

London Borough Of Hammersmith & Fulham

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**Planning Applications Committee**

**Agenda for 14th December 2011**

**Index of Applications, Enforcement Actions, Advertisements etc.**

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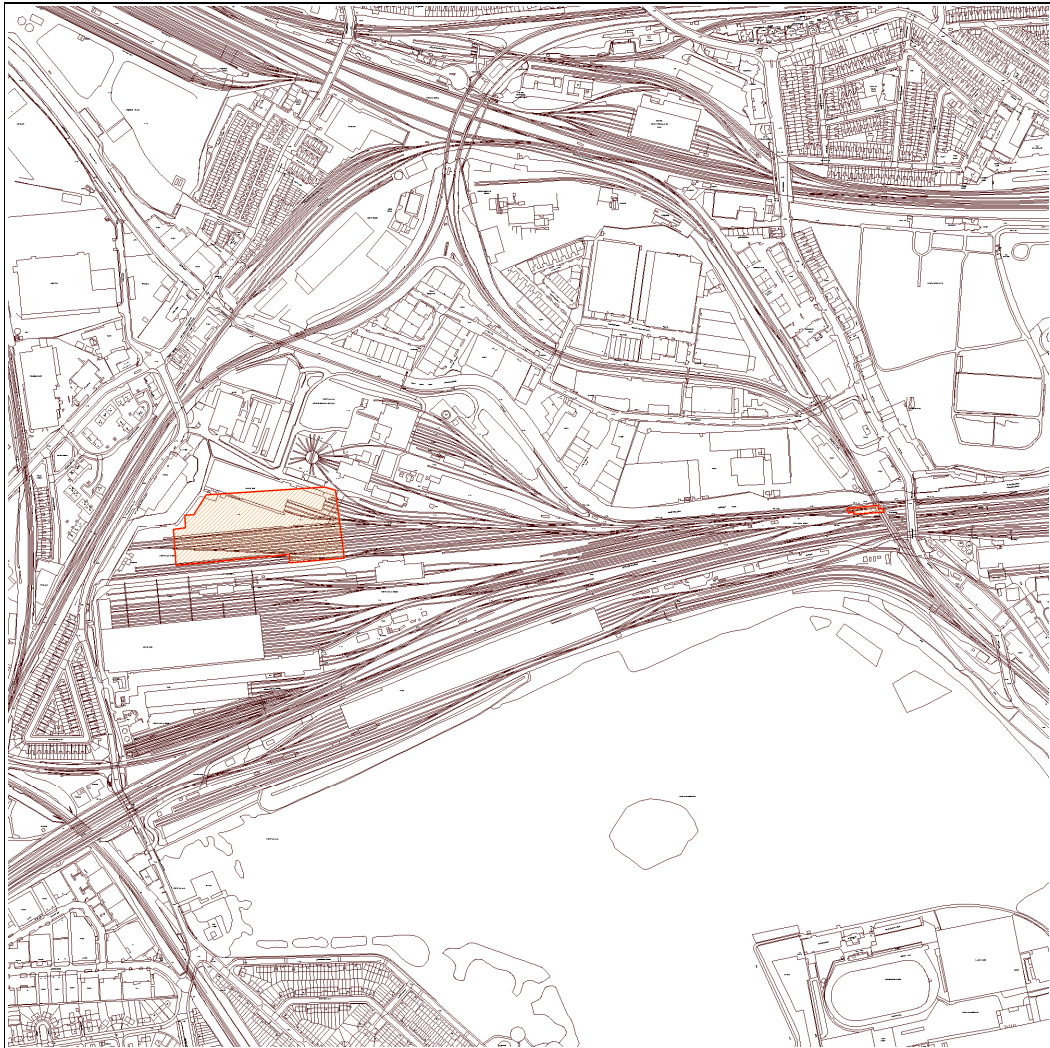
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**Ward:** College Park And Old Oak

**Site Address:**

Land To East Of Old Oak Common Lane London



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**Reg. No:**  
2011/00964/FUL

**Case Officer:**  
Laurence O'Keeffe

**Date Valid:**  
08.04.2011

**Conservation Area:**

**Committee Date:**  
14.12.2011

**Applicant:**

Crossrail Ltd  
25 Canada Square Canary Wharf London E14 5LQ

**Description:**

Erection of an operations, maintenance and control (OMC) building incorporating a wheel lathe facility, measuring 246 metres by 116 metres, comprising working areas for the maintenance of nine trains and office space in the south west corner of the depot site; erection of a train wash facility, comprising two train washers approximately 50 metres by 6 metres, with concrete hardstanding located at the eastern end of the depot, enclosed by 4.1 metre high stainless steel screens

Drg Nos: Planning Statement - C160-MMD-T-XST-CR001-00007; Design and Access Statement - C160-MMD-T-XST-CR001-00014; Sustainability Statement - C160-MMD-T-XST-CR001-50001; Flood Risk Assessment - C160-MMD-R-ASM-CR001-50001; Transport Statement - C160-MMD-T1-ASM-CR001-50002; Travel Plan Strategy - C160-MMD-T1-ASM-CR001-50003; Contaminated Land Statement - C160-MMD-T1-ASM-CR001-50001; Location Plan - C160-MMD-T-DDA-CR074-SD004-1-40000; Ground Floor Plan - C160-MMD-T-DDA-CR074-SD004-1-40004; OSDrev5 First Floor Plan - C160-MMD-T-DDA-CR074-SD004-1-40005; OSDrev5 Roof Plan - C160-MMD-T-DDA-CR074-SD004-1-40006; OSDrev5 Elevations - C160-MMD-T-DDC-CR074-SD004-Z-40007-REV04; Section EE - C160-MMD-T-DDA-CR074-SD004-Z-40009-REV04; Section FF - C160-MMD-T-DDB-CR074-SD004-1-40010-REV03; Red Line Site Boundaries - C160-MMD-T-DDA-CR074-SD004-1-40000; Site Location Block Plan - C160-MMD-T-DDA-CR074-SD004-1-40000; Train Wash Plans and Elevations; Control Building - Section A-A, B-B, C-C AND D-D; Train Wash Book Plan; Proposed Depot Drainage Plan Layout; OMC Building 3D Visualisation South East Elevation; OMC Building 3D Visualisation North East Elevation. Sections C160-MMD-T-DDA-CR074-SD004-1-40008; OSDrev5

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

Subject to there being no contrary direction from the Mayor for London; that the Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and grant permission subject to the following conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 5 years beginning with the date of this planning permission.

Condition required to be imposed under the discretion of the Local Planning Authority and following advice of the Chief Planner for Communities and Local Government by section 91(1)(b) and 91(2) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The building development shall not be erected otherwise than in accordance with the detailed drawings (except for the structures shown indicatively for information for potential future over site development which are not subject to approval in this application) which have been approved unless any material alteration to these approved details has first been submitted and approved in writing by the Council.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policy EN8 of the Unitary Development Plan amended 2007 and 2011.

- 3) The 1,500 square metres of photo voltaic panels shown on approved drawing C160-MMD-T-DDACR074-SD004-1-40006 OSD rev5 shall be installed as shown prior to occupation of the building and thereafter be permanently maintained.

To ensure that the development is consistent with the Mayor's Sustainable Design and Construction objectives , in accordance with policy 5.3 of The London Plan 2011.

- 4) The construction and operation of the Operations, Maintenance and Control (OMC) building and trainwash facility shall be carried out in accordance with the Crossrail Environmental Minimum Requirements (EMR).

To ensure a satisfactory external relationship between the development and its surroundings in accordance with Policies 2.13, 2.17, 5.3, 6.1, 6.2, 6.5, 7.8, 7.9, 7.19 and 8.2 of The London Plan 2011, strategic policy A and policies CC1 and CC2 of the Council's Core Strategy 2011 and policies EN2B, EN8, EN17, EN20B, EN27 and TN13 of the Unitary Development Plan amended 2007 and 2011.

#### Crossrail reason

The development forms part of the Crossrail project and the Crossrail Environmental Minimum Requirements (EMR) provide controls which all contractors and others working to build the railway must work under. The Crossrail EMR consists of the Crossrail Construction Code, the Register of Undertaking and Assurances, the Planning and Heritage Memorandum and the Environmental Memorandum. Controls contained in the EMR include generic construction and operation mitigation measures which form the incorporated mitigation as assessed in the Crossrail Environmental Statement. The application of the EMR will ensure that impacts from the development will be as reported in the Crossrail Environmental Statement.

## **Justification for Approving the Application:**

1) Land Use: The proposed development of the former rail maintenance depot with a proposed operations, maintenance and control (OMC) building and train wash facility is considered acceptable in principle. The construction of the OMC building and train wash are considered essential to the delivery of Crossrail, for the maintenance and cleaning of the rolling stock. Indicative positions of columns are shown to allow for potential over site development to accord with the Council's aspirations for the Park Royal Opportunity Area. The proposed development therefore accords with policies 2.13, 2.17, 6.1, 6.2, 6.5, 8.2 of The London Plan (2011), TN23 of the Unitary Development Plan amended 2007 and 2011 and strategic policy A of the Council's Core Strategy 2011.

2) Siting Design and Appearance: The OMC building would measure 246 metres by 116 metres in a part single, part two storey building, the volume and height of which being dictated by the function of the building with a two storey administrative block attached to the front of the building, helping to break up the elevation. The main building will be silver steel cladding panels with a standing seam silver roof whilst the administrative block will be clad in larch panels with powder coated aluminium windows. Photo voltaics and solar hot water collectors are placed on the roof. The building is sited to the south west corner of the site, preventing overshadowing of the conservation area to the north and is shielded from the residential properties to the west by the topography of the site, reducing any amenity loss to the residents. Full lift access is provided in the OMC building. The train wash is surrounded by walls, high enough to prevent spray but lower than the adjoining canal wall to prevent harm to the conservation area. The building is similar in scale to other buildings in the surrounding railway lands. The proposed development therefore accords with policies EN2B, EN8 and EN21 of the Unitary Development Plan amended 2007 and 2011.

3) Climate Change and Mitigation: A number of demand reduction measures are proposed to reduce carbon emissions including maximum use of daylight, natural ventilation and energy efficient lighting. 1500 square metres of photo voltaic are proposed for the roof and solar thermal collectors are proposed for domestic hot water. A sustainability assessment indicates that the building will achieve BREEAM rating very good whilst a flood risk assessment indicates that the proposal will not increase the risk of fluvial flooding. Adequate provision has been made of the storage and segregation of waste within the scheme. In this respect the proposals are considered to accord with policy 5.3 of The London Plan 2011, policy EN17 of the Unitary Development Plan amended 2007 and 2011 and policies CC1 and CC2 of the Council's Core Strategy 2011.

4) Residential Amenity: The buildings are geographically removed from the noise sensitive premises being largely surrounded by low quality railway buildings. The closest residential buildings are in the London Borough of Ealing. The Environmental Statement submitted with the Crossrail Act 2008 indicated that there would be no significant impact on noise experienced by these residents and no new environmental impacts are considered to arise from the repositioning of the OMC and train wash facilities. In this respect the proposals accord with policy EN20B of the Unitary Development Plan amended 2007 and 2011.

5) Heritage and Nature Conservation: The proposed OMC and train wash facilities are of a similar height and scale to other surrounding railway buildings on or around the site. Views of the facilities from the adjoining canal tow path would be limited due to the topography of the site, being lower than the canal, separation distances and high security fencing and planting. Although illuminated at night, the site would be viewed against a backdrop of existing illuminated railway lines. Given the location of the buildings and nature of the surrounding uses, there would be no impact on views into and out of the conservation area or impact on the nature conservation area. In this respect, the proposals accord with policies 7.8, 7.9, 7.19Db and 7.19E of The London Plan 2011 and policies EN2B and EN27 of the Unitary Development Plan amended 2007 and 2011.

6) Transport and Traffic: A transport statement takes into account the findings of the Crossrail Environmental Statement and concludes that changes in the siting of the OMC and train wash facility would have no significant impacts in relation to traffic. The development would be carried out in accordance with the Crossrail Environmental Minimum Requirements (EMR) which incorporates and construction code and green travel plan. Car parking, cycle parking, CCTV, lighting access and servicing are consented through the Crossrail Act 2008. In this respect the proposals are considered to be compliant with PPG13 and policy TN13 of the Unitary Development Plan amended 2007 and 2011.

7) Land Contamination: A contaminated land statement summarises site history, previous ground investigations and sets out a remediation strategy for the site. The works would be carried out in accordance with the Crossrail Environmental Minimum Requirements (EMR) which incorporates a Construction Code which requires an assessment of contaminated land under guidance in the Environmental Protection Act 1990 and the accompanying Contaminated Land (England) Regulations 2000 and mitigation measures would be developed in accordance with these regulations. In this respect the proposals are considered to accord with PPS23.

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

### **All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 7th April 2011  
Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Greater London Authority - Planning Decisions Unit	07.11.11
Royal Borough Of Kensington And Chelsea	28.04.11
Transport For London - Street Management Administration Team	05.05.11
Environment Agency - Planning Liaison	06.06.11
British Waterways London	04.05.11
Royal Borough Of Kensington And Chelsea	16.08.11
Royal Borough Of Kensington And Chelsea	24.06.11
Royal Borough Of Kensington And Chelsea	13.05.11
Thames Water - Development Control	12.10.11
Greater London Authority - Planning Decisions Unit	

### **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
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## **OFFICERS' REPORT**

### **1.0 BACKGROUND**

1.1 The application site is located in the north west of the borough and is accessed from Old Oak Common Lane. The site is part of the former EWS rail freight depot. The site is bounded to the north by the Grand Union Canal with the Apex Industrial Estate and Gateway Trading Estate beyond. To the east and south are railway sidings and to the west within the borough boundary is a former (decanted) hostel, with housing and flats in Shaftsbury Gardens and Wells Hall Road in the London Borough of Ealing beyond at a distance in excess of 200 metres.

1.2 The site is identified in The London Plan as being part of the Park Royal Strategic Industrial Location. Although it is not itself located within a conservation area, it is adjacent to the Grand Union Canal Conservation Area. The canal is also identified as a Nature Conservation Area of Metropolitan Importance. The site is located in Flood Risk Zone One, the area at lowest risk of flooding.

1.3 The application has been submitted on behalf of Crossrail Limited and seeks permission for a single storey Operations, Maintenance and Control (OMC) building to the south west of the site comprising a working area for maintenance of nine trains and

office space and erection of two train wash facilities with concrete hardstandings at the eastern end of the depot.

1.4 The Crossrail Act 2008 provides powers for the construction and operation of Crossrail. In order for the work to benefit from the deemed planning permission scheduled works need to be within the limits of deviation, both horizontally and vertically. The design of the depot has resulted in the OMC building and the train wash facilities being outside the vertical limits of deviation and therefore planning permission under the planning acts is required. Consent is being sought for a period of five years as the Crossrail construction programme will not allow for commencement within three years. Local authorities have discretion to grant permission for any other period which they consider to be appropriate, having regard to the provisions of the development plan and to other material considerations. In this instance, given the overall Crossrail programme officers consider it appropriate to extend the default planning permission length from 3 to 5 years.

1.5 Following a request for a screening opinion in February this year, the local authority confirmed that, having regard to the scale of the development, the further development proposed on the Old Oak Common site would have no significant environmental impacts over and above those identified in the Crossrail Environmental Statement (ES). There would be no cumulative impact on the Crossrail Project as a whole as a result of the redesign of the depot site and therefore no additional Environmental Statement is required to accompany the planning application for the works outside the Vertical Limits of Deviation.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application has been advertised by way of site notice and press advert. No responses have been received

2.2 The Hammersmith and Fulham Historic Buildings Group have been consulted but no response has been received.

2.3 The London Boroughs of Ealing, Brent and Kensington and Chelsea have been consulted. No response has been received from Ealing or Brent. Kensington and Chelsea raised no objection subject to the facility having a travel plan.

2.4 The application falls within a category of development defined as being of 'potential strategic importance' of greater than 20,000 m2 outside of the city centre and is therefore referable to the Mayor. Following a Stage 1 referral to the Mayor, the Greater London Authority has indicated that the application does not comply with London Plan policies but has suggested possible remedies that could address the deficiencies. The deficiencies include no townscape analysis to determine the impact on the character and appearance of the Grand Union Canal conservation area, and technical information on trip generation, pedestrian and bus stop environment, impact on transport network and need for various mitigation plans including construction and logistics, service and delivery and travel planning. Should the Council resolve to make a draft decision, it must consult the Mayor again and allow him 14 days to determine whether the draft decision can proceed unchanged.

2.5 In addition a number of statutory bodies have been consulted on the application and the following responses have been received.



2.6 The Environment Agency has raised no objection, subject to the inclusion of three conditions relating to sustainable drainage, management of surface water drainage and disposal of foul and surface water.

2.7 Transport for London raised no objection subject to the following recommendations: adequate cycle parking and shower/ changing facility be provided on site to encourage cycling; electric vehicle charging points be provided for at least 10% of the car parking spaces within the site; Travel Plan be subject to S106 obligations; A Delivery & Servicing Plan (DSP) should be produced for the proposed development and construction of the proposed development shall be in accordance with the Crossrail Construction Code.

2.8 British Waterways have no objection but request an informative be added to ensure that any necessary consents which may be required comply with the British Waterways 'Code of practice for works affecting British Waterways 2010'.

2.9 Thames Water has raised no objection but has suggested two conditions and one informative relating to a piling method statement and impact studies on the existing water supply infrastructure..

2.10 The suggested conditions are dealt with through the Crossrail Environmental Minimum Requirements which incorporates the Construction Code. The Environmental Minimum Requirements is the incorporated mitigation for the Crossrail Environmental Statement 2005. Approval is sought only for the two buildings and the repositioning of these is not considered to raise new significant environmental impacts compared to those reported in the Crossrail Environmental Statement 2005.

### 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in this case are the principle of the proposed land use; the siting, design and appearance of the development including access; compliance with policies for climate change and mitigation; impact on residential amenity in terms of noise and air quality and impact on the adjoining nature conservation area and conservation area and highways/traffic and car parking matters.

#### PRINCIPLE OF DEVELOPMENT

3.2 London Plan policy 2.17 states that the Mayor will and boroughs and other stakeholders should promote, manage and where appropriate protect the strategic industrial locations including some transport functions. Policy 2.13 relates to opportunity areas and intensification areas and states that the Mayor will encourage boroughs to progress and implement planning frameworks to realise the potential of intensification areas and will provide strategic support where necessary. Planning decisions should realise the scope for intensification associated with existing or proposed improvements in public transport accessibility, such as Crossrail, making better use of existing infrastructure and promote inclusive access including cycling and walking. London Plan policy 6.1, 6.2, 6.5 and 8.2 identify the delivery and funding of Crossrail as one of the Mayor's key priorities. It is one of the transport schemes which benefit from high priority and protection in terms of the need to ensure sufficient land for transport functions.

3.3. The Mayors Transport Strategy (2009) sets the policy framework for transport in London and states that "Crossrail is the biggest transport project in Europe and a scheme of national importance that will provide a rail spine across London from east to west. It is needed to underpin the most rapid economic growth areas of London and will be a significant capacity addition to the transport network".

