigation that is available and concluded that "the risk of groundwater flooding at the Site is considered to be "low". As such, officers are satisfied that the groundwater flooding has been appropriately addressed. To further safeguard this, a condition is recommended relating to Groundwater Monitoring (as previously recommended and applied for the Chelsea Creek Wall planning application).

Sustainable Drainage

13.95 Paragraph 182 of the National Planning Policy Framework 2024 states that: "Applications which could affect drainage on or around the Site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the Lead Local Flood Authority
- b) have appropriate proposed minimum operational standards and
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development".

13.96 Policy CC4 of the Local Plan 2018 states that "*All proposals for new development must manage surface water run-off as close to its source as possible and on the surface where practicable, in line with the London Plan drainage hierarchy. All major developments are required to provide a sustainable drainage strategy that demonstrates how SuDS will be integrated*

to reduce peak flow volumes and rates in line with the requirements of the policy which is to achieve greenfield run off rates for storms up to the 1 in 100 year event (plus climate change allowance)”.

13.97 **Policy SI13 of the London Plan** states that there should be a preference for green over grey features in line with the following drainage hierarchy:

- 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
- 2) rainwater infiltration to ground at or close to source
- 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
- 4) rainwater discharge direct to a watercourse (unless not appropriate)
- 5) controlled rainwater discharge to a surface water sewer or drain
- 6) controlled rainwater discharge to a combined sewer

13.98 **Policy SI13 (Part D)** also states that *“Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation”.*

13.99 Rainwater harvesting has been considered for the scheme and after concerns were raised by the GLA and council officers, further consideration was given to this measure. However, the submitted Drainage Strategy concludes that due to various limiting factors such as the extent of the proposed green roofs and limited demand for soft landscape watering due to use of drought resistant planting, there will be limited scope to use collected rainwater such that irrigation demand will not be sufficient to justify a rainwater harvesting system.

13.100 Officers are satisfied that the scheme has given adequate consideration in line with the drainage hierarchy in policy SI13 of the London Plan 2021 and therefore complies in relation to this aspect.

13.101 Policy CC4 of the Local Plan 2018 requires that major development achieves greenfield run-off rates. The Drainage Strategy confirms that surface water run-off from the site will be managed with the proposed SuDS measures without needing to discharge to the sewer network. The main measure that will enable this approach is to discharge stormwater into the tidal Chelsea Creek which can be done without any restrictions on the discharge rate. However, there are some constraints which have been set out within the Drainage Strategy. These include:

- The design of the habitat immediately downstream of the outfall will be designed sensitively to ensure that there is a reduced risk of scouring damage (the erosion of soil around structures caused by fast-moving water, which can lead to structural failures).
- Attenuation storage will be provided to account for the tide-locking effect when the rainfall event coincides with high tide.
- The level of the outfall has been set to allow for gravity drainage whilst minimising the impacts of tide locking.

13.102 Additional detailed information is required during the detailed design to finalise the arrangement of the drainage infrastructure, which is secured by recommended conditions.

Sustainable Drainage System (SuDS) features

13.103 The proposed Drainage Strategy has assessed the viability of several SuDS features to complement the use of the Creek for direct discharges. The additional SuDS measures that are proposed include green roofs, ground level soft landscaping including large rain garden in the central courtyard and pervious paving in some parts of the site. Some impermeable surfaces are included in some locations, but these have been minimised and any surface water discharges from these are managed on site and not discharged into the public sewer network off-site.

13.104 Exceedance of the drainage system has been considered in the submitted Drainage Strategy. Although the report states that finished floor levels have considered the potential for drainage exceedance, an exceedance plan has not been provided. As such, this should be provided to ensure that these aspects are adequately addressed by way of appropriate conditions.

Operation and Maintenance

13.105 Adoption and maintenance of the drainage system has been considered briefly within the submitted report, however, the drainage strategy states that, "A SuDS maintenance plan including a detailed SuDS maintenance schedule and details of easements and outfalls for the drainage system should be produced once the adoption strategy is agreed." A detailed maintenance plan, including inspecting and maintaining the outfall in Chelsea Creek would be secured by way of a recommended condition. In addition to this, a drainage verification condition is recommended to ensure that full plans which show as-built drainage infrastructure are submitted to the Lead Local Flood Authorities for review/approval.