3.4 Strategic policy A of the Council's Core Strategy states that the Council will encourage major regeneration and growth in five key regeneration areas. The area is identified as the Park Royal Opportunity Area and is identified as having the potential for provision of 1600 homes and 5000 jobs with its regenerative potential being dependent upon the provision of a Crossrail station and/or HS2 station. Unitary Development Plan policy TN23 identifies land safeguarded for future transport schemes, including Crossrail.

3.5 The former use of the site was that of a rail maintenance depot until 2007 and as such its use of the site by Crossrail for a similar purpose is considered to acceptable in principle. The construction of the OMC building is an essential element in the delivery of Crossrail. It is a key part of the depot and will support the maintenance and cleansing of the proposed Crossrail rolling stock and Crossrail could not function without the OMC building. Crossrail are mindful of the fact that Hammersmith and Fulham wish to regenerate the area given the potential for improved transport links arising from an interchange station between HS2 and Crossrail. Commitment was given to the Council during the passage of the Crossrail Bill through Parliament that

'The Promoter would be prepared to work with the Council in investigating future development on the following basis: Network Rail as the landowner, and the Council both agree to take this forward; A comprehensive master plan approach to the whole Old Oak Common depot is needed rather than a piecemeal approach on the Crossrail area alone; All design, planning and development work is funded by the Council or other related agencies/developers at no cost to Crossrail". The plans have been submitted showing indicative positioning of columns for information only to allow for potential over site development. The indicative positioning of the columns is such that there is no external alteration to the appearance of the OMC building. The proposed building work is to be carried out in accordance with the Crossrail Environmental Minimum Requirement which incorporates the Crossrail Construction Code. It is thereby considered that the proposal accords with The London Plan, the Core Strategy and UDP policies identified above'.

#### SITING, DESIGN AND APPEARANCE (INCLUDING ACCESS)

3.6 PPS1 requires planning to facilitate and promote sustainable and inclusive patterns of urban development whilst Core Strategy policy BE1 states that all development within the Borough, including the regeneration areas should create a high quality of urban environment that respects and enhances its townscape context and heritage assets. Policy EN8 of the Unitary Development Plan relates to the design of new development and states that new development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting. Recommendations for inclusive design are contained within Supplementary Planning Document 'Access for All'.

3.7 The application site was used as a rail depot between 1906 and 2007 and is surrounded largely by commercial and industrial uses. However, there are residential

premises to the west of the site in the London Borough of Ealing. These properties are on the opposite side of Old Oak Common Lane from the proposed OMC building at a higher level than the site. As such the topography largely disguises the building when viewed from the residential properties. The repositioning of the building within the depot from the north to the south west corner has meant that the building would no longer result in overshadowing of the Grand Union Canal and nature conservation area to the north. The building measures 246 metres by 116 metres and would be approximately 12 metres in height. The volume is dictated by the function of the building, being long and wide enough to incorporate 9 trains of 215 metres in length and high enough to allow for maintenance. The building would be similar in scale to other buildings and structures in the surrounding railway lands including the now disused Old Oak Depot. A separate administrative area has been added to the front elevation of the building comprising two storeys which assists in breaking up the long elevation of the building. The building would comprise a steel frame structure with the main carriage shed clad in silver flat screen steel cladding panels with a standing seam silver roof. Folding and roller shutter grey doors are used for the carriage shed. The administrative block would contain colour powder coated aluminium windows and would be clad in larch panels. A parapet surrounding the roof assists in disguising the photo voltaics and Solar Hot Water collectors on the roof. Access to the OMC building is unobstructed and step free. Two lifts are to be provided within the office area, one at the main entrance and the other at the east stair well. Three accessible toilets are to be provided within the OMC building, one at ground level and two at first floor level. Corridors and passageways have been designed to comply with BS8300 'Design of buildings and their approaches to meet the needs of disabled people - Code of Practice' 2009.

3.8 The train wash facility has been designed simply with walls either side high enough to avoid spray but low enough to be no higher than the canal wall such that it would not be visible from the adjoining Grand Union Canal conservation area. Given the industrial and railway dominated nature of the site, officers are satisfied that the design of the development is appropriate to its location and access is appropriately considered.

## CLIMATE CHANGE AND MITIGATION

3.9 PPS22 requires local planning authorities and developers to consider the incorporation of renewable energy projects in all new developments. Policy 5.3 of the London Plan deals with sustainable design and construction and states that development proposals should demonstrate that sustainable design standards are integral to the proposal, including construction and operation and ensure that they are considered at the beginning of the design process. Major developments proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance and this should be demonstrated within a design and access statement. Policy CC1 of the Core Strategy requires developments to make the fullest possible contribution to the mitigation of and adaptation to climate change.

3.10 A number of demand reduction measures are proposed to reduce the carbon emissions of the proposed development including maximum use of daylighting, energy efficient lighting and natural ventilation in parts of the OMC building. The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 1,500 square metres of photo voltaics on the roof of the OMC building and solar thermal collectors to provide domestic hot water to the lances used within the heavy wash and bio hazard facility in the OMC building. The amount of solar panels would be secured by condition (Condition 3).

3.11 Chapter 5 of The London Plan promotes key adaptation principles that support the most effective adaptation to climate change. These include minimisation of overheating and solar gain, contribution to flood risk reductions including sustainable urban drainage and minimisation of water use. The applicants have submitted a sustainability statement to support the application which broadly complies with the London plan policies and indicates that the building will achieve BREEAM rating 'Very Good'. Water would be recycled or reused within the train wash facility and will be heated locally. Officers are satisfied that the development would be compliant with the objectives of The London Plan and Core Strategy policies.

3.12 Policy EN17 of the UDP states that 'development will not be permitted unless suitable facilities are incorporated for the storage and collection of segregated waste'. Sufficient space has been provided within the OMC building to allow for the separation and storage of waste. An area adjacent to the OMC building (not forming part of the planning application) is provided for the siting of waste compactors and skips for waste collected from the trains. The proposed development is to be carried out in accordance with the Crossrail Environmental Minimum Requirements (EMR) which incorporates the Construction Code.

3.13 Core Strategy Policy CC2 deals with water and flooding and states that the Council will expect all development to minimise current and future flood risk and the adverse effect of flooding on people. A flood risk assessment has been carried out in support of the planning application which considers the risk of local flooding, groundwater flooding and potential flooding on others from drainage associated with the proposed scheme. The site lies within flood risk Zone 1 and existing fluvial flood risk is considered to be low. The FRA concludes that the proposal would not increase the risk of fluvial flooding and does not increase flood risk to the site or elsewhere. A minimum of 70% of all water will be reused by the facility, resulting in a low residual outflow of water. Officers are satisfied that sufficient consideration has been given to flood risk.

#### RESIDENTIAL AMENITY

3.14 Policy EN20B of the UDP states that 'noise generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants of existing or proposed noise sensitive uses in the vicinity'. The site is geographically removed from noise sensitive premises, being surrounded by poor quality, disused buildings or industrial premises. The closest residential premises are located in the London Borough of Ealing on the far side of Old Oak Common Lane. The Crossrail Environmental Statement considered under the 2008 Crossrail Act remains broadly the same following the repositioning of the OMC and train wash facility. The Environmental Assessment Report for the EIA Screening has been produced to determine whether the buildings have new significant environmental impacts. The report concludes that the type and scale of the relocated OMC and train wash facility would be the same as that assessed in the original submission under the 2008 Act.

#### HERITAGE AND NATURE CONSERVATION

3.15 The site is within a Nature Conservation Area of Metropolitan Importance (Grand Union Canal and Old Oak Common Sidings Birch Woodland). London plan policy 7.19Db gives strong protection of sites of metropolitan importance and policy 7.19E sets out a series of tests where proposals affect such areas. London Plan policy 7.8 and 7.9 sets out the strategic approach to the protection and enhancement of London's rich built heritage. Policy 7.8C specifically states that "Development should identify, value,

conserve, restore, reuse and incorporate heritage assets, where appropriate. A key consideration of the design is impact on historic assets in the vicinity and specifically whether it would preserve or enhance the character and appearance of the Grand Union Canal Conservation Area. Unitary Development Plan policies EN2B and EN27 reinforce the London Plan policies. The proposed location of the OMC Building and train wash facility will not impact on the designated nature conservation area.

3.16 The proposed OMC and train wash facilities are of a similar height and scale to those of the existing railway buildings on and around the site and are proposed to be located to the south of the site. The topography of the area is such that views of the facility would be limited from the canal towpath, largely because of separation distances and height above the application site but also because of the existence of high security fencing and planting separating the two areas. Small areas of woodland and scrub planting would disguise views of the facility relative to views of the industrial estate to the north of the canal. The site would be illuminated at night which would increase the opportunity to view the area, although this would be seen against the backdrop of the existing railway lines which are also illuminated. Lighting controls would ensure that the lighting is switched off outside the hours of darkness. Officers are satisfied that given the nature of the surroundings and location of the proposed facilities, that the proposals would not impact on views into and out of the conservation area or impact on the nature conservation area.

## TRANSPORT AND TRAFFIC

3.17 PPG13 seeks to promote more sustainable transport choices for both people and moving freight; promoting accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and reduce the need to travel, especially by car. Policy TN13 of the Unitary Development Plan states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary road network.

3.18 A transport statement submitted with the application takes into account the findings of the Crossrail Environmental Statement and the changes in the design of the OMC building and train wash facility. The environmental statement reported that no significant impacts in relation to traffic in the Environmental Statement and the repositioning of the buildings will not exacerbate this. Car park and servicing areas are considered sufficient for the building and in any case are subject to a separate Schedule 7 consent under the Crossrail Act. A travel plan strategy provides an indication of how travel at the proposed new OMC building may be managed. The proposed development will be carried out in accordance with the Crossrail Environmental Minimum Requirements (EMR) which incorporates a construction code incorporating mitigation for the proposed OMC building and train wash facility including the production of a Green Travel Plan for the proposal.

3.19 Transport for London has identified a number of pieces of information which it considers should be undertaken to allow the development to be compliant with the London Plan. These include a bus stop audit in relation to bus services and infrastructure, a pers assessment in relation to walking and the pedestrian environment, inclusion of the car parking areas in consideration of the OMC building, cycle parking provision, vehicular access, construction, servicing and deliveries and a travel plan. Crossrail maintain that the change in location of the OMC and train wash facility will have no impact on the conclusions of the operational assessment of traffic and transport

impacts presented in the in the Crossrail Environmental Statement. Car parking , cycle parking, CCTV, lighting, vehicular access and servicing and deliveries have all been consented through the Crossrail Act 2008 and Schedule 7 applications already granted. Officers do not consider that the proposed OMC building and train wash facility will result in any new significant traffic and transport impacts during construction or operation. However, it is considered that a condition be added to the consent to ensure that the development adhere to the Crossrail Environmental Minimum Requirements (EMR) (Condition 4).

## OTHER MATTERS

3.20 PPS23 - Planning and Pollution Control outlines the importance of planning in determining the location of any given development and subsequent pollutant sources which may be present or generated and that may pose a risk to human health.

3.21 A Contaminated Land Statement that accompanies the planning application summarises site history, details previous ground investigations and sets out a remediation strategy for the site. The works will be carried out in accordance with the Crossrail Environmental Minimum Requirements (EMR) which incorporates a Construction Code. The Construction Code requires an assessment of contaminated land under guidance in the Environmental Protection Act 1990 and the accompanying Contaminated Land (England) Regulations 2000 and mitigation measures will be developed in accordance with these regulations. The proposal will therefore be in accordance with the principles contained within PPS23.

## 4.0 CONCLUSION AND RECOMMENDATION

4.1 The proposed OMC building and train wash facility are an essential component of Crossrail, the operation of which will be a major benefit to the regions and the British economy as a whole. The OMC building is the sole engineering facility for the Crossrail network and will provide around the clock services to a fleet of 63 train sets. Use of land at the depot is already established by the Crossrail Act 2008. This application seeks approval for the OMC building and train wash facility to be located outside of vertical limits of deviation. Environmental aspects relating to the OMC and train wash facility are controlled through a requirement that the works are carried out in accordance with the Crossrail EMR which includes the Construction Code. This would be conditioned. The applicant has put forward possible design solutions to allow development above the proposed OMC building through the construction of a crash deck. Drawings submitted for information only (not for approval) demonstrate that a piling solution to support a crash deck could be constructed to realise the Council's wider aspirations for delivery of a new piece of city in the area with a transport interchange linking HS2 and Crossrail.

4.2 It is therefore recommended that planning consent be granted for the OMC and train wash facilities subject to conditions and there being no contrary direction from the Mayor.

**Ward:** Hammersmith Broadway

**Site Address:**

21 Banim Street London W6 0DN



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**Reg. No:**  
2011/01458/FUL

**Case Officer:**  
Dale Jones

**Date Valid:**  
17.05.2011

**Conservation Area:**  
: Bradmore Conservation Area - Number 25

**Committee Date:**  
14.12.2011

**Applicant:**

Malbrook Properties Ltd  
C/o Agent

**Description:**

Redevelopment comprising the erection of a three storey building for 1x1-bedroom flat, 2x 2-bedroom maisonettes and 21 sq.m. of office (B1) floor space; and the erection of 3 x 2-storey, 3-bedroom dwellinghouses, following demolition of the existing building  
Drg Nos: P02; P03; P04; P05; P06; P07; P08; P09; P10; P11; P12; P13; P14 and P15.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the following conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

- 2) The development hereby permitted shall not be carried out other than in accordance with the following approved plans: P01; P02; P03; P04; P05; P06; P07; P08; P09; P10; P011; P12; P13; P14 and P15.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 3) No demolition or construction works shall commence prior to the submission and approval in writing by the Council of a demolition method statement and a construction management plan, which shall include details of the steps to be taken to re-use and recycle demolition waste and details of the measures proposed to minimise the impact of the demolition and construction processes on the existing amenities of the occupiers of neighbouring properties, including monitoring and control measures for dust, noise, vibration, lighting and working hours, waste classification and disposal procedures and locations, and the measures proposed to prevent the passage of mud and dirt onto the highway by vehicles entering and leaving the site in connection with the demolition and construction processes. All



demolition and construction works shall be carried out in accordance with the approved details.

In order that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the amenities of local residents and the area generally, in accordance with policies EN19A, EN20A, EN20B, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 4) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details in plan, section and elevation (at a scale of not less than 1:20) of the following matters, and no part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details:

- a) A typical section through the Banim Street elevation of the development

To ensure a satisfactory external appearance and to prevent harm to the street scene and to make the environment safe and more accessible for all, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and the general guidance given in the Council's Access For All Supplementary Planning Guidance.

- 5) The development hereby approved shall not commence until particulars and samples (where appropriate) of all materials to be used in all external faces of the development and details of all paving and external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure have been submitted and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 6) The development hereby permitted shall not commence until a statement of how 'Secure by Design' requirements are to be adequately achieved has been submitted to and approved in writing by the Council. The approved details shall be carried out prior to occupation of the development hereby approved and permanently maintained thereafter.

To ensure a safe and secure environment for users of the development, in accordance with Policy EN10 of the Unitary Development Plan as amended 2007 and 2011.

- 7) No plumbing, extract flues or pipes, other than rainwater pipes shall be fixed on the front elevations of the new residential units hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and the conservation area, in accordance with Policy EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being granted.

To ensure that the visual impact of telecommunication equipment can be considered, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 9) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the building hereby permitted.

To ensure a satisfactory external appearance, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 10) With the exception of the roof terraces hereby approved at second floor level, as indicated on the approved drawings: P05, no part of the any roofs of the development hereby approved shall be converted into or be used as a terrace or other form of open amenity space. No railings or other means of enclosure shall be erected on any other roofs and no alterations shall be carried out to facilitate access onto any other roofs.

Such a use would be harmful to the existing residential amenities of neighbouring occupiers as a result of overlooking, loss of privacy and additional noise and disturbance, contrary to Policy EN21 and standards S13.2, and S13.2A of the Unitary Development Plan as amended 2007 and 2011.

- 11) No part of the development shall commence prior to the submission of full details of the privacy screens used in connection with the roof terraces at second floor level of the residential development hereby approved, and no part of the residential units shall be used or occupied prior to the installation of the privacy screens in accordance with the approved details. The privacy screens shall thereafter be retained in accordance with the approved details.

To avoid unduly affecting the amenities of the neighbouring premises by reason of overlooking or loss of privacy, in accordance with Policy EN8 and Standard S13 of the Unitary Development Plan, as amended 2007 and 2011.

- 12) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing: P03. All refuse generated by the development hereby permitted shall be stored within these enclosures and shall be permanently retained for these purposes.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy EN17 of the Unitary Development Plan, as amended 2007 and 2011 and the Council's Storage of Refuse and Recyclables Supplementary Planning Document.

- 13) No development shall commence until details have been submitted to and approved in writing by the council for the proposed cycle parking as indicated on approved drawing: P03 . The cycle storage facilities shall be provided prior to first occupation of the property and permanently retained thereafter in accordance with the approved details.

To ensure the provision of bicycle spaces in accordance with Policy TN6 and standard S20.1 of the Unitary Development Plan, as amended 2007 and 2011.

- 14) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the levels of sound insulation of the wall/floor/ceilings separating the proposed residential units with the proposed office space and all adjoining existing and proposed properties. Details shall ensure that the sound insulation and any other mitigation measures are sufficiently enhanced in order that the standard specified in BS 8233:1999 is achieved within residential units. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site and neighbours are not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 15) The 6 residential units hereby approved shall be constructed to Lifetime Homes standards.

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from approved plans, in accordance with Policy 3A.5 of The London Plan 2011, Policy H4 of the Core Strategy 2011, and the Council's adopted supplementary planning document 'Access for all'.

- 16) The development shall not commence prior to the submission and approval in writing by the Council of details of any proposed external lighting, including security lights, and no part of development shall be use or occupied until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, 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 Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2005' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Policies EN8, EN20A, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 17) Pursuant to Article 3(1) and the provisions of Article 3(2) of the Town and Country Planning (General Permitted Development) Order 1995, as amended 2008 (or any future order amending, revoking and re-enacting that Order) Part 1 of Schedule 2 of the said Order (being development within the curtilage of the dwellinghouse) shall not apply to the dwellinghouses to which this planning permission relates, and no such development within the curtilage of the dwellinghouses shall take place without planning permission first being obtained.

Due to the limited size of the site and the proximity to neighbouring residential properties the Council wish to exercise future control over development which may affect residential amenity or the character or appearance of the conservation area, in accordance with policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 18) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies EN20A and EN21, of the UDP as amended 2007 and 2011, policy CC4 of the Core Strategy, and policy 5.21 of The London Plan 2011.

- 19) No development shall commence in any phase until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. If, during development, contamination not previously identified is found to be present at the site the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation should be detailed and verified in an amendment to the remediation

statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies EN20A and EN21 of the Unitary Development Plan, as amended 2007 and 2011, policy CC4 of the Core Strategy, and policy 5.21 of The London Plan 2011.

- 20) The entrance door to the B1 unit hereby approved shall be 900mm wide minimum and the entrance shall be flush with the footpath adjoining it.

To provide a development accessible to all, in accordance with Policy 3A.5 of the London Plan 2011, Policy H4 of the Core Strategy 2011, and the Council's adopted supplementary planning document 'Access for all'.

- 21) The development hereby permitted shall not commence until a surface water drainage scheme, based on sustainable drainage principles, has been submitted to and approved in writing by the council. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and thereafter permanently retained.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan 2011 and PPS25.

#### **Justification for Approving the Application:**

- 1) 1. Land Use: The proposed development would achieve a sustainable development with efficient use of land. The proposal would not result in unacceptable loss of employment land. The proposal would co-ordinate land use and transportation, conserving and enhancing environmental quality, ensuring a provision of good quality housing accommodation. The scheme would help to meet The London Plan target of 32,210 net additional homes delivered per annum in London and the local target in the Core Strategy of 615 net additional dwellings per annum. Policy HO1 of the Unitary Development Plan as amended 2007 and 2011 and Policies H1 and LE1 of the Core Strategy and Policies 3.3B and 4.4 of The London Plan 2011 and PPS1 and PPS3 are thereby considered to be satisfied.
2. Design: The proposal would be of an acceptable standard of design, which would complement the character of existing development in the area and the site's setting. The proposal would preserve and enhance the character and appearance of the conservation area. Policies EN2, EN8 of the Unitary Development Plan as

amended 2007 and 2011, Policy BE1 of the Core Strategy and Policies 7.1, 7.2 and 7.4 of The London Plan 2011 and PPS1 would thereby be satisfied.

3. Highways matters: There would be no adverse impact on traffic generation and the scheme would not result in congestion of bus routes nor the primary road network. Satisfactory provision would be made for cycle parking. The accessibility level of the site is very good and there are public transport and other shops and services available nearby. Adequate provision for storage and collection of refuse and recyclables would be provided. The proposal is thereby in accordance with policies EN17, TN4, TN6, TN13, TN15 and Standards S18.1, S19, S20.1, S22, S23 of the Unitary Development Plan as amended 2007 and 2011.

4. Amenity: The proposed units would have sufficient internal floor space and satisfactory aspect to meet the requirements of future users of the proposed units. The proposal is thereby in accordance with standards S7.A and S13.3 of the Unitary Development Plan as amended 2007 and 2011.

5. Access: The development would provide a development that seeks to comply with lifetime homes standards for the benefit of all users. Objectives of Policy H4 of the Core Strategy 2011 on meeting housing needs and the SPD Access for All would thereby be satisfied.

6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and is considered adequate in terms of incorporating preventative flooding measures into the scheme, in accordance with Planning Policy Statement (PPS) 25.

7. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. In this regard, the development would be of high quality design which, amongst other things, respects the principles of good neighbourliness, and thereby satisfies policy EN8 and standard S13 of the Unitary Development Plan, as amended 2007 and 201 and Policy BE1 of the Core Strategy.

8. Environmental: The Council is satisfied that the scheme represents the principles of good design and properly addresses environmental issues. It considers that UDP Policy EN10, which requires a safe and secure environment, is complied with. The proposals, similarly, accord with UDP Policy EN17 in that they incorporate suitable facilities for the storage and collection of segregated waste, and with Policies EN20A and EN20B because the development would not cause any undue pollution, with no significant worsening of air quality nor undue noise and with other pollution controls in place, which would also ensure compliance with EN21, which requires that development does not cause undue detriment to the amenities of neighbours.

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

**All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 17th May 2011  
Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Environment Agency - Planning Liaison	23.08.11
Crime Prevention Design Advisor - Hammersmith	23.11.11
Brackenbury Residents' Association	07.06.11
Thames Water - Development Control	07.06.11

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
NAG	02.06.11
9 Bradmore Park Road London W6 0DT	15.06.11
16 Bradmore Park Road London W6 0DS	01.07.11
14 Bradmore Park Road London W6 0DS	27.05.11
Flat 10 Anns House 1 Banim Street London W6 0DN	02.06.11
20 Bradmore Park Road London W6 0DS	14.06.11
22 Bradmore Park Road London W6 0DT	20.06.11

**OFFICERS' REPORT**

**1.0 BACKGROUND**

1.1 The application relates to a rectangular shaped site that is orientated north-south and is located on the west side of Banim Street. The site measures some 0.026 hectares in area and is currently occupied by a single storey building which was previously used as a scrap metal car workshop; the remainder of the site coverage is

hard surfaced area. Access into the site is currently via double gates on the Banim Street frontage.

1.2 The site is bounded by 22a Bradmore Park Road to the west which used as offices and by the two storey terraced properties comprising nos. 23-87 Banim Street to the immediate north. The site is also separated by some 13 metres to the rear building elevations of nos 14 - 20 Bradmore Park Road, to the south-east and by the existing public alleyway to the brick built elevation of the three storey residential property at nos 7 - 12 to the south. Opposite, on the eastern side of Banim Street, are the grounds of Cambridge School.

1.3 The site is located within the Bradmore Park Conservation Area and is within the Environment Agency designated Flood Risk Zones 2 and 3.

1.4 Relevant recent planning records date from 2003. Duplicate planning applications refs: 2003/02217/FUL and 2003/02218/FUL for the erection of three two-storey, two-bedroom dwellings; erection of a two storey building for business use (Class B1) and scrap metal workshop were refused in October 2003. The accompanying conservation area consent seeking approval for demolition was also refused, ref:2003/02309/CAC.

1.5 The current proposal seeks planning and conservation area consent for the demolition of the existing single storey building and redevelopment comprising the erection of a three storey building for 1x1-bedroom flat, 2x 2-bedroom maisonettes and 21 sq.m. of office (B1) floor space; and the erection of adjoining 3 x 2-storey, 3-bedroom dwellinghouses. Amenity areas and bicycle and refuse storage facilities would be provided at the rear.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application has been advertised by means of a site notice and a press advert, and individual notification letters have been sent to the occupiers of neighbouring properties along Banim Street and Bradmore Park Road.

2.2 To date 8 responses have been received, comprising 7 objections and 1 letter of support: The responses received as a result of the public consultation exercise are summarised below.

### 2.3 Objections:

- Design of the scheme is featureless and does not respond to surrounding context and built form
- The proposed 'commercial' use as an office needs to be controlled in order to ensure that inappropriate uses such as mini-cab firms do not operate to the detriment of local residents
- Crime prevention measures require careful consideration as the existing alleyway close to the site linking Banim Street with Bradmore Park Road is a crime hot-spot - which will only get worse as a result of the development
- The height, scale and overall size of the development (particularly the 3-storey element) would have a detrimental impact on loss of light to those properties to the rear of the site along Bradmore Park Road
- Proposed refuse/recycling area would cause smells and nuisance particularly so due to the proximity of surrounding residential properties
- There would be increased overlooking



- Insufficient private amenity space to meet the needs of the development scheme
- Loss of aspect as a result of the proposal

#### 2.4 Support:

- Plans for the redevelopment would enhance the residential area, and would provide for greater security and respond to existing anti-social behaviour.

2.5 A response was received from Thames Water advising that there is no objection to the planning application.

2.6 The Environment Agency confirms they have no objection to the proposal.

2.7 The Metropolitan Police Crime Prevention Officer was consulted and has no objection to the proposal, but expects that the scheme would be built to secure by design standards.

2.8 English Heritage have confirmed that they have no objection.

2.9 The planning matters raised in the correspondence received will be discussed in the body of the report below.

### 3.0 PLANNING CONSIDERATIONS

3.1 The main planning issues in this case are the acceptability of the demolition of the building in a conservation area, the acceptability of the loss of the existing land use and the proposed new land use, the quality of the accommodation proposed and the impacts of the development on visual amenity, residential amenity, traffic generation and access provision, having regard to the policies of The London Plan and the policies and standards of the Unitary Development Plan and Core Strategy.

#### DEMOLITION WORKS

3.2 The proposal would involve the demolition of the existing building. This constitutes permitted development under the planning legislation, although it is necessary for the developer to apply to the Council to establish whether prior approval will be required in respect of the method of demolition prior to carrying out these works. In this case the demolition is part of a planning application for a comprehensive redevelopment of the site, and officers propose to deal with the demolition process by condition, as is normally the case with such applications. The condition (condition 3) would require the submission and approval of a demolition method statement, as well as a construction management plan, which would include details of the steps to be taken to re-use and recycle demolition waste and details of the measures proposed to minimise the impact of the demolition and construction processes on the existing amenities of the occupiers of neighbouring properties, including monitoring and control measures for dust, noise, vibration, lighting and working hours, waste classification and disposal procedures and locations, and the measures proposed to prevent the passage of mud and dirt onto the highway by vehicles entering and leaving the site in connection with the demolition and construction processes.

#### LAND USE and DENSITY

3.3 Government guidance in PPS3 promotes the provision of good quality housing through mixed, inclusive and sustainable communities, in sustainable locations with access to jobs and services. Effective use of land is encouraged in this national

guidance, with a priority for re-using brownfield sites. Policy 3.3 of The London Plan 2011 states that 'Boroughs should identify and seek to enable development capacity to be brought forward to meet [borough housing targets]... in particular the potential to realise brownfield housing capacity including the redevelopment of surplus commercial capacity.'

3.4 The proposal would result in the loss of a scrap metal merchants to be replaced with a total of 6 residential units. Policy 3.3 of The London Plan states that 32, 210 net additional homes should be delivered per annum in London. Of this, LBHF has a target in the Core Strategy to deliver 615 net additional dwellings per annum. The proposed redevelopment to provide for 6 new residential units would therefore contribute to these targets, albeit in a small way.

3.5 The scrap metal workshop was last operational some 10 years ago and since this time no other active employment use has been forthcoming. Officers would normally expect to see a satisfactory marketing exercise carried out to demonstrate that the site was no longer appropriate or viable for continued employment use, but in this case the length of vacancy and specific circumstances of the site are considered sufficient to consider the site as surplus, complying with London Plan Policies 3.3 and 4.4. The allocation of a small proportion of the site for employment purposes, as an office, is welcomed, however. Officers consider that the proposed use within the B1 use class would ensure that the unit is not occupied by an unneighbourly use; conditions would reinforce this.

3.6 The site has a public transport accessibility level (PTAL) of 6 and a site area of 0.026 ha, and is considered 'urban' in relation to the GLA density matrix in Table 3.2, which gives an indicative acceptable density range of 200-700 habitable rooms per hectare (hrph) or 55-225 units per hectare (uph). The development comprises six residential units and would provide for 20 habitable rooms. This results in a residential density of 769 hr/ha and 300 units per hectare, which whilst being above the normal London Plan guidelines, is not considered to be grounds for refusing planning permission in itself, particularly so due to the relatively marginal infringement above the relevant density threshold. Officers consider, that whilst the development is beyond the London Plan Density Matrix, that the benefits of the scheme would outweigh the exceedance on the density guidance. In this respect, the development would replace a plot of land formally occupied by a scrap metal merchant which has been vacant for some time, for which there is no demand; and provide for a mix of non-family and family sized residential units contributing towards the borough's housing targets and the wider targets regionally. A similar new user on site could be considered to be un-neighbourly. There would also be visual benefits for the streetscene arising from this proposal, which will be considered below.

3.7 Policy 3.4 of The London Plan recognises that the density ranges quoted are broad, and should not be applied rigidly, enabling account to be taken of other factors relevant to optimising potential such as local context, design and transport capacity. Taking into account the site's constraints and the sympathetic response to the historic appearance of the neighbouring buildings on the street, it is considered that the development would optimise the housing capacity on this site, particularly so as the proposed building frontage would be very similar in scale, form and in terms of use of materials with the adjoining property along this stretch of Banim Street.

3.8 Policy 3.12 of The London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to their affordable targets, the need to encourage rather than restrain residential development and the individual circumstances of the site. London Plan says that targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements. Policy 3.13 of The London Plan states that boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes, whilst also applying the appropriate density guidance. In this case the proposed development would provide 6 units, 10 units would most likely be an over-development which could not be tolerated and therefore affordable housing provision will not be a requirement in this instance.

## DESIGN AND APPEARANCE

3.9 The Government Guidance to local authorities in relation to design issues is set out in Planning Policy Statement 1: Delivering Sustainable Development (PPS 1). PPS1, key principles, paragraph 13 (vi) states 'Planning Policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted'. PPS1, paragraph 38, states 'Design Policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally. Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles'.

3.10 Planning Policy Statement (PPS5 - 'Planning and the Historic Environment') is also relevant due to the siting of the development site within the Bradmore Park Conservation Area. The guidance states 'The value of the historic environment, and the contribution it makes to our cultural, social and economic life, is set out in the Government's Statement on the Historic Environment for England 2010. Planning has a central role to play in conserving our heritage assets and utilising the historic environment in creating sustainable places. This PPS comprises policies that will enable the Government's vision for the historic environment as set out in the 2010 Statement to be implemented through the planning system, where appropriate. The Government's overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations'.

3.11 London Plan Policy 7.4 states that 'Buildings, streets and open spaces should provide a high quality design response that: a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, b) contributes to a positive relationship between the urban structure and natural landscape features, c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings, d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, and e) is informed by the surrounding historic environment.'

3.12 Policy EN2 of the UDP states that 'Development within conservation areas, including alterations or additions to existing buildings, will only be permitted if the character or appearance of the conservation area is preserved or enhanced. Particular

regard will be given in the design of new developments to details such as the scale, massing, bulk, height, materials, colour, vertical and horizontal emphasis, and the relationship to adjoining buildings, the street building line and open spaces. New developments in conservation areas must, where possible respect the historic context, volume, scale, form, materials and quality. These matters will be of particular importance to the historic context. Policy EN8 of the UDP states that 'Development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting. Schemes must be formulated to respect the historical context of the area and its sense of place, the scale, mass, form and grain of the surrounding development, relationship to the existing townscape, rhythm and articulation of frontages, local building materials, sustainability objectives and the principles of good neighbourliness'.

3.13 The application site has a frontage of some 29 metres in length, adjoining the Victorian two-storey terrace at 23 Banim Street. The site is set at the back of the footpath and reaches to the alleyway linking Banim Street to Bradmore Park Road. The depth of the site is relatively shallow, measuring, on average, 10 metres. It is considered that the existing site comprises a dilapidated single storey building and hard standing of poor repair and that it currently presents a poor visual aspect to the street, and has a negative impact upon the character and appearance of the Bradmore Park Conservation Area. In this respect it is considered that the development site detracts from the setting of the street and sits awkwardly amongst the existing predominantly residential setting.

3.14 Although the east of the site is occupied to a large degree by the Cambridge School site, Banim Street is a relatively long street of two storey terraced housing of an intimate domestic scale. The opportunity exists to improve the aspect of the street by developing a scheme which respects the setting and urban grain of the surrounding streets and responding to the corresponding 2-storey scale of the Banim Street terrace to the north of the application site and to the neighbouring 3-storey flats that exist to the south of the site.

3.15 The proposed development would be designed to reflect the surrounding scale, massing and context of its residential setting. In this respect the proposal would continue the form, height, detailed design and finishing of the existing two-storey terraced properties on Banim Street terrace to the north. The proposed 3 x two-storey dwellinghouses would be located to the south and terminate the corner of the site with a step up in scale and height, comprising of a 1 x 1-bedroom flat and 2 x 2-bedroom maisonettes. A taller building to terminate a terrace is a common feature in Victorian architecture.

3.16 Policy H3 of the Core Strategy 2011 relating to housing quality and density states: 'The council will expect all housing development to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient...meet satisfactory internal and external space standards, and (subject to the size of scheme) provide a good range of housing types and sizes. Acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity. In existing residential areas, and in substantial parts of regeneration areas, new housing will be expected to be predominantly low to medium rise consisting of small scale developments of houses, maisonettes and flats, and modern forms of the traditional mansion block and other typologies of residential development that may be suitable for

its context, with gardens and shared amenity space in street based layouts.... Some high density housing with limited car parking may be appropriate in locations with high levels of public transport accessibility (PTAL 4-6) provided it is satisfactory in all other respects'.

3.17 Whilst the development would not include the form of traditional 'L-Shaped' back additions, due to the requirement to provide for the maximum amount of potential external amenity space for the residential units, the proposed development would be designed to incorporate the traditional palette of materials and external finish of the surrounding properties, particularly reflecting the Victorian character of the Banim Street terrace of properties that would be adjoined to the north. Timber sash windows and arched stone built lintels, London stock brickwork, timber panelled entrance doors, rendered banding and grey-slate roofing would be adopted in the external elevation treatments in order to ensure that the detailed design reflects the surrounding urban grain and character and to ensure that the scheme provides for a high quality finish to respect the surrounding properties. Overall, with regard to the impact of the development from public vantage points, officers are of the opinion that the proposed development has been informed by a considered analysis of existing context and situation. The rhythm, simplicity of the design and materials of the front façade would complement the street scene. Accordingly, the proposed replacement building is judged to comply with UDP Policies EN2 and EN8, Core Strategy policy H3, London Plan policy 7.4 (Local Character) and Government guidance, in that it would be consistent with the scale mass form of the existing development, and respect the prevailing rhythm and articulation of its surroundings.

3.18 The redevelopment of the site would also involve the formation of soft landscaped rear gardens for use by the proposed 3-bedroom dwelling houses with direct access to the gardens from ground levels. The introduction of amenity areas, following the demolition of the existing dilapidated building and the removal of hard standing is considered to represent a visual improvement, in accordance with policy EN8B of the UDP.

#### ENVIRONMENTAL QUALITY, SPACE AND AMENITY, ACCESSIBILITY

3.19 Standard S7A of the UDP relates specifically to internal space provisions. A minimum of 74.5 sq m is ordinarily required in the case of 4-habitable room (two-storey) dwelling houses. The proposed dwelling houses in this case would not accord with this by measuring 49.4 sq m (house 1), 49.7 sq m (house 2) and 49.7 sq m (house 3). The proposed 3-habitable room maisonettes would measure 62.41 sq m (maisonette 1) and 56 sq m (maisonette 2); whereas they would ordinarily need at least 72 sq m. The 1-bedroom unit would measure 39.1 sq m in area, whereas it would ordinarily need 44.5 sq.m. for a two habitable roomed flatted property. London Plan policy generally has even more stringent requirements, in particular for the sizes of houses.

3.20 These shortfalls are not ideal, but result from the physical constraints of the site, specifically in terms of its limited depth of 10 metres. Whilst the proposed residential units would fall short of the relevant internal size standards, officers consider that the accommodation would not be unacceptably small to the point that a refusal should be forthcoming; and that the design benefits of the scheme in terms of providing for a traditionally reflective residential development are over-riding in this case. The proposed residential scheme would be in keeping with the surrounding context and would be an improvement in environmental terms. The existing two-storey Victorian built properties to the north of the site are similar in scale and size to the proposed dwelling houses as

proposed in this case (though of course they were built many years ago, to differing standards), and it is considered that the housing proposed would still allow for family sized accommodation that is sustainable and of a high quality design, aspect and layout.

3.21 Standard S13.3 of the UDP relates to aspect, and states that no dwelling should normally have all of its habitable windows facing exclusively in any northerly direction. In this case, all the proposed residential units would be dual aspect and face in both an east and west direction and are therefore acceptable in this respect.