Water efficiency

13.106 **London Plan 2021 Policy SI5 Part C 1** requires development, using planning conditions, to minimise the use of mains water in line with the Optimal Requirement of the Buildings Regulations (residential development), achieving mains consumption of 105 litres per head per day (excluding allowance of up to five litres for external water consumption). This application has been supported by a Water Supply Capacity and Water Utility Assessment.

13.107 Local Plan Policy CC3 requires residential development to meet the optional requirements for water efficiency set out in Building Regulation Part G of 110 litres per person per day. New non-residential developments should aim to achieve the maximum number of water credits in a BREEAM assessment or the 'best practice' level of the AECB (Association of Environment Conscious Building) water standards. An appropriate condition is recommended to ensure that these requirements are met.

Conclusion on Water

13.108 Overall, the Proposed development is considered acceptable in relation to

flood risk and sustainable drainage, subject to the recommended conditions. The Site lies partly within Flood Zones 2 and 3; however, the site-specific Flood Risk Assessment and Drainage Strategy that have been submitted in accordance with Policies CC3 and CC4 of the Local Plan 2018 and London Plan Policies SI12 and SI13, are considered by officers to be satisfactory, subject to the inclusion of conditions. The FRA demonstrates that the risk of tidal flooding to the Site, both now and in the future, is low due to existing defences, and that the proposed reconstruction of the river wall will deliver a new flood defence designed to meet TE2100 requirements for the lifetime of the development.

13.109 Although the Environment Agency has raised objections regarding the proximity of development to the existing flood defence, they have recommended a series of conditions to help ensure the development is safe from flood risk for its lifetime and to ensure that there is no increase in flood risk elsewhere.

13.110 In respect of surface water management, the application accords with Local Plan Policy CC4 and London Plan Policy SI13. The drainage strategy demonstrates that greenfield runoff rates have been appropriately targeted, that the drainage hierarchy has been applied, and that a comprehensive package of SuDS - including extensive green roofs, rain gardens, permeable paving, and attenuation storage, in addition to direct discharge to the Creek - will be delivered and can provide multifunctional benefits. Matters relating to groundwater risk, exceedance routing, and long-term maintenance are satisfactorily addressed and secured through conditions.

13.111 Taken together, the proposals would not increase flood risk on-site or elsewhere and would deliver an overall improvement to flood resilience consistent with the Development Plan and national policy. Subject to the recommended conditions, the development is therefore considered acceptable in relation to flood risk and sustainable drainage.

13.112 An informative will be included to note the need for an environmental permit from the Environment Agency to carry out the flood defence works.

Air Quality

13.113 The entire borough (and the entirety of RBKC) has been declared an Air Quality Management Area for two pollutants – nitrogen dioxide (NO₂) and small particles (PM₁₀). Local air quality can be impacted by development through emissions from the demolition and construction (dust and emissions from demolition and construction activities, plant and traffic) and the operational impacts (traffic and heating / energy). As a result, it is important that developments address the cumulative impact to ensure no deterioration of air quality occurs.

13.114 **London Plan 2021 Policy SI1** requires the submission of an Air Quality Assessment (AQA) for major development, which should demonstrate how development would not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits (or delay the date at which

compliance will be achieved in areas that are currently in exceedance of legal limits), or create unacceptable risk of high levels of exposure to poor air quality.