3.22 Standard S5A of the UDP requires every new family and non-family dwelling at ground floor level to provide adequate private open amenity space (36 sq.m. for family sized units and 14 sq.m. in the case of non-family units). Whilst the overall provision for the family and non-family sized units falls below the prescribed levels as established by Standard S5A.1 each of the proposed residential units has been designed to incorporate an area of private external amenity space. Flat 1 located at ground level (non family unit) would have an external patio measuring 4.2 sq metres. The three terraced family dwellinghouses would have the benefit of private rear garden areas measuring 10 sq metres in the cases of House 1 and House 2 respectively, and 16 sq metres in the case of House 3. In addition, all three properties would benefit from a private terrace area at second floor area measuring 2.4 sq metres in size. Maisonette 1, which would be located at first and second floor levels so would not require amenity space would, however, have a terrace measuring 2.4 sq metres; whereas Maisonette 2, which would also be located at first and second floor levels and not require any amenity space would have a terrace measuring 2.64 sq metres.

3.23 The ability to adhere to the UDP standards in relation to space provision is limited by the site constraints which are dictated by the limited depth of the site. Whilst the amenity space does not achieve the requirements set by Standard S5, provision has been made in some form for each unit, and it is considered that the scale and form of the development would provide for a quality design on the street elevation. The form of the terraced units has been purposely designed to reflect that of the adjoining terrace to the north at 23 Banim Street, whereby the size of the rear amenity area would be broadly in line with that of the current development proposal. Furthermore, to the rear of the proposed garden areas cycle storage and refuse facilities are proposed which are necessary to meet the needs of the development, but which further compromise the ability to provide for increased amenity space, but only in a small way.

3.24 The applicants have also demonstrated, through the submission of a Building Research Establishment (BRE) daylight/sunlight assessment, how much light the amenity areas would receive. These areas would be located west of the proposed buildings, and owing to their positioning and orientation would be able to receive adequate natural sunlight, and not suffer from unacceptable overshadowing arising from the built development. Therefore, on balance, this provision and layout of private external amenity space is considered to be satisfactory in this instance to meet the needs of the development.

3.25 The development has been designed to be accessible. A condition would require that the residential units meet Lifetime Homes standards (condition no.15) and a further condition would require that there is acceptable access to the proposed B1 unit (condition no.20). Policy 3A.5 of the London Plan 2011, Policy H4 of the Core Strategy

2011, and the Council's adopted supplementary planning document 'Access for all' would thereby be met.

## RESIDENTIAL AMENITY

3.26 Policy EN8 of the UDP relates to the design of new development with an emphasis on the principles of neighbourliness. Standard S13 seeks to ensure developments protect existing residential amenities in terms of outlook, privacy and noise and disturbance. Due to the fact that the property would adjoin the flank wall of the adjoining property (23 Banim Street) to the north and would be located over 22 metres away from the closest windows at the Cambridge School to the east and would be surrounded by the blank facades of the opposing residential developments to the north and south of the development site, the main consideration in this case relates to the impact on the properties to the west of the site that front Bradmore Park Road.

3.27 Standard S13.1 of the UDP relates to loss of outlook and states that 'a building's proximity can have an overbearing and dominating effect, detrimental to the enjoyment by residential occupiers of their properties'. Although dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. Where any part of the proposed building extends beyond these lines the UDP allows on-site judgement to be a determining factor in assessing the effect which the development will have on the existing amenities of neighbouring properties.

3.28 The development would be positioned to the rear of 22a Bradmore Park Road and adjacent to 23 Banim Street. It is considered that the proposed scheme would not have an overbearing impact upon these adjoining properties. The property at 22a Bradmore Park Road is an office. Whilst the development would infringe a notional line adopted from ground level on this adjoining site boundary, it is not considered that any loss of outlook could justify refusing planning permission. In the case of 23 Banim Street to the north, the front and rear building lines of the proposed development would align with this adjoining property, therefore there would be no resultant loss of outlook. There are no habitable room windows within the flank elevation of the neighbouring three storey apartment block at nos 7-12 Bradmore Park Road to consider. The main potential impact on outlook is upon nos 12 - 20 Bradmore Park Road. However, due to the fact that the rear site boundary in this location adjoins the existing narrow alleyway to the south (rather than typical garden to garden context between corresponding terraces), UDP Standard S13.1 is not infringed in this instance. Furthermore, it is considered that the development at more than 13 metres from the closest habitable room windows to the Bradmore Park Road properties would not result in a demonstrable loss of outlook, due to the position and scale of the development and relative separation distance involved in this instance.

3.29 Officers are satisfied that the development would not materially harm residential amenity in terms of loss of privacy or overlooking. Standard S13.2 of the UDP states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. There is an office use at 22a Bradmore Park Road. The main issue relates to the proposed rear (west) facing windows at first and second floor levels within the proposed three storey element. The proposed new windows within the west facing building façade would be within 16.5 metres of the closest rear facing windows that are contained within nos 16 - 20 Bradmore Park Road,

and therefore not meeting the minimum 18 metres clearance in UDP Standard S13.2. However, it is considered that the area of infringement is marginal in this respect (1.5 metres) and the context of the site should also be considered in terms of the fact that the 18m clearance is also infringed along other properties close to the development site, including the relationship between 1 - 12 Banim Street and the rear of the Bradmore Park terrace. Therefore, notwithstanding this minor shortfall with the relevant standard, officers do not consider the proposal would cause an unacceptable level of overlooking, and would be in keeping with the relative separation distances that exist between Banim Street and Bradmore Park Road to the west.

3.30 In terms of measuring any impact on daylight and sunlight reaching neighbouring properties, guidance is set out in the Building Research Establishments (BRE) Report 1991 'Site layout planning for daylight and sunlight-A guide to good practice'. The BRE methodologies set out a range of non-statutory guidelines which need to be used in conjunction with on site judgement, in assessing the potential for any development to result in demonstrable harm. A BRE report has been submitted and officers have assessed this, establishing that in terms of the impact of the development on the nearest residential windows (particularly those to the rear of the site along Bradmore Park Road, and 23 Banim Street to the north), these neighbouring properties would not experience a reduction of sunlight or daylight beyond those recommended in the guidance. The result of the study illustrates that the development scheme would not result in a demonstrable loss of the Vertical Sky Component (VSC) relating to neighbouring residential properties. In this respect, officers are satisfied that the bulk, mass and position of the development would not compromise the amenities of surrounding properties and is therefore deemed neighbourly against the provisions of Policy EN8 of the UDP.

3.31 In view of the above it is not considered that the proposed development would have an unacceptable impact on the existing amenities of neighbouring occupiers in terms of loss of outlook or increased sense of enclosure; overlooking or loss of privacy; noise and disturbance or loss of daylight/sunlight, and is judged to be acceptable in the context of Policies EN8 and Standard S13 of the UDP.

3.32 The scheme would have roof terrace areas at first and second floor levels to the rear. UDP Policy EN21 relates to environmental nuisance and states that all developments shall ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. Standard S13.2A adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.

3.33 The terraces are proposed at second floor level and are small in size, measuring less than 5 sq.m. The size of the terraces would limit their capacity to accommodate a high number of people, and, together with their relationship with adjoining properties, it is not considered that their use would, in the normal course of events, be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance to a degree that would justify refusing planning permission. The proposal is therefore considered to be consistent with Policy EN21 and Standard S13.2A of the UDP.



## PARKING, TRAFFIC GENERATION and SERVICING

3.34 UDP Policy TN15 and Standard S18 outline parking requirements for different types of development. Table 12.1 of the UDP requires that 7.6 car parking spaces should be provided for the residential units. No such parking spaces are proposed, and none can be reasonably provided due to the physical constraints of the site. However, the site lies within an area of very good public transport accessibility level (PTAL 6) due to the site proximity to Ravenscourt Park London Underground Station, and with a number of bus routes operating along King Street, Glenthorne Road and Paddenswick Road.

3.35 Overnight parking stress from October 2010 show 54% stress on the west side of Banim Street (Glenthorne Road to Aldensley Road) where there were 20 cars parked out of 37 spaces in total and 50% on the south east side of Bradmore Park Road where there were 2 cars parked but 4 spaces available). Parking is not available on the eastern side of Banim Street. As no car parking is to be provided on site the applicant has agreed for the development to be 'Car Parking Permit Free' in order to prevent future occupiers of the development from obtaining on street parking permits. This would be secured by legal agreement and is considered an appropriate measure to control parking stress levels in Banim Street, particularly so given that calculated potential demand for car parking spaces from the development (including visitor spaces). In this respect, given the likely demand for spaces and considering existing stress levels, the arrangement is both reasonable and necessary to prevent a detrimental increase in parking stress. Given this measure, taken together with the good public transport accessibility of the site and proximity to nearby shopping facilities and services, officers are satisfied that the proposal would be unlikely to generate any material increase in trip generation or parking pressure in the vicinity. The proposal is considered acceptable on this occasion and in general accordance to UDP policy TN15 and standard S18.

3.36 Standard S20.1 of the UDP requires the provision of secure cycle parking, in accordance with Table 12.2 of the UDP. The application identifies cycle parking provision at ground level to the rear, with storage capacity for 7 cycles to serve the residential component. The office unit at ground level would have two available spaces. This is judged to be acceptable, and in full accordance with Table 12.2.

3.37 The proposal would make adequate provision for refuse and recycling storage in accordance with UDP policy EN17 and Standard S5. In this respect a communal refuse/recycling storage area would be provided within the site boundary. This provision is considered appropriate to meet the needs of the development, and would be secured by planning condition (condition no.12).

## Land Contamination

3.38 Potentially contaminated land uses (past or present) occur at, or near to the site. In order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policies EN20A and EN21 of the UDP and 9C.8 of the Core Strategy conditions are recommended concerning the provision of an intrusive investigation, risk assessment, remediation and verification works if necessary (condition nos. 18 and 19 refer).

### Flood Risk

3.39 The site lies within Flood Zones 2 and 3. The applicant has submitted a flood risk assessment which identifies flood resilience and flood resistance techniques, and measures to mitigate the effects of flood. The Environment Agency has considered the flood risk assessment and do not object to the development. In this respect the development is considered to be acceptable in the context of PPS25.

### Secure by Design

3.40 It is considered that the scheme would not have any adverse affect upon the narrow passageway to the south of the site which provides for pedestrian access between Banim Street and Bradmore Park Road. Indeed it is considered that more natural surveillance would result from the east facing window openings from the residential scheme, which would not result in increased opportunities for crime and anti-social behaviour where compared to the existing vacant scrap metal works site. In addition, Policy EN10 of the UDP requires a safe and secure environment. A condition would require the proposal to achieve Secured by Design status (condition no.6).

### Legal Agreement

3.41 The agreement would include clauses stating that the applicant should pay for the existing crossover to be reinstated to footway and extending the length of current parking bay at the site. The agreement would also ensure that occupiers of the proposed residential units would not be eligible for parking permits.

## 4.0 CONCLUSION and RECOMMENDATION

4.1 Taking the above considerations into account, officers consider that the proposed redevelopment would be acceptable in land use terms and would provide a satisfactory standard of accommodation for its future occupiers without prejudice to the amenities of existing surrounding occupiers. The proposal is also considered to be acceptable and in accordance with relevant national guidance, London Plan policies and UDP policies and standards relating to inclusive access, transport, environmental impacts and sustainability.

4.2 Therefore, subject to the planning conditions and legal agreement as set out in this report, it is recommended that planning permission be granted.

**Ward:** Hammersmith Broadway

**Site Address:**

21 Banim Street London W6 0DN



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**For identification purposes only - do not scale.**

**Reg. No:**  
2011/01459/CAC

**Case Officer:**  
Dale Jones

**Date Valid:**  
17.05.2011

**Conservation Area:**  
Bradmore Conservation Area - Number 25

**Committee Date:**  
14.12.2011

**Applicant:**

Malbrook Properties Ltd  
C/o Agent

**Description:**

Demolition of existing building

Drg Nos: P02; P03; P04; P05; P06; P07; P08; P09; P10; P11; P12; P13;P

**Application Type:**

Conservation Area Consent

**Officer Recommendation:**

That the application be approved subject to the following conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

- 2) No demolition shall take place before a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details. This shall thereafter be retained for the duration of the demolition and building works.

To ensure that the site remains in a tidy condition and to prevent harm to the street scene, in accordance with Policy EN2 of the Unitary Development Plan, as amended 2007 and 2011.

**Justification for Approving the Application:**

- 1) It is not considered that the demolition would have a harmful effect on the character or appearance of the conservation area, on the basis that planning permission has been granted for the erection of a satisfactory replacement development. In this respect the demolition is considered to comply with Policy EN2 of the Unitary Development Plan, as amended 2007 and 2011.

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

**All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 17th May 2011  
Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
English Heritage London Region	23.06.11

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
22a Bradmore Park Road London W6 0DT	17.06.11

Please refer to planning application ref. 2011/01458/FUL for Officer's Report.

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**Ward:** Parsons Green And Walham

**Site Address:**

132 Wandsworth Bridge Road London SW6 2UL



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**For identification purposes only - do not scale.**

**Reg. No:**  
2011/02778/FUL

**Case Officer:**  
Roy Asagba-Power

**Date Valid:**  
27.09.2011

**Conservation Area:**  
: Hurlingham Conservation Area - Number 4:  
Studdridge Street Conservation Area - Number 7

**Committee Date:**  
14.12.2011

**Applicant:**

Mr Nowsad Gani  
c/o agent

**Description:**

Demolition of existing buildings and redevelopment involving the erection of a part single, part four-storey plus basement building comprising a shop (Class A1) at ground floor with ancillary storage (Class B8) at basement level and 9 flats at first, second and third floors.

Drg Nos: 01 (Rev R); 02 (Rev G); 03 (Rev F); 10; 11; 12; 13; Design and Access Statement; Energy Demand Report; Flood Risk Assessment; Noise Assessment; Transport Statement Revised Planning and Retail Statement (November 2011) Supporting Statement

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the following conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

- 2) Prior to commencement of the development hereby approved, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations and working hours. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by dust from the building site, in accordance with Policy EN20A, EN20B, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 3) No development shall commence until a scheme for temporary fencing and/or enclosure of the site where necessary has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details and retained for the duration of the building works. No part of

the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.

To ensure a satisfactory external appearance of the site, in accordance with policies EN2, EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 4) Unless agreed in writing by the Council, the development shall be carried out and completed in accordance with the following approved drawings:

01 (Rev R); 02 (Rev G); 03 (Rev F); 10; 11; 12; 13

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8 and 7.21 of the London Plan and policies EN2, EN2B and EN8 of the Unitary Development Plan as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 5) No alterations shall be carried out to the external appearance of the building, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings, without planning permission first being obtained. Any such changes shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies EN2, EN2B, EN8, EN8B, EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 6) The development shall not commence until detailed drawings of a typical bay on the front elevation of the new building at 132 Wandsworth Bridge Road in plan, section and elevation at a scale of no less than 1:20 to be submitted in writing for the Council's approval prior to construction commencing and built in accordance with the approved drawings.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN2B, EN8 EN8B of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 7) The development hereby approved shall not commence until detailed drawings at a scale of no less than 1:20 of all external doors, entrances and gates, have been submitted to and approved in writing by the Council and the development shall be carried out in accordance with such details as have been approved.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN2B, EN8 and EN8B of the Unitary



Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 8) The development hereby permitted shall not commence until particulars and samples of materials to be used in all external faces of the building (including colour and sample of render), have been submitted and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with Policies EN2, EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 9) The development shall not commence until a statement of how "Secured by Design" requirements are to be adequately achieved has been submitted to and approved in writing by the Council. The approved details shall be carried out prior to occupation of the development hereby approved and permanently maintained thereafter.

To ensure a safe and secure environment for users of the development, in accordance with policy EN10 of the Unitary Development Plan as amended 2007 and 2011.

- 10) The development shall be implemented in accordance with the approved details of the sound insulation of the floor/ceiling and walls separating the commercial parts of the development premises from the residential properties on the first floor as per the submitted Acoustic Report dated 3 March 2011). Details are ensure that the  $D_{nT,w+Ctr}$  noise level difference and sound insulation of floor/ ceiling/ walls and any other mitigation measures are sufficiently enhanced and that the standards specified in BS 8233:1999 are achieved within noise sensitive premises and their external amenity areas. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

To ensure that adjoining occupiers are not unduly affected by noise and disturbance, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 11) The development shall not commence until details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures have been submitted to and approved in writing by the Council. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the existing background noise level by at least 10 dBA, as assessed according to BS4142: 1997 at noise sensitive premises [with all machinery operating together]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

In order that the plant, machinery and equipment used in connection with the permitted use does not give rise to conditions that would be detrimental to the amenities of surrounding occupiers by reason of noise disturbance, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 12) The development shall not commence until details of anti-vibration measures have been submitted to and approved in writing by the Council. The measures shall ensure that any 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. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

In order that the machinery and equipment used in connection with the permitted use does not give rise to conditions that would be detrimental to the amenities of surrounding occupiers by reason of noise disturbance, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 13) Prior to first occupation of the development, a site servicing strategy, including vehicle tracking, shall be submitted to and approved in writing by the Council detailing management of deliveries to and throughout the site, emergency access throughout the site, collection of waste and recyclables, times of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement. The approved measures shall be implemented and continued thereafter for the lifetime of the development.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policy EN20A, EN20B, EN21, TN5, TN13 and Standard S21 of the Unitary Development Plan, as amended 2007 and 2011.

- 14) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent

person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2011 and policy CC4 of the Core Strategy 2011.

- 15) No construction shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. If, during development, contamination not previously identified is found to be present at the site the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2011 and policy CC4 of the Core Strategy 2011.

- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that that the visual impact of telecommunication equipment can be considered in accordance with Policies EN2 and EN8B of the Unitary Development Plan, as amended 2007 and 2011.

- 17) The development shall not commence before details of the refuse storage, including provision for the storage of recyclable materials, have been submitted to and approved in writing by the council. Such details as approved shall be implemented prior to the occupation of the development and thereafter permanently retained. All refuse/recycling generated by the development hereby approved shall be stored within the agreed areas. These areas shall be permanently retained for this use.

To ensure the satisfactory provision of refuse storage and recycling in accordance with policy EN17 of the Unitary Development Plan, as amended 2007 and 2011.

- 18) Prior to the commencement of each phase of development, details of secure cycle storage shall be submitted to and approved in writing by the Council. Development shall accord with the details as approved, and the cycle parking provision shall be retained thereafter for the lifetime of the development.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers and users, in accordance with policies 6.9 and 6.13 of the London Plan 2011 and policy TN6 and Standard S20.1 of the Unitary Development Plan as amended 2007 and 2011.

- 19) No customers shall be on the premises in connection with the ground floor commercial uses hereby approved between 23:00 hours and 08:00 hours the following day.

In order that noise and disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are sufficiently similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents in compliance with policies EN20A, EN20B, EN21 and SH11 of the Unitary Development Plan, as amended 2007 and 2011.

- 20) No deliveries, refuse collection and/or any other servicing activities in connection with the retail (Class A1), financial or professional services (Class A2) or restaurant/cafe use (Class A3) hereby approved shall take place between 20.00 hours and 07.00 the following day.