- 13.115 **Local Plan Policy CC10** mirrors the requirements of the London Plan 2021 in requiring an Air Quality Assessment for major development. Further, the policy stipulates all development is required to meet the air quality neutral benchmarks within the London Plan 2021.
- 13.116 The development site is in an area of existing poor air quality primarily due to due to vehicle traffic emissions from the highly trafficked Kings Road (A308), and Lots Road with existing off-site residential receptors within 50 metres of the development site boundaries. The LBHF part of the development site is in close proximity (within 1 metre of the boundary) of the GLA Air Quality Focus Area 96- Earl's Court Rd and Warwick Rd (A3220) from Cromwell Rd to Cremorne Road.
- 13.117 As the development is a 'major' development and located within an AQFA an Air Quality Assessment (AQA) and an "Air Quality Positive" approach is required. The key sources of pollution from the proposed development are the emissions from the estimated number of construction vehicles (Demolition & Construction Phases) and from the life safety generator (Operational Phase).
- 13.118 An AQA has been provided in support of the application, only reports on the likelihood of the development meeting the Air Quality Standards (2010) and not the likelihood of the development meeting the World Health Organisation (WHO) Guideline Values.
- 13.119 A Dust Risk Assessment (DRA) has been provided. The DRA outlines the potential impacts of dust upon human health and dust soiling from different aspects of the development (Demolition, Earthworks, Construction and Track out). Section 10 of the DRA sets out the recommended mitigation measures.
- 13.120 The submission proposes a diesel generator to provide backup emergency power in the event of an emergency. However, this is not considered acceptable and a condition is recommended requiring details of secondary power supplies, which should be zero emission.
- 13.121 In relation to transport emissions, the Site is currently occupied by a vehicle compound with the capacity for approx. 60 vehicles and 10 operational trucks. A total of 6 disabled parking spaces are proposed on-site with an option to provide a further 2 on-street spaces (on Lots Road) and these will be allocated to blue badge holders who live in the residential units on the development only. Trip generation estimates have been provided which represent a reduction of trips on the existing baseline but still breach the 100 Annual Average Daily Traffic. As such, an Ultra Low Emission Strategy will be required by way of condition.
- 13.122 An Air Quality Neutral Assessment has been submitted in line with the GLA's London Plan Guidance (Air Quality Neutral 2023). The development would be air quality neutral, subject to the conditions set out above.

- 13.123 The submitted Energy and Ventilation Strategy confirms that the residential element of the development will have a Mechanical Ventilation Heat Recovery System and that the commercial elements will all have separate ventilation strategies in the form of high-level external louvers, electrostatic precipitators and particulate filtration and high efficiency ceiling mounted heat recovery units (HRUs). Subject to a condition that ensures that the ventilation intakes are in areas of good air quality (such as at roof level) and away from any exhausts / flues, the development would have an acceptable ventilation strategy.
- 13.124 The Air Quality Positive approach is a process of identifying and implementing ways to push development beyond compliance with both Air Quality Neutral benchmarks and the minimum requirements of an AQA. Measures that contribute to the delivery of an Air Quality Positive scheme align under four key themes:
- 1) Better Design & Reducing Exposure
 - 2) Building Emissions
 - 3) Transport Emissions
 - 4) Innovation & Futureproofing
- 13.125 The Councils Environmental Health Team have raised some concerns about the achievement of an Air Quality Positive development, however, in general the development follows the air quality positive approach and overall would not result in any worsening of air quality.
- 13.126 The GLA Stage 1 report suggests that the Council should identify all appropriate mitigation and appropriately secure these as part of any future development. The report concludes that the development is compliant with London Plan Policy SI1.

Conclusion on Air Quality

- 13.127 Subject to the suggested mitigation measures set out above, the development would fully accord with Policies CC10 and CC13 of the Local Plan and Policy SI1 of the London Plan, alongside a monitoring contribution requirement within the Legal Agreement.

Noise and Vibration

- 13.128 **Policy CC11 of the Local Plan** relates to noise and vibration. This policy outlines that noise and vibration must not create unacceptable impacts on local residential amenities including neighbouring properties.
- 13.129 The dominant sources of ambient noise in the borough are road and rail traffic, and construction activity. Other significant sources are building services, plant and operational noise from restaurants, cafes and pubs, nightclubs, shops and other businesses, and the noise generated by the associated deliveries and servicing.
- 13.130 Vibration is typically a discrete issue caused by specific, temporary construction activities, poorly insulated building services equipment, installed plant or the movement of underground trains where there are track condition issues.

- 13.131 Noise sensitive development includes residential dwellings, schools, care, residential and nursing homes, and hospital uses. The onus of responsibility is on the applicant introducing new noise sensitive development/uses to ensure these are protected against existing sources of noise and vibration in accordance with the Agent of Change Principle as it is defined in the NPPF (paragraph 187) and the London Plan.
- 13.132 In relation to the proposed development, the key issue highlighted in the acoustic report is from re-radiated noise. The results of this show that this could result in significant adverse impacts to many residential units. This therefore needs further considerations prior to the commencement of development and has been discussed with the Applicant during the application process.
- 13.133 The potential impact of noise from the commercial units is to be secured by way of condition. Enhancements to the sound insulation performance between commercial uses and residential uses, as well as ensuring enhancements are specified between residential to residential where there are non-uniform layouts and stacking are also proposed.
- 13.134 In terms of the commercial units, the Council will usually look to restrict the operating hours to minimise the risks of commercial operations moving into these without full consideration of noisier uses. The Council usually restricts commercial uses between 08:00 – 20:00, and this has been included in recommended condition, alongside a separate condition controlling the use of external spaces associated with any café use.
- 13.135 In summary, subject to the following conditions, the proposal would not create an unacceptable impact on residents by virtue of any noise or vibration impacts. As such, the development would comply with Policies CC11 and CC13 of the Local Plan 2024.

Odour

- 13.136 Policy CC13 of the Local Plan 2024 relates to odour. This states that odour generating development must address the adverse impact of odour through the incorporation of appropriate mitigation measures. Certain uses (such as restaurants, cafes and takeaways) can create odours and fumes which can cause nuisance and harm to the amenity of neighbouring residents and business.
- 13.137 Where appropriate, the Council requires odour assessments be submitted to make sure potential impacts are appropriately mitigated. Developers should consider at an early stage how a system, terminating at high level, will be achieved and will need to explore the relevant permissions that may be required from building owners.
- 13.138 As such, a condition is recommended for an odour risk assessment to be submitted to the Local Planning Authority for the café.

Light Pollution

- 13.139 **Policy CC12 of the Local Plan** relates to light pollution. This states that development must not create an unacceptable impact from light glare and light spill on local residential amenities including neighbouring properties and communal gardens, biodiversity, highway and waterway users.
- 13.140 Artificial lighting helps to keep the public realm accessible, legible and safe after dark. Artificial lighting can also help to extend the use of sports facilities for communities. However, light spill and glare especially from street based advertisements can have a negative impact on the amenity of residents and can also be a significant source of wasted energy. Where appropriate, the Council will require lighting assessments to demonstrate compliance with policy CC12 of the Local Plan. The Council will use the relevant professional standards such as those set out by the Institute of Lighting Professionals as a guide to assess light impacts.
- 13.141 This application is supported by a lighting strategy which indicates that the external lighting is sensitively designed to avoid excessive illumination, with lighting generally directed downward and controlled to limit spill onto adjacent buildings and the night sky. Internally the layout and specification of glazing aims to reduce unnecessary light spill. However, whilst consideration has been given to the impact of the proposed external lighting on the SINC, the information in relation to the green corridor along the railway line has not been considered in detail, and the inclusion of uplighters to trees is unwelcome. As such, a condition requiring the submission of additional information and revising the lighting scheme to enhance the protections to amenity and biodiversity is recommended.

Wind Microclimate

- 13.142 Wind microclimate indicates that conditions at ground level will be suitable for standing or sitting in the wintertime, and in the summertime all areas will be suitable for sitting. However, a number of the upper-level balconies facing the railway will not be suitable for sitting, even in the summer months. Further mitigation measures should be considered to address the negative microclimate conditions experienced, so the balconies are functional for their purpose and should be secured appropriately, and a condition to this effect is proposed.

Land Contamination

- 13.143 NPPF Paragraph 196 requires planning decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. Development should not be put at unacceptable risk from contamination, with adequate site investigation information required and, where necessary, remediation undertaken.
- 13.144 NPPF paragraph 201 states that the focus of planning decisions should be on whether Proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

13.145 **Local Plan Policy CC9** requires an assessment of contaminated land for major development at planning application stage.