To safeguard the residential amenities of the neighbouring properties, in accordance with policies EN20A, EN20B and EN21 of the Unitary Development Plan as amended 2007 and 2011.

- 21) Where new shopfronts are to be installed, detailed drawings in plan, section and elevation at a scale of no less than 1:20 to be submitted in writing for the Council's approval prior to construction commencing and built in accordance with the approved drawings.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN2B, EN8, EN8B and EN8D of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 22) All ground floor entrance doors hereby approved shall not be less than 1 metre wide and the threshold shall be at the same level as the adjoining ground level fronting the entrances.

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policy 3.8 of the London Plan 2011 and the Council's SPD on Access for All.

- 23) All external entrance doors in the ground floor shopfronts hereby approved shall be designed and installed so that they only open inwards, and shall thereafter be retained in this form.

To ensure pedestrian flow is not unduly affected, in accordance with Policy TN5 of the Unitary Development Plan as amended in 2007 and 2011.

- 24) No external roller shutters shall be attached to the shopfronts at ground floor level on Wandsworth Bridge Road elevation.

To ensure a satisfactory external appearance, in accordance with Policies EN8 and EN8D of the Unitary Development Plan as amended 2007 and 2011.

- 25) All new shopfronts shall be of timber construction.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN2B, EN8 and EN8D of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 26) The shopfront glass installed at 132 Wandsworth Bridge Road shall be clear and shall be permanently retained and not obscured in any way.

To ensure a satisfactory external appearance, in accordance with Policies EN2, EN2B and EN8D of the Unitary Development Plan, as amended 2007 and 2011.

- 27) The entrance doors to the ground floor commercial units shall have a level threshold at the same level as the pavement fronting the entrance. The development shall be implemented in accordance with the approved plans and retained thereafter.

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policy 3.8 of the London Plan 2011 and the Council's SPD on Access for All.

- 28) No goods or equipment associated with the commercial floorspace hereby permitted shall be stored or kept external to the building. In particular no shopping trolleys shall be permitted to be kept or stored within the front forecourt area of the property.

To ensure a satisfactory external appearance, to prevent any adverse impact on pedestrian and highway users and road safety and to prevent harm to the

amenities of neighbouring residential neighbours through noise and disturbance, in accordance with Policies EN8B and EN21 and of the Unitary Development Plan as amended in 2007 and 2011.

- 29) No part of the ground floor commercial floorspace shall be used or be occupied until provision has been made for the disposal of litter resulting from the proposed use, and such provision shall be in accordance with details first submitted and approved in writing by the Council.

To ensure an adequate provision for disposal of litter, in accordance with Policy EN21 of the Unitary Development Plan, as amended in 2007 and 2011.

- 30) With the specific exception of the terrace area indicated on the approved drawing no. 01 (Rev R) no part of any other flat roof of the approved building shall be used as a terrace or other amenity space.

To safeguard the amenities of the occupiers of neighbouring properties, and to avoid overlooking and loss of privacy and the potential for additional noise and disturbance, in accordance with Policy EN21 and Standard S13.2 of the Unitary Development Plan, as amended 2007 and 2011.

- 31) The development hereby permitted shall not commence until a sample of the obscured glass to be used for the proposed 1.7m high screening has been submitted to the local planning authority and approved, and the development shall be carried out in accordance with the approved details. The proposed obscured glass shall be of maximum obscurity and not be subsequently removed or modified without the prior approval of the planning authority.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policy EN21 and Standard S13.2 of the Unitary Development Plan, as amended 2007 and 2011.

- 32) No advertisements shall be displayed on or within the shop fronts on the Wandsworth Bridge Road frontage, or on the Heathman's Road elevation, without details of the advertisements having first been submitted to and agreed in writing by the Council.

In order that any advertisements displayed on the building are assessed in the context of an overall strategy, so as to ensure a satisfactory external appearance and to preserve the integrity of the design of the building, in accordance with policies EN2, EN2B, EN8 and EN14 of the Unitary Development Plan, as amended 2007 and 2011 and Core Strategy 2011.

## **Justification for Approving the Application:**

1. Land Use: The proposed development is in accordance with the Council's aspirations for the area and the principle of redevelopment will make effective use of previously under-utilised land. The dwelling mix, tenure split and level of affordable housing would be in accordance with PPS4, policies 2.18, 3.3, 3.4, 3.7, 3.10, 3.11, 3.12, 3.13 and 3.16 of the London Plan 2011 and policy HO6 of the Unitary Development Plan as amended 2007 and 2011 and policies H1, H2, H3 and CF1 of the Core Strategy 2011.

2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The proposal preserves and enhances the character and appearance of the adjoining conservation areas, heritage assets and locally listed buildings. The development would therefore be acceptable in accordance with Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan as amended 2011 and policies EN2, EN2B, EN8 and EN25, of the Unitary Development Plan as amended 2007 and 2011 and policy BE1, of the Core Strategy 2011.

3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies EN10, HO6, EN8, EN20A, EN23, EN23B and Standards S5A.1, S5A.2, S7.1, S7A, S13.1, S13.2 and S13.3 of the Unitary Development Plan as amended 2007 and 2011, and policies H3 and OS1 of the Core Strategy 2011.

4. Transport: Subject to a satisfactory legal agreement there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Satisfactory provision would be made for cycle parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The development would therefore be acceptable in accordance with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan 2011 and policies TN4, TN5, TN6, TN8, TN13, TN15 and TN21 and Standards S18, S19, S20, S21 and S23 of the Unitary Development Plan as amended 2007 and 2011 and policy T1 of the Core Strategy 2011.

5. Access: The development would provide a safe and secure environment for all users. The development would therefore be acceptable in accordance with Policy EN10 of the Unitary Development Plan as amended 2007 and 2011, and the Council's adopted supplementary planning document 'Access for all'.

6. Sustainability: The proposed development has been designed to meet the highest standards of sustainable design and construction, also utilising renewable energy technology. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The development would therefore be acceptable in accordance with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan 2011 and policies EN28A,

EN29 of the Unitary Development Plan amended 2007 and 2011 and policies CC1, CC2, H3 and OS1 of the Core Strategy 2011.

7. Land Contamination: The application proposes that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with policy 5.21 of the London Plan 2011 and policy CC4 of the Core Strategy 2011.

8. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. The development would therefore be acceptable in accordance with Planning Policy Statement (PPS) 25 and policies 5.11, 5.13, 5.14 of the London Plan 2011.

9. Planning Obligations: The application proposes that its impacts are mitigated by way of financial contributions to fund improvements that are necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with policy 8.2 of the London Plan 2011, policy EN23 of the Unitary Development Plan as amended 2007 and 2011 and policy CF1 of the Core Strategy 2011.

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

### **All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 1st September 2011  
Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Environment Agency - Planning Liaison	28.10.11
Environment Agency - Planning Liaison	02.11.11
Thames Water - Development Control	10.10.11
English Heritage London Region	03.11.11
Environment Agency - Planning Liaison	07.10.11



## **Neighbour Comments:**

### **Letters from:**

### **Dated:**

123 - 125 Wandsworth Bridge Road London SW6 2TS	19.10.11
123 - 125 Wandsworth Bridge Road London SW6 2TS	19.10.11
44 Bowerdean Street London SW6 3TW	18.10.11
5 Studdridge Street	19.10.11
Flat 4 130 Wandsworth Bridge Road London SW6 2UL	05.10.11
57 Bowerdean Street	20.10.11
9 Studdridge Street London SW6 3SL	16.10.11
Post Office 1 Hazlebury Road London SW6 2NA	19.10.11
3 Studdridge Street London SW6 3SL	19.10.11
1 Studdridge Street London SW6 3SL	19.10.11
48 Bowerdean Street London SW6 3TW	20.10.11
11 Studdridge Street London SW6 3SL	17.10.11
Flat 4 130 Wandsworth Bridge Road	19.10.11
Flat 2, 130 Wandsworth Br Rd	24.10.11
51 Bowerdean Street	18.10.11
3 Studdridge Street London SW6 3SL	16.10.11
1 Studdridge Street London SW6 3SL	17.10.11
48 Bowerdean Street London SW6 3TW	02.11.11
Flat 12 Broomhouse Dock Carnwath Road London SW6 3EH	06.10.11

## **1.0 BACKGROUND**

1.1 The site relates to a largely vacant part single, part two storey building with basement. The ground floor is partly in use as retail and the remainder of the ground floor and first floor are in use as a housing office. The site is situated on the west side of Wandsworth Bridge Road, opposite the junction with Hazlebury Road, within the Hurlingham Conservation Area (and adjoining the Studdridge Street Conservation Area). The site is within flood zone 3 for the purpose of PPS25 (Development and Flood Risk). It is not within a designated Archaeological Priority Area. The site has a public transport accessibility level of 3 (medium) using Transport for London's methodology.

1.2 The ground floor commercial properties in the terraces either side of the application site, and on the opposite side of Wandsworth Bridge Road, are part of a designated Key Local Shopping Centre, although the application site itself is not.

### **Relevant Planning History**

1.3 1960 - planning permission granted for the erection of a two storey building with basement for use as a public library, laundry and slipper baths, together with the formation of a new vehicular access to the highway.

1.4 1964 - planning permission granted for the erection of single storey extensions to

be used as childrens playroom, wet towel store and paper salvage store at the borough laundry, library and public baths.

1.5 1989 - planning permission granted for a retail shop use on part of the ground floor.

1.6 1993 - planning permission granted for the change of use of the rear part of the ground floor (former baths) and the whole of the first floor (existing library) to use as an are housing office, together with an extension at rear first floor level. (The pine furniture shop remains, but the remainder of the building is currently empty).

1.7 The current proposals involve the demolition of existing buildings and redevelopment involving the erection of a part single, part four-storey plus basement building comprising a shop (Class A1) at ground floor with ancillary storage (Class B8) at basement level and 9 flats at first, second and third floors. The retail element would comprise approx 474 sqm gross retail floor area, with a further 393 sqm basement storage space. The proposed 9 flats would comprise a mix of 3 two-bedroom flats and 1 one bedroom flat at both first and second floors, and 1 three bedroom flat at third floor which would have access to an outside terrace. Vehicular access to the rear of the site would be via a retained gated entrance off new the front façade of building, providing 2 parking spaces at the rear for the residential use.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by way of site and press notices and individual notification letters were sent to the occupiers of the adjoining properties.

2.2 Nineteen neighbour letters were received in response to the consultation including a duplicate letter of support from 132 Wandsworth Bridge Road. The remaining 18 objection letters were from: 44, 48 (two letters), 51 and 57 Bowerdean Street; 12 Broomhouse Dock (two letters); 1 Hazlebury Road; 2 (two letters), 3 (two letters), 5 and 9 Studdridge Street; 123-125 (two letters), Flat 2 at 130, Flat 4 at 130 and 130 Wandsworth Bridge Road raised objections on the following grounds:

- Noise and disturbance during construction
- Another supermarket would adversely affect business existing local traders in the area.
- There is an existing Sainsbury's supermarket in Townmead Road.
- Proposed four storey height and single storey depth is out of keeping with existing
- The delivery of goods will obstruct existing heavy traffic congestion and slow down buses
- The development will have an adverse impact on local parking. The 2 on-site parking spaces will not cater for the additional demand.
- Loss of privacy/ overlooking from terrace
- Noise from plant equipment (air conditioning)
- Loss of light

2.3 Transport for London have raised no objections to the proposals subject to conditions.

2.4 The Environment Agency raise no objections to the proposed development on the grounds that the technical information within the FRA sufficiently portrays the flood risk at the site subject to the applicant signing up to the Environment Agency's Flood Warning Service.

2.5 Thames Water raise no objections to the proposal.

### 3.0 PLANNING CONSIDERATIONS

3.1 Development on this site is subject to Policies and Standards set out in the Council's Unitary Development Plan (as amended 2007 and 2011) and Core Strategy 2011, and The London Plan (as amended 2008). The main issues are considered to be the acceptability of the proposal in land use terms, whether the proposal is of acceptable design and appearance, whether it is acceptable in terms of traffic and parking and its impact on amenities of surrounding occupiers in terms of outlook, privacy, noise and disturbance and daylight and sunlight.

#### LAND USE:

3.2 The building is located between two shopping frontages that comprise part of the Wandsworth Bridge Road north designated neighbourhood parade as identified in the Core Strategy (October 2011), however the building itself is not part of the designated parade.

#### Loss of existing uses

3.3 The proposed demolition of the existing premises (disused public laundry and baths in use as a furniture shop and vacant offices) needs to be considered against Policies CF1 and LE1 of the Core Strategy and Policy 4.2 of the London Plan which allows for change of use of surplus commercial premises for residential use subject to certain criteria.

3.4 Given that the premises have been vacant for several years and that the council owned offices have been marketed, it is reasonable to regard the previous office use on the upper floors as surplus to requirements. However, notwithstanding these considerations, the introduction of a B8 class use to the site would also help to balance against the loss of the outgoing B1 office space.

3.5 The other uses which previously operated on the site, included a laundry and baths. In order to be considered satisfactory, under Policy CF1 of the Core Strategy, the loss of these uses needs to be justified ie whether the former baths and other community uses no longer remain satisfactory for such use or are still required to meet local needs and/or that re-provision has been sought where opportunities have arisen. The laundry and baths vacated the premises for several years and this building is no longer required to meet these service requirements and on this basis the loss is considered to be acceptable against policy CF1.

#### Proposed residential use

3.6 National Planning Policy Statement (PPS) 1 (Delivering Sustainable Development) requires local authorities to promote more efficient use of land through higher density,

mixed use development and the use of suitably located previously developed land and buildings. The London Plan also seeks to ensure that proposals achieve the optimum intensity of use that remains compatible with the local context and is well served by public transport.

3.7 PPS3 (Housing) emphasises the importance of increasing the delivery of homes and seeks to create mixed and balanced communities through encouraging the provision of a wide range of well designed housing (including affordable housing) to meet a variety of needs. Paragraph 41 sets a national target for 60% of new homes to be built on previously developed land. The document states that housing should be located in close proximity to community facilities, access to jobs, key services and infrastructure to assist in the creation of sustainable communities.

3.8 Policy 3.3 (Increasing London's Supply of Housing) of the London Plan sets minimum borough targets for housing provision up to 2021. The policy specifies a 10 year minimum target for LBHF of 6,150 dwellings, and an annual monitoring target of 615 dwellings. policy 3.4 (Optimising Housing Potential) requires new development to optimise the intensity of use of sites, taking into account the local context and character, design principles and public transport accessibility, consistent with the development density guidance that is provided in Table 3.2.

3.9 Core Strategy policy H1 (Housing Supply) reflects the guidance of the London Plan housing target and explains that one of the ways to address this, is by way of the development of brownfield sites such as that proposed. Meanwhile policy HO6 of the LBHF UDP requires new residential development to provide a mixture of units to meet the needs of family and non-family households.

3.10 The proposal involves the provision of 9 new residential dwellings as part of a mixed use development with no affordable provision. The construction of these homes would contribute towards achieving the Borough's housing targets. As detailed in the Density section of this report, the proposed development is considered to optimise the use of the site. Accordingly, in addition to the compliance with the Core Strategy, the provision of housing on the site is considered to be consistent with the applicable London Plan policy guidance.

3.11 Further the proposed dwelling mix of 7 three-bedroom flats and 2 one bedroom flats represents a range of unit sizes, including significant provision of larger family sized units. The dwelling mix is considered to meet the policy requirement for the provision of a range of unit sizes within new development. This mix would provide for a type of development appropriate to the location in line with Core Strategy Policy H4 (Housing Need).

3.12 The number of residential units proposed is below the threshold of 10 for which affordable housing is required under London Plan Policy 3A.11 (affordable housing thresholds). Although this site does not propose 10 or more units, there is a requirement to consider whether there is any capacity for 10 or more units, applying the density guidance set out in policy 3.4 (maximising the potential of sites) and table 3A.2.

## Residential Density

3.13 Policy H3 (Housing Quality and Density) of the Core Strategy LBHF requires that all housing development to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient in line with the requirements of the Code for Sustainable Homes, meet satisfactory internal and external space standards, and (subject to the size of scheme) provide a good range of housing types and sizes. Acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity.

3.14 Policy 3.4 (Optimising Housing Potential) of The London Plan seeks to ensure that development optimises housing output for different types of location within the relevant density range shown in Table 3.2 (Sustainable residential quality and residential density matrix) which takes into account local context and character, design principles and public transport capacity. Development proposals which compromise this policy will normally be resisted.

3.15 The site is located in Public Transport Accessibility Level (PTAL) 3 using Transport for London's methodology, indicating that it has a medium level of accessibility by public transport. According to the London Plan density matrix, the site is considered to be set in an urban areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. This location would support a density of between 200 and 450 habitable rooms per hectare (Hrh).

3.16 The proposed development site comprises 0.085 hectares (of which 0.0625 relates to residential) and would have a total of 32 habitable rooms which would result in a residential density of 512 hr/ha. A development of this quantum already falls outside the acceptable density range in the London Plan density matrix (PTALS 2-3), and it is therefore considered that it would not be appropriate to include further units within the proposed development as this would further increase the level of density. On this basis it would be unreasonable to require the provision of affordable housing in this case.

3.17 At 512 hr/ ha the proposed density is above the guideline in the London Plan. However, the London Plan and GLA Interim Housing Supplementary Planning Guidance (April 2010) note that where proposals are made for developments above the relevant density range they must be tested rigorously, balancing concerns for overall housing output against other policies which are relevant to higher density development. These include different aspects of 'liveability', related to proposed dwelling mix, design and quality, amenity provision and space, physical access to services, sustainable design and construction, car parking. In addition, the wider context of the proposal taking account of its contribution to local 'place shaping' is relevant.. These matters are considered in the paragraphs below.

## Retail

3.18 The application proposes 279 m<sup>2</sup> (net) of retail floorspace on the ground floor of the new premises (Sainsbury's Local). The site is physically located within a neighbourhood parade, but the site itself does not actually fall within the designated frontage. On this basis, and in accordance with PPS4 and London Plan policy EC.14.3

and EC14.5 and EC14.6, officers consider that a full application needs to be accompanied by a retail assessment. The applicant submitted a retail impact assessment and this has been considered against the relevant PPS4 policies EC10, EC15 and EC16.

3.19 Policy EC10 sets out the specific criteria which need to be met with regard to carbon dioxide emissions, choice of transport modes, traffic congestion, high quality design, and the impact on economic and physical regeneration. These issues are covered under the sustainable energy and transport sections of this report.

3.20 Policy EC15 relates to the consideration of sequential assessments for planning applications for main town centre uses that are not in a centre and not in accordance with an up-to-date development plan. In this case, officers are content that the site lies physically within a neighbourhood parade and therefore the site could be regarded as a sequentially preferable location for such a use. With that in mind a sequential test would normally be required whether the site is deemed to be in or out of the parade. However, on the basis that the applicants submitted their application prior to the adoption of the Core Strategy we are inclined to allow them to proceed without a sequential test.

3.21 Policy EC16 requires an impact Assessment for Planning applications for main town centre uses that are not in a centre and not in accordance with an up-to-date development plan. This centre has recently been downgraded from a Key Local Centre to a neighbourhood parade which means that it is no longer defined as a 'Local centre'. PPS4 defines neighbourhood parades as "Small parades of shops of purely neighbourhood significance are not regarded as centres for the purposes of this policy statement". Notwithstanding this the applicants have submitted an impact assessment.