13.146 Whilst, more recently, the borough has been dominated by residential uses and in the distant past was farmed, a range of historical and current activities have resulted in some land being potentially contaminated. These include larger uses such as gas works, motor works, brickworks and railways, as well as smaller uses such as factories and garages. Like other urban areas, substances such as lead, asbestos and radon are widely present in the environment from a variety of activities including transport, development and building maintenance or naturally.

13.147 The Site history comprises various industrial uses including wharfs, workshops, medium to large garages/coachworks, railway land (associated with the gas works), landfilling, a scrap yard, car pound and various other possible contaminating land uses. Offsite, a variety of industrial uses have taken place, including a large gas works, which is adjacent to the Site.

13.148 As part of this application, a Stantec Phase 1 and 2 Ground Condition Assessment (June 2025) has been provided. This report has been reviewed by the Council's Environmental Health Team, who have provided comments on the individual sections of the report. The submitted assessment meets the requirement of Policy CC9 of the Local Plan 2024.

13.149 That Council's Environmental Health Team confirm that the information provided as part of the Application submission satisfactorily characterises the Site and associated land contamination risk, and indicates that land contamination issues should be capable of being addressed as part of any future development.

13.150 Notwithstanding the above, it is also concluded that whilst the submitted documentation provides useful preliminary information, the Applicant is required to collect additional desk based information and undertake a more detailed risk assessment, which should inform a detailed remediation strategy, in order that the full extent of any risk to human health, controlled waters and the wider environment can be fully understood, and properly mitigated.

13.151 Consequently, a series of land contamination conditions are recommended to ensure that further information is provided prior to, during and after the completion of groundworks at the Site. The recommended conditions require the submission and implementation of a Preliminary Risk Assessment and Proposed Intrusive Site Investigation Design, Quantitative risk assessment and remediation strategy, Detailed Remediation Design Verification report for each phase, and Ongoing monitoring and maintenance. Subject to the above conditions, the proposed development would comply with policy CC9 of the Local Plan.

Environment and Climate Change Summary

13.152 The proposed development reflects Development Plan requirements to deliver

sustainable buildings which meet climate change and sustainability objectives. It is acknowledged that within this Application additional information and updates have been provided to overcome the initial review of the energy, sustainability, overheating, whole life-cycle and circular economy matters (as raised by the GLA in the Stage 1 response).

- 13.153 Conditions are recommended to secure compliance with the Energy Strategy, and a carbon offset contribution calculated in line with the July 2025 guidance will be sought to address the shortfall in achieving net zero, in line with Policies CC1 of the Local Plan and SI 2 of the London Plan. Conditions are also recommended to secure post monitoring reports for whole life-cycle carbon and circular economy, and the Applicant has agreed for the 'be seen' to be secured as part of the pending Legal Agreement. Subject to the recommended conditions and the obligations within the legal agreement, the proposal would comply with the Development Plan policies.
- 13.154 In respect to other policies aimed at ensuring sustainable targets are achieved, the proposal as put forward and conditioned is acceptable in respect of such matters as whole life carbon, circular economy principles, sustainability measures in relation to the residential accommodation and BREEAM. The development would therefore comply with Policies SI2, SI3, SI4, SI5, and SI7 of the London Plan 2021 and Local Plan 2018 CC1 and CC2.
- 13.155 The development would achieve the required UGF score of 0.4 and the scheme would achieve and exceed the 10% biodiversity net gain for the area habitat on-site. Whilst this would not be achieved for the watercourse habitat, the applicant has agreed to provide this contribution off-site (in accordance with the mitigation hierarchy) by way of BNG credits, and an appropriate BNG monitoring fee is being secured by way of the legal agreement.
- 13.156 The site includes the Chelsea Creek (a Site of Importance for Nature Conservation). Additional information has been provided to demonstrate that the development proposals protect the biodiversity in, and adjacent to the Chelsea Creek, and as confirmed by the GLA (following receipt of the additional information), the Applicant has demonstrated that this area would be protected. Conditions are also recommended to further protect the biodiversity within the site.
- 13.157 The proposals, subject to the recommended conditions including those recommended by the Environment Agency, would comply with flooding, drainage and water demand in line with Policy CC4 of the Local Plan 2018 and London Plan Policies SI5, SI13 and SI12. An informative has also been recommended to remind the Applicant of the need to apply for a permit.
- 13.158 The submission addresses land contamination matters in accordance with the requirements of the National Planning Policy Framework 2024 and the Development Plan. Subject to the recommended conditions, the proposal would comply with Local Plan 2018 Policy CC9 and London Plan 2021 Policy SI1.

14.0 Community Infrastructure Levy (CIL) and S106 Legal Agreement

CIL

- 14.1 If permitted and built, the proposal would require a payment towards funding additional infrastructure under the Borough's Community Infrastructure Levy and a payment towards funding Crossrail under the Mayor of London's Community Infrastructure Levy. This is expected to be approximately £5,150,000 (LBHF CIL) and £1,400,000 (Mayoral CIL) once affordable housing relief is accounted for.

Heads of Terms

- 14.2 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'. 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. Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the Council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 14.3 Planning obligations may only constitute a reason for granting planning permission if they meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 as amended.
- 14.4 A lawful obligation is:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 14.5 A planning obligation can restrict the development or use land, require specific operations or activities to be carried out on land, require land to be used in a certain way or require the payment of financial contributions.
- 14.6 Under Section 106 of Town and Country Planning Act 1990 (TCPA), a person with an interest in the land can enter a planning obligation either with the Council being a party to the agreement (a bilateral agreement) or through a Unilateral Undertaking (with the Council not being a party).
- 14.7 This development would place additional pressure on local services and infrastructure, and the planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, related to the development, and fairly and reasonably related in scale and kind to the development, and therefore meet the tests set out in the Regulation 122 of the Community Infrastructure Levy 2010 (as amended). A Section 106 agreement, including financial obligations 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.

- 14.8 Indexation will be applied from the date of the legal agreement. The Retail Price Index is the measure of inflation that will be used to calculate index payments. A standard formula for calculating indexation will be set out within the legal agreement.

Financial Contributions

- 14.9 To this end, and in compliance with the above policies, the following financial heads of terms have been agreed with the Applicant to be included within a legal agreement:

Carbon Offsetting:

- £235,223 towards achieving net zero.

Community Safety and Public Realm Improvements:

- £176,000 towards Community Safety (including CCTV and addressing Violence Against Women and Girls).
- £31,915 towards enhancement of existing open spaces (including improvements to offsite child play space)

Economic Development and Skills:

- £204,250 comprising £196,000 towards construction phase employment & skills and £8,250 towards local procurement) to support delivery of the Council's Industrial Strategy "Upstream London":
- 28 apprenticeships for LBHF residents lasting at least 12 months throughout the construction period.
- 7 paid work placements lasting at least 6 months for LBHF residents and/or students at LBHF schools throughout the construction period.
- 7 unpaid work placements lasting at least 4 weeks lasting for LBHF residents and/or students at LBHF schools throughout the construction period.
- At least 10% of the total number of people employed on the construction of the development are local (LBHF) residents.
- At least 20% of the total number of people employed by the end use(s) of the development are local (LBHF) residents for a period of no less than 24 months.
- Local (LBHF) businesses are procured in the supply chain of the construction of the development to a value of at least 10% of the build cost.
- A commitment to sign up to the Council's Upstream Pathway Bond Submission of a delivery plan for construction-phase and post-occupation employment & skills outputs to the council for approval.
- Prepare a Local Procurement Strategy for approval by the council.

Landscape:

- £23,668 Capital Asset Value for Trees (CAVAT) contribution in the event that the Quercus to be retained in the south west corner of the site is lost during the course of preparatory, demolition or construction works, an "either/or" mechanism to provide compensatory planting for biodiversity and to address

climate change local to the site.