3.22 The original retail impact assessment submitted by the applicants was considered unsatisfactory as it did not include sufficient quantitative data to show the impact of the proposed store on the neighbourhood parade or any surrounding centres. Furthermore, the catchment area in which to measure the impact of the scheme was just 250 metres and was considered to be far less than walking distance and too small to provide a reasonable analysis for the proposed scheme. A revised impact assessment based on a more appropriate catchment of 400 metres (standard walking distance) has been submitted and includes further information based on this recommended catchment.

3.23 Officers acknowledge that the introduction of a larger, more modern unit in this location which seeks to compete in this sector of the market, will lead to an over-lap in local provision. However, such retail schemes can improve vitality in such locations and the applicants have provided information to substantiate the likely impact. It is considered that the scale of the proposed local convenience store is appropriate to the Wandsworth Bridge Road (North) Neighbourhood Parade and that the proposal has the potential to boost the centre by bringing increased choice and greater footfall to the benefit of existing traders and local residents. The expanded consumer choice for a local convenience offer and the reduction in the length of car-borne trips as local customers who own vehicles are able to shift mode from the car to walking to undertake top-up shopping.

3.24 Officers are satisfied that the impact of the new store on the parade is unlikely to be significant and although it is of a larger scale than existing units within the parade it

is considered that the benefit of bringing the vacant unit back into use and the potential footfall it may bring to the parade are welcome.

B8 Class (Basement)

3.25 The applicants have confirmed that the existing basement storage B8 class use will be completely separate from the retail use (separate access) ٤٤

## DESIGN and ACCESSIBILITY

### Policy

3.26 London Plan policy 7.1 requires that all new development is of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. Policy 7.2 requires that new development embraces the principles of inclusive design. Policy 7.3 requires new development to incorporate crime prevention measures to provide a safe and secure environment.

3.27 Policy 7.4 of the London Plan requires that new development responds to the surrounding setting and provides a human scale and relationship with street level activity and is informed by the historic context. Policy 7.5 requires the provision of high quality public realm that is comprehensible at a human scale. Policy 7.6 requires development to be of high architectural quality that is of a scale that is compatible with the surrounding area that makes a positive contribution to the immediate, local and wider area. Policy 7.21 seeks the retention of existing trees of value with new development, and their replacement when lost. Policy 7.8 of the London Plan requires that development respects affected heritage assets by being sympathetic to their form, scale, materials and architectural detail.

3.28 The following UDP policies are also of relevance: Policy EN2 requires that new development preserves or enhances the setting of conservation areas. Policy EN8. requires that new development is of a high standard of design that is compatible with the scale and character of existing surrounding development. Policy EN25 seeks the retention of trees with development and suitable replacement where removal is considered to be acceptable.

3.29 Core Strategy policy BE1 requires that all new development creates a high quality, accessible, urban environment that respects the surrounding setting, including heritage assets. Policy G1 of the draft Development Management Development Plan Document (DM DPD) 2011 builds on UDP policy EN8 and other design and conservation policies, seeking new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting.

3.30 The application site currently presents a poor visual aspect to the street. The existing building breaks the rhythm and proportions of the neighbouring Victorian terraces. The architectural design of the elevation is composed of large window modules and narrow strip windows within a flat façade. The design appears dated, and the facade appears to be in a poor condition. The buildings are of no distinct architectural quality and are not particularly characteristic of, and make no positive contribution to the character or appearance of the street scene or the conservation area.

3.31 The proposed building would be a part 4 storeys and part one storey in height (plus a basement), infilling the frontage onto Wandsworth Bridge Road. The scheme reflects the form and scale of the surrounding townscape, and unlike the existing building would introduce a good quality façade to this frontage. The ridge height would match that of No. 134 which adjoins the site. The proposed development would reinforce the existing street frontage design in Wandsworth Bridge Road and respectfully integrates into the surrounding built context. The development would effectively repair the street frontage using materials, proportion and design details found in the adjoining street frontages, and introducing activity along the ground floor frontage. The proposed shopfront would be in keeping with the proportions of the existing shop units within the adjoining terraces. Generally it is considered the replacement building is sensitively designed in terms of the form, height and proportions in keeping with the architectural details and materials found within the predominant development in this part of the Conservation Area.

## Heritage

3.32 PPS5 (Planning for the Historic Environment) provides advice on identifying heritage assets and assessing the effect that a development will have on the significance of those assets and their settings. It promotes the conservation of heritage assets and encourages opportunities to better reveal their significance by enhancing their setting. None of the existing buildings on the site are of any architectural merit and most of the premises has been vacant for several years. The site lies within a conservation area and adjacent to the setting of an adjoining conservation area which are designated heritage assets, and these would be preserved with Policy HE10 of PPS5 and UDP Policies EN2 and EN2B .

## ENVIRONMENTAL QUALITY, SPACE AND AMENITY

### Standard of Accommodation

3.33 Policy 3.5 of the London Plan requires new residential development to provide a high quality living environment internally. Table 3.3 of this policy specifies unit sizes for new development. A caveat is included within the policy stating that development that does not accord fully with the policy can be permitted if it exhibits exemplary design and contributes to the achievement of other policy objectives.

3.34 Policy 3.8 of the London Plan requires new residential development to be built to lifetime homes standards, with ten percent of units designed to be wheelchair accessible or easily adaptable to this standard. Policy 7.3 advises that new development should seek to create safe, secure and appropriately accessible environments.

3.35 Policy EN10 of the requires new development to create a safe and secure environment. Policy HO6 requires, among other matters, 10% of new residential units to be designed to be suitable for occupation by wheelchair users. Policy EN23 of the UDP states that all new developments would be required to make provision for open space to meet the needs of the occupiers and users. Standard S7A specifies minimum internal floorspace standards for new residential units. Standard S5 states that ground floor



family and non family dwellings should have at least 36m<sup>2</sup> and 14m<sup>2</sup> respectively of amenity space.

3.36 Policy H3 of the Core Strategy requires new residential development to provide high quality living conditions for future occupiers.

3.37 All of the proposed units have been designed to exceed the minimum dwelling size requirements outlined in Standard S7A of the UDP, exceed the minimum dwelling size requirements of Table 3.3 of the London Plan and provide satisfactory private amenity space for each dwelling. The proposed one bed units include a floor area of 50 m<sup>2</sup> and the two-bed units range between 65m and 70 m<sup>2</sup> and therefore exceed the respective minimum UDP standards of 44.5m<sup>2</sup> and 57m<sup>2</sup> respectively.

3.38 Standard S13.3 of the UDP relates to aspect, and states that no dwelling should normally have all of its habitable windows facing exclusively in any northerly direction. In this case, all the proposed flats face either in an east or west direction and therefore acceptable.

3.39 Only the top flat would have access to a private area of amenity space. However having regard to the constraints of the site, its location in close proximity to South Park officers consider that the proposed arrangement is acceptable in this case.

3.40 The passenger lift provided meets lifetime homes standard recommended size. The private hallway, internal corridor, kitchen and the main bathroom or main bedroom en-suite bathroom inside each flat meet or exceed family lifetime homes standards as advised in the adopted "Access For All" SPD, so complying with Core Strategy Policy H4 for meeting housing needs that all new-build dwellings should be to lifetime homes standards. Sections show there is level access from the street into the ground floor retail and residence entrance lobby.

3.41 In accordance with the provisions of the Equality Act 2010, the Council needs to have due regard for the potential of the proposal to affect the various needs of protected 'characteristics' and groups. In keeping with these objectives, the scheme has not been designed in such a way to exclude or have any detrimental impact on any groups in society and therefore it is considered that the proposed development would not contravene the Act.

3.43 Overall, it is considered that the standard of accommodation will give rise to a high quality internal living environment that will satisfactorily meet policy requirements. The scheme generally complies with the relevant policies and guidance, all of which require a high standard of design.

## RESIDENTIAL AMENITY

3.44 Policy EN8 of the UDP outlines that development should respect the principles of good neighbourliness and ensure that new developments are designed so that the amenities of existing residential properties are not unacceptably harmed. Standards S13.1, S13.2, S13.2a and S13.3 provide guidance on loss of outlook, loss of privacy to neighbouring properties, noise and disturbance, and the aspect for future occupiers arising from new development.

3.45 Under Standard S13.1 where a development does not breach a general standard of 45 degrees from a 2m height on the boundary from adjoining residential property the development would not have an overbearing impact in terms of outlook. In this case, the single storey ground floor element and upper floors are some 8m and 18m respectively away from the boundary to the rear which adjoins Vicarage which has a relatively relatively large rear garden. The adjacent property at No 134 Wandsworth Bridge Road comprises a ground floor retail use with residential flats above. The side elevation of that property facing the development site contains a first floor access to an outside terrace, kitchen and bathroom windows and a second floor bedroom window. The upper floors of the proposed development facing No.134 has been angled so that they splay away from that elevation and retain a sense of openness. The boundary with No. 130 includes a single storey retail use and beyond that is a three storey side element which contains a secondary window at second floor level. The third storey of the proposed building has a small footprint and would be some 9m from that elevation. Officers are satisfied that the proposals would not result in any loss of outlook that is sufficient to warrant the refusal of permission. The proposal accords with Standard S13.1 of the UDP which seeks to protect outlook.

3.46 Above ground floor the rear elevations of the proposed buildings would face the Vicarage which is screened by trees and more than 18m from the rear boundary. The proposed side elevation facing Studdridge Street and No.130 Wandsworth Bridge Road would contain secondary bedroom windows at first and second floor and a window to a stair case which would all be obscure glazed and fixed shut. This would be secured by condition. There are no windows facing No.134. The proposed layout would not result in any undue loss of privacy to adjacent residential properties. The proposed development would therefore accord with Standard S13.2 which seeks to protect privacy.

3.47 With regard to the proposed terrace area at third floor level Policy EN21 relates to environmental nuisance and states all developments shall ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. Standard S13.2A adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported. . Policy H9 of the draft DM DPD requires development to implement noise mitigation measures when necessary. The proposal includes a roof terrace at third floor which would measure approximately 12 m<sup>2</sup>, screened and set back from the side and rear boundaries. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed terrace areas. However, on balance, having regard to the size of the proposed areas (4.5 sqm each), which would limit the capacity to accommodate a high number of people, together with the location at high level and the relationship with adjoining properties, it is not considered that its use would, in the normal course of events, be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance to a degree that would justify refusing planning permission. The proposal is therefore considered to be consistent with Policy EN21 and Standard S13.2A of the UDP.

3.48 The applicants submitted a noise impact assessment with the application. The Council's Environmental Pollution Team have considered this report and have concluded that subject to conditions the proposals would not have an undue noise impact on the amenities of adjoining neighbours. Conditions would be attached to

mitigate against external noise levels through the provision of sound insulation, anti-vibration mounts, silencers for machinery, noise mitigation, restriction on delivery times, switching off vehicle engines on site. The proposal is therefore considered to be consistent with Policy EN21 of the UDP.

3.49 In considering the protection of adequate daylight and sunlight to existing buildings, the Council has had regard to EN8 in respect of neighbourliness and the guidance set out in Building Research Establishments' (BRE) Report 1991 - "Site Layout Planning for Daylight and Sunlight - A guide to good practice. When compared to the existing situation the proposed building although increased in height to match the height of the adjoining terraces, to the rear the development is splayed away from No.134 and the first and second floors would have a similar rear building line as the adjacent terraces, and the top floor is set back. Notwithstanding the secondary widow in the side elevation of No.130, given the siting and distances from adjacent properties along the boundaries the development would have no significant adverse daylight or sunlight impact on the amenities of the closest residential buildings in Wandsworth Bridge Road, Studdridge Street or Clancarty Road.

3.50 Standard S13.3 states that no dwelling should have all of its habitable room windows facing exclusively in a northerly direction. None of the proposed flats would be exclusively north facing. The proposal complies with Standard S13.3

3.51 In summary, it is not considered that the proposed development would have an unacceptable impact on the existing amenities of neighbouring occupiers in terms of loss of outlook or increased sense of enclosure; overlooking or loss of privacy; noise and disturbance or loss of daylight/sunlight, and is judged to be acceptable in the context of Policies EN8 and Standard S13 of the UDP.

#### PARKING, SERVICING AND TRAFFIC GENERATION:

3.52 PPG13 (Transport) expects better integration between planning and transport and promotes accessibility by public transport, walking, cycling instead of the private vehicles.

3.53 Policy 6.1 of the London Plan 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 policy also provides guidance for the establishment of maximum car and cycle parking standards. Policy 6.3 of the London Plan requires applications for new development to detail the impacts on transport capacity and that any development does not compromise highway safety. Policy 6.9 seeks to facilitate an increase in cycling in London and requires that new development provides for the needs of cyclists.

3.54 London Plan Policy 6.10 seeks an increase in walking in London through the provision of high quality pedestrian environments. Policy 6.11 seeks a coordinated approach to smoothing traffic flow and tackling congestion through a range of sustainable development principles, public transport improvements and corridor management. Policy 6.13 of the London Plan states the objective for promoting new development while preventing excessive car parking provision, and states that new development should accord with the London Plan car and cycle parking standards. The policy also requires that the delivery and servicing needs are met.

3.55 UDP Policy TN13 requires all development proposals be assessed for their contribution to traffic generation and their impact on congestion. Policy TN15 of the UDP requires any proposed development (new build or change of use) to conform to the parking standards, as listed in Standards S18 and S19 as well as Table 12.1 to ensure that there would be no increase in on-street parking demand. Policy TN4 states that development will not be permitted unless in terms of its design and layout it would facilitate ease of access by disabled people and others with impaired mobility to and from public transport facilities and car parking areas that directly serve the development.

3.56 Core Strategy policy T1 seeks improvement to the opportunities for walking within the Borough and localised highway improvements to reduce north-south congestion in the Borough and requires that new development secures access for all persons and provides appropriate car parking provision to meet the essential needs of the development without impacting on the quality of the urban environment. The council's draft Development Management DPD is currently the subject of public consultation. The policies contained therein are proposed to replace the remaining extant policies in the UDP. By and large, the transport policies are the same as those currently in the UDP. Policy J1 requires a transport assessment and a travel plan in certain circumstances. Policies J2 and J3 set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met (similar to UDP policy TN15 and Standard S18, which references Table 12.1). Policy J4 is about disabled person's parking. Policy J5 encourages the use of cycling and walking and in terms of cycle parking requires a greater number of spaces than both the UDP and London Plan. Policy J6 is the same as policy TN8 of the UDP. The relevant policies in the Development Management DPD will be a material consideration to which regard must be had in considering the application. Once it has been adopted, it will replace a number of UDP policies and form part of the council's development plan. As it is still a draft document at an early stage of the adoption procedure and will not be adopted until after an independent examination, it does not lend itself considerable weight. Nonetheless, other than policy J5, officers consider that the proposal also accords with the relevant transport policies mentioned above. Whilst policy J5 requires a greater number of cycle parking, officers are satisfied that subject to a condition 18, the proposal accords with the relevant provisions of the UDP and London Plan and do not consider that policy J5 can be given such weight as to require more spaces at this point in time.

3.57 The site is located on the west side of Wandsworth Bridge Road, opposite the junction with Hazlebury Road. Wandsworth Bridge Road forms part of the Strategic Road Network (SRN) for London. The proposals include two car parking space for exclusive use by the residential units. One of these spaces will be for disabled use. (A condition would be attached to any permission requiring satisfactory details of a swept path). The remaining seven units would have no parking available. The notional on-street overnight parking capacity is 90% and the submitted parking survey provided demonstrates there is not spare capacity on-street for the additional 7 units. The site has a Public Transport Accessibility Level (PTAL 3) using Transport for London methodology, indicating that it has a medium level of accessibility by public transport. Given the location of the site, with good public transport accessibility and easy access to shops and services, the restriction of parking permits is considered to be an appropriate approach in this case. Subject to such conditions, it is not considered that the proposed development would be likely to have an unacceptable impact on the existing amenities of local residents as a result of increased on-street car parking

stress. The applicant has therefore agreed to a car permit free development. No car parking will be provided for the food-retail or B8 storage and the parking survey provided demonstrates that there are parking bays available during the day for short vehicular trips.

3.58 Cycle parking for the residential units is provided at one space per unit and four cycle parking space will be provided for the retail unit which is considered to be acceptable and in accordance with UDP policy Table 12.2. For the B8 use two cycle spaces are proposed. The details and locations of the cycle parking spaces should be provided to the council for approval. Any works to the public highway would be secured by a Section 106 Agreement.

3.59 As part of the proposals the existing access arrangements will be retained. The construction of the development may lead to damage to the existing footway and vehicle crossover. The applicant has agreed to enter into a Section 106 Agreement to fund any necessary remedial works to the footway and crossover.

3.60 The applicant has included a trip generation survey for each mode of transport (See Table 1 below).

Table 1 Trip Generation: Modal Split

Use	Mode	Weekday AM Peak		Weekday PM Peak	
		Arr	Dep	Arr	Dep
Residential	Car Driver	0	0	0	0
Retail		10	7	10	8
Storage		1	1	1	1
Total		11	8	11	9
Residential	Car Passenger	0	0	0	1
Retail		4	2	4	2
Storage		0	0	0	0
Total		4	2	4	2
Residential	Bus	0	1	0	0
Retail		7	7	3	7
Storage		0	0	0	0
Total		7	8	3	7
Residential	HGV	0	0	0	0
Retail		0	0	0	0
Storage		0	0	0	0
Total		0	0	0	0
Residential	Motorcycle	0	0	0	0
Retail		0	0	0	0
Storage		0	0	0	0
Total		0	0	0	0

Use	Mode	Weekday AM Peak Arr	Weekday AM Peak Dep	Weekday PM Peak Arr	Weekday PM Peak Dep
Residential	Other	0	0	0	0
Retail		1	0	0	0
Storage		0	0	0	0
Total		0	0	0	0
Residential	Pedal Cycle	1	0	0	0
Retail		3	2	2	1
Storage		0	0	0	0
Total		4	2	2	1
Residential	Rail	0	0	0	0
Retail		4	2	0	1
Storage		0	0	0	0
Total		4	2	0	1
Residential	Taxi	0	0	0	0
Retail		0	0	0	1
Storage		0	0	0	0
Total		0	0	0	0
Residential	Underground	0	1	0	0
Retail		2	6	5	2
Storage		0	0	0	0
Total		2	7	5	2
Residential	Walk	3	5	3	4
Retail		65	73	115	111
Storage		0	0	0	0
Total		68	78	118	115
Overall Total		100	108	143	138

The information submitted demonstrates that there would be 208 two way person trips in the AM peak and 281 PM peak trips and of these trips 70-83% of these trips are related to walking. Overall officers are satisfied that the predicted trip generation is considered would not be detrimental to the existing traffic conditions. However in connection with the free flow of pedestrian movement officers recommend that the bollards on the footway to the north of the site be removed and included as part of revised audit and these details should be submitted for approval prior to the commencement of development and would be secured by Section 106 Agreement.