Monitoring:

- £50,000 towards Biodiversity Net Gain monitoring
- £5,000 per annum (estimated as £17,500) towards Demolition and Construction Logistics Management Plans monitoring
- £5,000 per review on years 1, 3 and 5 (estimated as £15,000) towards Travel Plan monitoring
- £3,000 per annum (estimated as £9,000) towards Demolition and Construction Logistics Management Plans monitoring
- £30,000 towards air quality plan monitoring

Council's Legal Costs

- Payment of the Council's reasonable legal and other professional costs incurred in preparing the S106 agreement

Non-financial Obligations

- 14.10 In compliance with the above policies, the following non-financial heads of terms have been agreed with the Applicant to be included within a legal agreement:

Affordable Housing:

- Provision of 44% (Site-wide) affordable housing by habitable room with LBHF getting nomination rights to 43 affordable housing dwellings within Block C, all social rent. The Local Planning Authority's standard drafting will apply, including in respect of occupation restrictions, nomination agreements, service charge and disposals.
- Early-stage review mechanism triggered if meaningful implementation is not achieved within two years of the date of decision.

Wheelchair Units:

- 10% of residential units to be built to Part M4(3) with the remaining 90% to be built to Part M4(2).

Affordable Workspace:

- Affordable Workspace Strategy
- A minimum of 75sqm affordable workspace at ground floor level within Block A, to be delivered as affordable workspace at a 40% discount below market rent; in the event that this cannot be provided within 18 months of practical completion, a payment in lieu for the affordable workspace will be triggered. This shall be calculated in accordance with the Council's Affordable Workspace SPD.

Environmental:

- Monitoring/reporting of energy demand in accordance with the Mayor of London's 'Be seen' energy monitoring guidance.
- Future connection to the Heat Network.
- Public realm replacement and restoration strategy in the event of emergency access to the Chelsea Creek, to include matters such as: - Notification to the

LPA - Replacement of public realm fixtures and planting (including trees) after emergency access - Timeframes associated with any necessary replacement works To be retained for the lifetime of the development (at any time the trees or other public realm are removed to allow for emergency access).

- Emergency Access to the Chelsea Creek to be available within 24 hours' notice.
- Biodiversity Net Gain (BNG) (off-Site delivery) Biodiversity Gain Plan (to include final version of statutory metric spreadsheet, details of on-and-off-Site delivery, Habitat Management and Monitoring Plan and BNG Habitat Monitoring and Management Plan

Transportation:

- Permit-Free parking for all residential properties.
- Stage 1 Road Safety Audit to be carried out prior to commencement of development.
- The public pedestrian and cycle routes within the Site and along the 'Chelsea Creek Frontage' shall always remain open to members of the public at all times
- Public Realm Management Plan.

15.0 CONCLUSION

- 15.1 The proposal represents a comprehensive mixed-use development that will make efficient use of a brownfield site in a sustainable location. The application has been subject to extensive consultation and iterative design revisions, resulting in a proposal that will deliver much-needed housing of which 44% will be affordable (social rent) by habitable room. This will include dwellings designed to provide extra care. The scheme would deliver 274 new homes across the entirety of the site, of which a minimum of 108 will contribute towards the LBHF housing delivery target. The development also incorporates significant public realm improvements, including the rebuilding of the creek wall to provide biodiversity enhancements and improved flood resilience, and a robust sustainability strategy including a reduction in carbon emissions beyond Building Regulations. It is noted that the Environment Agency's concerns with the proposal have been satisfactorily addressed by way of requested conditions in respect of the works to, and ongoing access for maintenance of, the Chelsea Creek wall. It is also noted that the HSE advise against the development, however for the reasons set out in the main text of the report, the degree of risk in this regard is considered to be acceptable in the circumstances of this case.
- 15.2 While the application has generated a number of objections, particularly in relation to height, massing, heritage impact, and amenity concerns, officers consider that these have been appropriately addressed through design amendments and mitigation measures secured by conditions and legal agreement. The proposal is considered to comply with the relevant policies of the National Planning Policy Framework, the London Plan, and the Local Plan. Subject to the recommended planning conditions and completion of a Section 106 agreement to secure necessary obligations, the development is considered to deliver substantial public benefits that outweigh any residual harm.

15.3 It is therefore recommended that planning permission be granted, subject to Stage 2 referral to the Mayor of London in line with the recommendations set out at the start of this report.