3.61 Servicing is proposed to Wandsworth Bridge Road to the north of the existing bus stops. In order to ensure that this done without any significant adverse impact on the street discussions have been undertaken with officers and TfL to include extending the bus cage to allow buses to pull out past the delivery vehicle. These improvements would be secured in a s106 agreement.

3.62 In order to, safeguard the amenity of local residents s Servicing Management Plan would be secured via the Section 106 Agreement. Details of a satisfactory Construction Management Plan would be secured by condition.

3.63 On this basis, the proposal is considered to accord with transportation policies in the London Plan, UP and Core Strategy.

#### Refuse and Recycling Issues

3.64 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3 advises that the Council would pursue sustainable water management. UDP Policies EN17 and HO14 sets out the Councils Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste. Policy H5 of the draft DM DPD requires developments to include suitable facilities for waste management. Refuse access to the site is also limited by the entrance arches. Therefore, the applicant proposes that a refuse collection point is to be located within close proximity of the public highway from which the site refuse bins can be collected. The location and operation of this would be conditioned so that it accords with 'The Storage of Refuse and Recyclables, Supplementary Planning Document'.

#### Land Contamination

3.65 Policy 5.21 of the London Plan states the support for the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development. Policy CC4 of the Core Strategy states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.. Policy H7 of the draft DM DPD requires effective measures to treat, contain or control contamination and policy H11 builds on UDP policy EN20A(i).

3.66 The Council's Environmental Quality Team has advised that potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with EN20A and EN21 the conditions would be attached to any permission requiring the assessment of contaminated land to be carried out.

#### Flood Risk

3.67 The site lies within Flood Zone 2 and 3 which is normally considered by the Environment Agency to be high risk in terms of potential to flood. The applicant has submitted a flood risk assessment which identifies flood resilience and flood resistance techniques, and measures to mitigate the effects of flood. The proposed ground and basement floors would be occupied by commercial uses - the proposed residential units would all be situated above ground floor. The more vulnerable residential use is well above the levels that could be affected by flooding caused by a breach of the river wall defences. The Environment Agency have no objections to the proposed development on the grounds that the technical information within the FRA sufficiently portrays the flood risk at the site. In this respect the development is considered to be acceptable in

the context of PPS25 and Policy H3 of the draft DM DPD requires development to reduce the use of water and to minimise flood risk.

## SUSTAINABLE ENERGY

3.68 PPS22 (Renewable Energy) sets out the Government's target of reducing carbon dioxide emissions by 60% by 2050 through improved energy efficiency measures and the use of renewable energy. The London Plan energy policies set out the lean, clean, green hierarchy approach to building design and the related strategic targets.

3.69 London Plan policy 5.1 states the target to achieve a 60% reduction in London's CO2 emissions by 2025. Policy 5.2 advises that the policy 5.1 target should be achieved through planning decisions by using less energy, supplying energy efficiently and using renewable energy (lean, clean, green), and specifies CO2 reduction targets for new development, progressively increasing to zero carbon development between 2016 and 2031. Policy 5.3 requires the highest standards of sustainable design and construction to be employed throughout London addressing CO2 emissions, urban heat islands, efficient use of natural resources, minimising pollution, minimising waste, avoidance of natural hazards including flooding, ensuring the development is comfortable for users, securing sustainable materials and local supplies and promoting and protecting biodiversity.

3.70 Policy 5.6 of the London Plan encourages the use of decentralised energy (combined heat and power systems) in new major development. Policy 5.7 seeks the incorporation of renewable energy generation in new development to assist in the reduction of CO2 emissions. Policy 5.8 supports the use of innovative alternative energy technologies to reduce the use of fossil fuels and CO2 emissions. Policy 5.9 seeks to reduce the impact of the urban heat island effect in London and encourages new development to incorporate places and spaces that assist in preventing overheating, and provides a cooling hierarchy of measures that major development should follow to minimise internal heat generation and effects.

3.71 Core Strategy Policy CC1 states that the Council will reduce emissions and tackle climate change through ensuring that new development minimises energy use, uses energy from efficient sources and uses renewable energy where feasible, and through meeting London Plan reduction targets. In accordance with London Plan policy 5.2, an Energy Assessment has been submitted to show the expected energy demand and associated CO2 emissions of the development and to outline the CO2 reduction benefits of the various sustainable energy efficiency measures to be integrated. Policy H1 of the draft DM DPD requires the implementation of energy conservation measures. Policy H2 requires the implementation of sustainable design and construction measures.

3.72 An Energy Assessment has been submitted showing how sustainable energy measures will be designed into the new development in order to reduce energy use and CO2 emissions.

3.73 Building elements such as walls/floors/windows/roof will be specified to higher insulation performance than required by the 2010 Building Regulations and airtightness will also be improved on the minimum requirements. These measures will help reduce heat loss. Other measures that will be integrated include: energy efficient lighting, use



of heat recovery on the ventilation system, use of energy efficient condensing gas boilers with local heating controls and installation of efficient 'A' rated appliances.

3.74 Low and zero carbon technologies have been assessed for the site and it is proposed to install 15 PV panels on the upper roof level. These are calculated to reduce CO2 emissions by 4.6%.

3.75 Air Source Heat Pumps (ASHPs) will be used to provide heating/cooling to the retail element of the building. Although not detailed in the assessment, ASHPs are regarded as a renewable energy, so they will also boost on-site renewable energy generation. Care will need to be taken when locating the external units to ensure they do not cause detrimental noise impacts for nearby residents. PPS will be able to advise further on this.

3.76 The overall approach in terms of sustainable energy is acceptable. The implementation of the measures outlined in the Energy Assessment could be conditioned.

## SUDS

3.77 The redevelopment of the site provides an opportunity to try to reduce surface water run-off. As detailed in the FRA, there have been numerous incidents of surface water/sewer flooding in the SW6 postcode in recent years. Although this is a relatively small development, consideration could be given to introducing some soft landscaping / green roof, permeable surfaces (if ground conditions are suitable) that could divert some surface water away from the combined sewer system.

## LEGAL AGREEMENT

3.78 London Plan policy 8.2 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. Core Strategy policy CF1 requires that new development makes contributions towards or provides for the resulting increased demand for community facilities.

3.79 In accordance with Section 106 of the Town and Country Planning Act 1990 (As Amended) the applicant has agreed to enter into a legal agreement. The Legal Agreement will include:

- The entire residential development to be Car Permit Free
- Travel Plan management and monitoring.
- Service Management Plan
- Alterations to the highways and bus stand

## 4.0 RECOMMENDATION

4.1 That the application be approved subject to the completion of a legal agreement under Section 106 of the 1990 Act and Section 278 Agreement (and other appropriate powers) and the conditions outlined above.

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**Ward:** Parsons Green And Walham

**Site Address:**

132 Wandsworth Bridge Road London SW6 2UL



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**For identification purposes only - do not scale.**

**Reg. No:**  
2011/03048/CAC

**Case Officer:**  
Roy Asagba-Power

**Date Valid:**  
29.09.2011

**Conservation Area:**  
: Hurlingham Conservation Area - Number 4:  
Studdridge Street Conservation Area - Number 7

**Committee Date:**  
14.12.2011

**Applicant:**

Mr Nowsad Gani  
C/o Agent

**Description:**

Demolition of existing buildings and redevelopment involving the erection of a four-storey plus basement building comprising a shop (Class A1) at ground floor with ancillary storage (Class B8) at basement level and 9 flats at first, second and third floors.

Drg Nos:

**Application Type:**

Conservation Area Consent

**Officer Recommendation:**

That the application be approved subject to the following conditions:

- 1) The works hereby granted consent shall not commence later than the expiration of 3 years beginning with the date upon which this consent is granted.

Condition required to be imposed by Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 91 of the Planning and Compensation Act 2004).

- 2) The demolition hereby permitted shall not be undertaken before:
  - (i) a building contract for the redevelopment of the site in accordance with planning permission reference 2011/03004/FUL has been entered into;
  - (ii) notice of the proposed demolition, in writing, and a copy of the building contract has been submitted to the Council, and;
  - (iii) details of all matters which require prior approval pursuant to planning permission reference 2011/03004/FUL before the commencement of the development have been submitted to and approved in writing by the Council.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area, in accordance with policy EN2 and EN2B of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Councils Core Strategy 2011.

- 3) No demolition shall commence prior to the submission and approval in writing by the Council of details of a scheme for the temporary fencing and/or enclosure of the site, and the temporary fencing/means of enclosure has been constructed in accordance with the approved details.

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harms to the street scene,

in accordance with policy EN2, EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Councils Core Strategy 2011.

**Justification for Approving the Application:**

- 1) The proposed demolition is considered to be acceptable on the basis that planning permission exists for a satisfactory redevelopment scheme. Accordingly, it is not considered that the demolition would have an unacceptable impact on the character or appearance of the conservation area, in accordance with Policy EN2 and EN2B of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy.

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

**All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 27th September 2011

Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Environment Agency - Planning Liaison	17.10.11
Thames Water - Development Control	14.10.11
English Heritage London Region	03.11.11

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
1 Studdridge Street, London	17.10.11
25 Hazlebury Road London SW6 2NA	08.10.11
48 Bowerdean Street London SW6 3TW	20.10.11

11 Studdridge Street London SW6 3SL	17.10.11
3 Studdridge Street	26.10.11
1 Studdridge Street Fulham SW6 3SL	05.10.11
Flat 4 130 Wandsworth Bridge Road	19.10.11
3 Studdridge Street London SW6 3SL	19.10.11
1 Studdridge Street London SW6 3SL	19.10.11

See joint report for 2011/02778/FUL.

**Committee Date:**  
14.12.2011

**Applicant:**

London Square  
C/o Agent

**Description:**

Redevelopment to provide 50 residential units (40 houses and 10 flats) involving the demolition of the existing buildings (except the entrance arch fronting Farm Lane); formation of basement car park (accessed from Farm Lane) and cycle parking; creation of private communal amenity space and associated landscaping.

Drg Nos: A2205:103-P10; 104-P10; 211-P12; 212-P10; 213-P10; 214-P10; 215-P10; 216-P10; 301-P10; 302-P10; 400-P10; 401-P10; 402-P10; 510-P1; 750-

P10; Supplementary Access Info 22 Nov 2011 (Rev 2); Affordable Housing Statement; Archaeology Statement; Built Heritage Statement; Daylight \_ Sunlight Report; Design Access Statement; Energy Statement; Flood Risk Report; Noise Assessment; Planning Statement; Statement of Community Involvement; Transport Statement.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the following conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

- 2) Unless agreed in writing by the Council, the development shall be carried out and completed in accordance with the following approved drawings:  
A2205:103-P10; 104-P10; 211-P12; 212-P10; 213-P10; 214-P10; 215-P10; 216-P10; 301-P10; 302-P10; 400-P10; 401-P10; 402-P10; 510-P1 and 750-P10.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8 and 7.21 of the London Plan and policies EN2B, EN6, EN8 and EN25 of the Unitary Development Plan as amended 2007 and 2011, and policy BE1 of the Core Strategy 2011.

- 3) Prior to commencement of the development hereby approved, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust,

noise, vibration, lighting, delivery locations and working hours. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by dust from the building site, in accordance with Policy EN20A, EN20B, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 4) No development shall commence until a scheme for temporary fencing and/or enclosure of the site where necessary has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details and retained for the duration of the building works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.

To ensure a satisfactory external appearance of the site, in accordance with policies EN2B, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 5) No development shall take place until a scheme detailing how the roots of the mature trees on the adjoining boundaries with Walham Grove and Knivet Road, will be protected from damage during demolition and construction has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented prior to first commencement of development of the phase affecting these roots and retained until the development has been completed.

To protect existing trees in accordance with policies EN2B, EN8 and EN25 of the Unitary Development Plan, as amended 2007 and 2011.

- 6) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The scheme should make provision for:

- a) Evaluation to assess the presence and significance of archaeology
- b) excavation to record any significant archaeological features, that cannot be conserved
- c) historic building recording prior to demolition/alteration as shown necessary by a site appraisal
- d) the assessment of the results, and proposals for their publication
- e) the publication of the results
- f) the deposition of the site archive

The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the local planning authority.

To ensure that the archaeological heritage of the application site is properly investigated in accordance with PPG 16 and Policy EN7 of the Unitary Development Plan, as amended 2007 and 2011.



- 7) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2011 and policy CC4 of the Core Strategy 2011

- 8) No construction shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. If, during development, contamination not previously identified is found to be present at the site the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2011 and policy CC4 of the emerging Core Strategy 2011.

- 9) Details including drawings in plan, section and elevation at a scale of no less than 1:20 of all proposed boundary treatments, means of enclosure to ground floor private amenity space and gates shall be submitted to and approved in writing by the local planning authority. The approved boundary treatments, means of enclosure and gates shall be implemented before the development is occupied and shall be retained thereafter for the lifetime of the development.

To ensure a satisfactory external appearance, in accordance with policy EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 10) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details in plan, section and elevation (at a scale of not less than 1:20) of typical bays including detail of cladding, fenestration, balconies and entrances for each of the buildings, and no part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policy EN2B, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 11) No development shall commence until particulars and samples of all of the materials to be used in all roof coverings and external faces of buildings, and details of all paving and external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure within that phase have been submitted and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with policy EN2B, EN3 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 12) Details of the colour, composition and texture of the render and bond, mortar mix and pointing style of the brickwork shall be submitted for the Council's approval prior to commencement of works and implemented in accordance with approved details.

To ensure a satisfactory external appearance, in accordance with policies EN2B, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 13) No plumbing or pipes, other than rainwater pipes on the approved elevations, shall be fixed on the external faces of the buildings.

To ensure a satisfactory external appearance, in accordance with Policy EN2, and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 14) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the buildings hereby permitted.

To ensure a satisfactory external appearance, in accordance with Policy EN2, and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 15) No changes shall be carried out to the external appearance of the building, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings, prior to the submission and approval of a further planning application, provided that the proposed changes would, in the Council's opinion, materially affect the external appearance of the building

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies EN2, EN8 and EN21 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 16) No development shall commence prior to the submission and approval in writing by the Council of full details of the proposed hard and soft landscaping of the site, including planting schedules and details of the species, height and maturity of any trees and shrubs and proposed landscape maintenance plan. These details shall include the access to each building and all other from the proposed shared vehicular and pedestrian entrance surfaces, including surface materials and kerb details that ensure a safe and convenient environment for blind and partially sighted people. The approved scheme shall be implemented in the next winter planting season following completion of the building works for that phase, or before the occupation of and use of any part of the buildings, whichever is the earlier, and the landscaping shall thereafter be retained and maintained in accordance with the approved details.

To ensure a satisfactory external appearance, and that the needs of the visually impaired are catered to in accordance with the Equality Act 2010 and policy EN2B, EN6, EN8 and EN26 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 17) Any tree or shrub planted pursuant to approved landscape details that is removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory provision for planting, in accordance with policies EN2B, EN8 and EN26 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 18) Prior to the occupation of any of the residential units the whole of the parking accommodation shown on the approved drawing no. A2205 211 P12 shall be provided. This shall thereafter be retained permanently for the accommodation of motor vehicles of the residential occupiers and users of the development and shall not be used for any other purpose. Allocation of the parking spaces shall be in

accordance with details that must first be submitted to and approved in writing by the council.

To ensure the provision and permanent retention of the parking spaces so as to ensure that the development does not result in additional on-street parking stress detrimental to the amenity of surrounding residents, in accordance with policy TN13 and standard S18 of the Unitary Development Plan, as amended 2007 and 2011.

- 19) Prior to the occupation of any of the residential units the car parking spaces designed for wheelchair users shown on the approved drawing no. A2205 211 P12 shall be provided, marked out and reserved for persons with disabilities. These facilities shall thereafter be permanently retained for this purpose.

To ensure the satisfactory provision and retention of car parking spaces for wheelchair users and so that the development does not result in additional on street car parking stress, detrimental to the amenity of surrounding residents, in accordance with policy TN15 and standards S18 and S19 of the Unitary Development Plan, as amended 2007 and 2011.

- 20) Prior to the commencement of development, details of secure cycle storage shall be submitted to and approved in writing by the Council. Development shall accord with the details as approved, and the cycle parking provision shall be retained thereafter for the lifetime of the development.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers and users, in accordance with policies 6.9 and 6.13 of the London Plan 2011 and policy TN6 and Standard S20.1 of the Unitary Development Plan as amended 2007 and 2011.

- 21) Prior to first occupation of the development, a site servicing strategy, including vehicle tracking, shall be submitted to and approved in writing by the Council detailing management of deliveries to and throughout the site, emergency access throughout the site, collection of waste and recyclables, times of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement. The approved measures shall be implemented and continued thereafter for the lifetime of the development.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policy EN20A, EN20B, EN21, TN5, TN13 and Standard S21 of the Unitary Development Plan, as amended 2007 and 2011.

- 22) Prior to occupation of the development, details of the installation (including location and type) of the electric vehicle charger points within the car parking areas must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charger points shall be installed and retained in working order for the lifetime of the development.

To encourage sustainable travel in accordance with Policies 5.8 and 6.13 of the London Plan 2011.

- 23) Details of the measures to be incorporated into the design of the development to enable the operation of emergency services communications equipment throughout all levels of the scheme shall be submitted to and approved by the Council prior to the commencement of each phase of the development, other than site preparation works or site remediation, and the detail as approved shall be implemented in accordance with an agreed scheme prior to the occupation of that relevant phase of the development.

To ensure that emergency services communications equipment functions effectively throughout the development in accordance with policy 7.13 of the London Plan 2011.

- 24) No deliveries to or from the site in connection with the site preparation or construction works shall take place outside the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and no such deliveries shall take place at all on Sundays or public holidays.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policy EN20A, EN20B, EN21, TN5, TN13 and Standard S21 of the Unitary Development Plan, as amended 2007 and 2011.

- 25) A minimum of 10% of the dwellings shall be capable of meeting the needs of wheelchair users and shall be designed and capable of adaptation, in accordance with the Council's Supplementary Planning Guidance (Access for All). The remainder of the dwellings shall be designed to conform to Lifetime Homes standards and shall be constructed accordingly.

To ensure a satisfactory provision of dwellings, meeting the needs of people with disabilities in accordance with the council's Supplementary Planning Guidance (Access for All) and Policy 3.8 of The London Plan, 2011.

- 26) The development shall not commence before full details of the means by which wheelchair access is provided to the building, dwellings and open spaces, including the provision of parking spaces, have been submitted to and approved in writing by the council. Such details as approved shall be carried out prior to any use or occupation of the buildings or open spaces and thereafter permanently retained.

To ensure satisfactory access provision is made for people in wheelchairs in accordance with policy HO6 and TN4 of the adopted Unitary Development Plan, as amended 2007 and 2011 and the Council's SPD on Access for All.

- 27) Notwithstanding the details shown on the approved drawings, before any development commences, details shall be submitted to the Local Planning Authority and approved in writing showing a level means of access into all properties from the rear. The development shall be implemented in full accordance with the approved details.

In order to provide housing choice for older and disabled Londoners with unmet need for accessible housing in accordance with Policy 3.8 of the London Plan 2011.

- 28) The ground floor entrance doors hereby approved shall not be less than 1 metre wide and the threshold shall be at the same level to the pavement fronting the entrance(s).

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policy EN11 of the Unitary Development Plan, as amended 2007 and 2011.

- 29) The proposed lift to the basement car park within the development shall be a fire rated lift, details of which shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of the development. The fire rated lift shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policy 3.8 of the London Plan and policy HO6 of the Unitary Development Plan as amended 2007 and 2011.

- 30) The development shall not commence before details of the refuse storage, including provision for the storage of recyclable materials, have been submitted to and approved in writing by the council. Such details as approved shall be implemented prior to the occupation of the development and thereafter permanently retained. All refuse/recycling generated by the development hereby approved shall be stored within the agreed areas. These areas shall be permanently retained for this use.

To ensure the satisfactory provision of refuse storage and recycling in accordance with policy EN17 of the Unitary Development Plan, as amended 2007 and 2011.

- 31) Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, no development within the curtilage of a dwelling house which forms part of the overall development hereby approved shall be carried out without the prior permission of the Council, obtained through the submission of a planning application.

In the interests of the living conditions of neighbouring properties within the development, in accordance with policies EN8 and EN8B of the Unitary Development Plan as amended 2007 and 2011.

- 32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being granted.

To ensure that the visual impact of telecommunication equipment can be considered, in accordance with Policy EN2, and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 33) Prior to the commencement of development, other than site preparation or remediation, a strategy for the provision of children's playspace on the site shall be submitted to and approved in writing by the Council that details the type of play equipment to be installed. The details proposed shall be implemented as approved and retained thereafter.

To ensure the suitable provision of playspace and incidental play opportunities for children throughout the development, in accordance with policy 3.6 of the London Plan and policy EN23B of the Unitary Development Plan as amended 2007 and 2011.

- 34) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA)

To prevent flooding by ensuring the satisfactory storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with PPS25 and policies 5.11, 5.13, 5.14 and 5.15 London Plan 2011.

- 35) Prior to occupation of any building, confirmation that the dwellings meet the requirements of level 3 of the Code for Sustainable Homes shall be submitted to and approved in writing by the Council.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan 2011.

- 36) No development shall commence until a fully detailed sustainability statement, incorporating an energy strategy, has been submitted to and approved in writing by the council. The approved details shall be carried out before any occupation of that part of the development to which the approved details relate and be retained in full working order for the lifetime of the development.

To ensure an energy efficient development to help reduce its carbon dioxide emissions, in accordance with Policies 5.2, 5.3, 5.6 and 5.7 relating to energy demand, energy efficiency and renewable energy of The London Plan 2011.

- 37) The development hereby permitted shall not commence until further details of the Sustainable Urban Drainage System (SUDS), including maintenance programme have been submitted to and approved in writing by the council. The SUDS scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently retained and maintained in line with the agreed plan.

To ensure that surface water run-off is managed in a sustainable manner, in accordance with policy 5.13 of The London Plan 2011 and Policy CC2 of the Core Strategy 2011.

- 38) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings, namely eg. living room and kitchen above/below or abutting bedrooms of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 39) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from mechanical installations/ equipment and their uses, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 40) Prior to commencement of the development hereby approved, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that 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. Approved details shall



be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by vibration, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 41) Prior to commencement of the development hereby approved, details of external artificial lighting shall be submitted to and approved in writing by the Council. Details shall demonstrate that vertical illumination of neighbouring premises is a maximum of 10lux at ground floor and 5lux at first floor level. The recommendations of the Institution of Lighting Professionals in the `Guidance Notes For The Reduction Of Light Pollution 2005 shall also be met with regard to glare and sky glow. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policy EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 42) Prior to commencement of development, details of measures to adequately accord with the Metropolitan Police `Secure by Design' scheme shall be submitted to and approved in writing by the Council. Such details shall include, but not be limited to, CCTV coverage, access controls, basement security measures, and means to secure the site throughout construction. Development shall proceed in accordance with the approved details and measures shall be retained thereafter.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with policies 7.3 and 7.13 of the London Plan and policy EN10 of the Unitary Development Plan as amended 2007 and 2011.

- 43) No development shall take place until a methodology has been submitted to and approved in writing by the Council of how television interference as a result of the development hereby approved would be remediated. Such methodology as approved shall be implemented as appropriate to remediate any television interference immediately upon its discovery.

To ensure that television interference caused by the development is remediated in accordance with Policy EN21 of the Unitary Development Plan as amended 2007 and 2011 and Policy 7.7 of the London Plan 2011

- 44) The development hereby approved shall not commence prior to the submission and approval in writing by the Council of details of the extent and form of the proposed boundary wall and trellis on the north, south and west side of the site adjoining Walham Grove, Knivet Road and Fulham Primary School. These details shall include drawings showing the finished design and appearance of the boundary wall. No part of the development shall be used or occupied prior to the

implementation of the approved details. The remaining section of wall shall thereafter be retained, and shall not be demolished, all or in part, or altered prior to the submission and approval in writing by the Council of a further planning application.

To ensure a satisfactory external appearance and to safeguard the amenities of the occupiers of adjoining residential properties, in accordance with Policies EN2B, EN8 and EN21 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 45) Details of a local history plaque to be erected on site shall be submitted to the Local Planning Authority for approval, prior to the commencement of the relevant part of the development, and implemented in accordance with approved details.

In order to safeguard the special architectural or historic interest of the building, in accordance with Policy BE1 of the Core Strategy 2011 and Policy EN6 of the Unitary Development Plan, as amended 2007 and 2011.

- 46) No demolition shall commence until a full photographic survey of the buildings to be demolished has been completed and a copy has been submitted to the Council's Archivist.

To ensure that the appearance of that part of the building to be demolished is recorded for the future, in accordance with policy EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

### **Justification for Approving the Application:**

1. Landuse: The proposed development is in accordance with the Council's aspirations for the area and the principle of residential-led redevelopment will make effective use of previously under-utilised land. The dwelling mix, tenure split and level of affordable housing would be in accordance with adopted and emerging policies in the London Plan.2.18, 3.3, 3.4, 3.7, 3.10, 3.11, 3.12, 3.13 and 3.16 of the London Plan 2011 and policy HO6 of the Unitary Development Plan as amended 2007 and 2011 and policies H1, H2, H3 and CF1 of the Core Strategy 2011.

2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The proposal preserves and enhances the character and appearance of the adjoining conservation areas, heritage assets and locally listed buildings. The development would therefore be acceptable in accordance with Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan 2011 and policies EN2B, EN6, EN8 and EN25 of the Unitary Development Plan as amended 2007 and 2011 and policy BE1, of the Core Strategy 2011.

3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies EN10, HO6, EN8, EN20A, EN23, EN23B and Standards S5A.1, S5A.2, S7.1, S7A, S13.1, S13.2 and S13.3 of the Unitary Development Plan as amended 2007 and 2011 and policies H3 and OS1 of the Core Strategy 2011.

4. Transport: Subject to a satisfactory legal agreement there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Satisfactory provision would be made for cycle parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The development would therefore be acceptable in accordance with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2011 and policies TN4, TN5, TN6, TN8, TN13, TN15 and TN21 and Standards S18, S19, S20, S21 and S23 of the Unitary Development Plan as amended 2007 and 2011 and policy T1 of the Core Strategy 2011.

5. Access: The development would provide a safe and secure environment for all users. The development would therefore be acceptable in accordance with Policy EN10 of the Unitary Development Plan as amended 2007 and 2011, and the Council's adopted supplementary planning document 'Access for all'.

6. Sustainability: The proposed development has been designed to meet the highest standards of sustainable design and construction, also utilising renewable energy technology. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The development would therefore be acceptable in accordance with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan 2011 and policies EN28A, EN29 of the Unitary Development Plan as amended 2007 and 2011 and policies CC1, CC2, H3 and OS1 of the Core Strategy 2011.

7. Land Contamination: The application proposes that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with policy 5.21 of the London Plan 2011 and policy CC4 of the Core Strategy 2011.

8. Archaeology: The site is located adjacent to an Archaeological Priority Area and a condition will secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation. The proposed development therefore accords with policy 7.8 of the London Plan 2011, policy EN7 of the Unitary Development Plan as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

9. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. The development would therefore be acceptable in accordance with Planning Policy Statement (PPS) 25 and policies 5.11, 5.13, 5.14 of the London Plan 2011.

10. Planning Obligations: The application proposes that its impacts are mitigated by way of financial contributions to fund improvements that are necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with policy 8.2 of the London Plan 2011) policy EN23 of the Unitary Development Plan as amended 2007 and 2011 and policy CF1 of the Core Strategy 2011.

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

### **All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 2nd September 2011  
Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Thames Water - Development Control	10.10.11
English Heritage London Region	24.10.11
Environment Agency - Planning Liaison	06.10.11
Hammersmith & Fulham Historic Buildings Group	01.11.11

### **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
First Floor 18 Knivett Road London SW6 1JH	04.11.11
6 Knivett Road London SW6 1JH	20.10.11
18 Knivett Road London SW6 1JH	20.10.11
16 Knivett Road London SW6 1JH	18.10.11
14 Knivett Road London SW6 1JH	20.10.11
10 Knivett Road London SW6 1JH	26.10.11
14 Walham Grove London SW6 1QP	18.10.11
22 Knivett Road London SW6 1JH	20.10.11
100 Farm Lane, Fulham, London	19.10.11

114 Farm Lane London SW6 1QH	14.10.11
20 Knivett Road London SW6 1JH	07.10.11
19B Walham Grove London SW6 1QP	10.10.11
Nag	02.11.11
114 Farm Lane Fulham SW6 1QH	02.11.11
20 Knivet Road, London, SW6 1JH	20.10.11
22 Knivet Road London SW6 1JH	04.10.11
Nag	02.11.11
Hammersmith And Fulham Disability Forum	
Development Officer Hestia Shaftsbury Centre, Unit 25	
85 Barlby Road London W10 6BN	24.10.11

## OFFICERS' REPORT

### 1.0 BACKGROUND

#### Site

1.1 The site (0.8 ha) is known as the Farm Lane Trading estate. The existing two/three storey buildings (with pitched roofs) are built up to the boundary and are arranged in a U-shape around a central parking/ access area. The buildings are in a poor condition and include a mix of commercial sui generis, B1 offices and A1 retail uses. The site is accessed through twin-arched entrance along the Farm Lane frontage.

1.2 The site lies in a predominantly residential area. It is bounded by residential properties fronting Walham Grove and Knivet Road to the south and west respectively and to the east, on the opposite side of Farm Lane. Immediately to the north is Fulham Primary School which fronts Halford Road. The opposing terrace in Farm Lane comprises two storey terraced houses with pitched roofs and many loft conversions.

1.3 The two archways that form the entrance to the site are included on the Council's List of Buildings of Merit. Although the site is not within a conservation area, it is situated between two conservation areas - Sedlescombe Road Conservation Area to the east and Walham Grove Conservation Area to the south.

#### History

1.4 There is no significant planning history for the site. Some of the existing buildings on site date back to 1908 and were originally used by British Motor Cab Company Limited and later became premises for repairs and servicing. In the late 1950's and early 1960's the site was used for the overhaul and repair of taxi cabs and vehicles as well as the manufacture of components for engineering and reconditioning of motor engines. In 1963 permission was granted for the use of the former social club as ancillary offices and welfare facilities to the main use of the premises as a taxi cab garage.

1.5 The motor trade has now virtually disappeared from the site. SAAB retain a showroom and repairs workshop but they will be vacating the site together with all the other tenants in 2012 (leases expiring). There are 32 individual units on the Trading Estate which are occupied by a total of 17 tenants. Four of the vacating occupiers (SAAB UK Limited, Pias UK Group, R Khoshnam and Oka Direct) account for over two-

thirds of the existing total floorspace on site. The site employs approximately 80 people including temporary staff.

## Proposal

1.6 The current proposal is for the redevelopment of the site to provide 50 residential units (40 houses and 10 flats) involving the demolition of the existing buildings (except the entrance arch fronting Farm Lane); formation of basement car park (38 garages and 41 spaces) accessed from Farm Lane and cycle parking and the creation of private communal amenity space and associated landscaping. The houses will comprise two-storey (plus mansard), three-storey (plus mansard) and four-storey buildings providing a 4 two-bedroom, 2 three-bedroom, 14 four-bedroom and 20 five-bedroom units. The flats would include 4 one-bed and 6 two bedroom apartments.

## 2.0 PUBLICITY AND CONSULTATIONS

### Pre-application

2.1 In March 2011, the applicants sent out approximately 2,000 pre-application newsletters to households and businesses in the area surrounding the site and inviting them to a public consultation exhibition.

2.2 On 8th and 9th April 2011, the pre-application exhibition was held at St John's Church, North End Road and was attended by 64 people including representatives from the Hammersmith & Fulham Historic Buildings Group and the Fulham Society - 23 people completed feedback forms with their comments. In short, there was strong support for the proposals on the following grounds: the existing buildings are run down and need replacing; the replacement of a noisy commercial neighbour with residential; the design approach which includes residential family sized accommodation around open space with some affordable housing and off-street basement parking. However some concerns were raised about the height of the buildings, loss of light, increased traffic and impact on local parking.

2.3 Following the public consultation exhibition, letters were hand delivered to the 35 properties that immediately back onto the site (Walham Grove, Knivet Road and Halford Road, offering those who were unable to attend the public exhibition the chance to view the proposals for themselves, and offering those who did attend the exhibition the chance to comment further on the proposals. Twelve individual meetings were held. Whilst there was 'unanimous' overall support concerns were raised on the following grounds: the height of the scheme (now reduced by creating a full basement); the reduced boundary height (needs to be reduced due to structural integrity) and on street parking.

2.4 On 11 July 2011 the pre-application proposals were considered at a public Planning Forum organised by the Council. In addition to the applicants and architects, the meeting was attended by officers, Hammersmith & Fulham Historic Buildings Group and the Fulham Society. Clarification of concerns raised about the following: loss of employment; whether a mixed use was explored; whether tenure for the affordable units would be blind; the proposed building heights; whether parking spaces would be provided for the affordable units; access for fire emergency vehicles; access for delivery / removal vehicles; number of affordable units; the affordability of the service charge for

the occupiers of the affordable units; the acceptability of gated community / open space and any impact on the adjacent school.

### Current Application

2.5 The current application was submitted on 3rd September 2011 and was advertised by way of a site notices and a press advert. In addition, individual notification letters were sent to over 159 neighbouring residents.

2.6 18 letters were received including 1 letter in overall support with some concerns and 17 letters objecting to the proposals (including duplicate or multiple returns from the same addresses) on the following grounds:

- Loss of commercial property and associated employment
- 40 luxury unaffordable homes and private amenity space not accessible to other residents of no benefit to anyone but the applicant
- Buildings tower over properties with tiny gardens
- Alters character of the street and the area
- Impact on conservation area
- Height out of keeping with the area
- Some houses would be 5 storeys including basement (prefer two storeys)
- Loss of privacy
- Overshadowing
- Loss of light
- Increased pollution and noise
- Lowering the boundary walls
- Further pressure on local parking in the area
- Increased pedestrians / footfall (North End Road market, tube stations)
- Congestion and extra traffic resulting from the development
- Noise, dust, traffic and disturbance during lengthy construction period
- Impact of basement excavation to create car park
- Removal of wall will lead to loss of natural environment for established planting and wildlife
- Lowering of boundary wall will reduce security

2.7 The Hammersmith and Fulham Historic Buildings Group raised no objection to the proposals and had the following comments:

"We welcome the proposal to retain this entrance and to incorporate it within the new development. We believe that this will both enhance the character of the scheme, and provide a tangible link with the site's former history and its associations with early motor vehicle usage.

The Group was represented at the Public Exhibition of the development proposals held at St John's Church, North End Road on 8-9 April 2011, and at the Planning Forum held at 368 North End Road on 11 July 2011. The following comments were provided.:

"While we do not regard the buildings to be of architectural significance, we do consider that there should be a photographic record made before demolition, to include building exteriors, interiors, features, and the site generally. The developer has indicated (in 4.6 of the Design and Access Statement supporting the application) that this will be

undertaken, and that the results, together with the findings of the heritage assessment, will be deposited in the Borough Archives.

Consideration be given to the erection of a commemorative plaque, ideally in a suitably visible location on the Farm Lane frontage. The Group will be happy to assist with appropriate wording for the plaque." Appropriate conditions would be attached to any permission (Conditions 45 and 46).

2.8 English Heritage have raised no objections to the proposals.

2.9 Greater London Archaeological Advisory Service have raised no objections to the proposals subject to conditions.

2.10 Thames Water have raised no objections.

2.11 The Metropolitan Police Crime Design Advisor has not responded to the consultation. (A condition would be attached to any permission requiring that the development meet Secure By Design standards).

2.12 The Hammersmith and Fulham Action on Disability Group (HAFAD) were consulted and have made the following comments:

- disappointed at the disproportionate split of accessible properties between the private and affordable market.
- The basement height should meet the relevant guidelines so that some larger vehicles that might be required by disabled people may be accommodated
- All properties across the site should meet Lifetime Homes Standards including level access to front doors of flats and houses
- Suitable handrails should be provided across the site where necessary on the landscaped inclines
- there could be a management issue to resolve if deliveries are only permitted on a dawn to dusk basis (due to the presence of the concierge) Some deliveries could easily take place outside these hours
- access to the accessible houses from the car park level be marketed properly and that the possibility of providing a stairlift if required should be highlighted during the marketing process
- All recycling and refuse areas should be fully accessible
- Provision for seating should be made across the landscaped areas to provide resting points for older and disabled people
- The drop off zone that is proposed as a shared surface may prove difficult for taxis, Dial-a-Ride vans and others. Consideration should be given to the provision of a kerbed area for easier access.

The applicant submitted a revised supplementary access document which addresses HAFADs concerns and these have been accepted by the Council's Access Officer.

2.13 The planning matters raised above will be considered in the body of the report below.



### 3.0 PLANNING CONSIDERATIONS

3.1 The main issues are considered to be the acceptability of the proposal in land use terms, whether the proposal is of acceptable density, tenure and appearance, whether it is acceptable in terms of traffic and parking and its impact on amenities of surrounding occupiers.

#### Loss of employment

3.2 The industrial estate comprises 32 small business units on two floors and is currently occupied by a range of light industrial and office users. While there some vacant units, these comprise about 15% of the total floorspace of 9,100 m<sup>2</sup>. Significantly, the 4 major occupiers who account for 64% of the floorspace are planning to vacate the floorspace in 2012 when their leases expire. Additional supporting information indicates that the property requires significant investment if it is to continue to attract new/replacement occupiers.

3.3 Both the London Plan and the Hammersmith and Fulham Core Strategy 2011 have recently been adopted. In addition most policies in the UDP are retained. The relevant policies with regard to the principle of the change of use proposed are London Plan policies 4.2 and 4.4 regarding offices and industrial land respectively and Core Strategy Strategic Policy B and Policy LE1. In addition UDP Policy E5 is retained regarding retention of small business premises in redevelopment schemes for Class B purposes.

3.4 In summary the current policy framework is to encourage the retention of valuable appropriately located employment property whilst releasing surplus, inappropriately located property to provide for housing or mixed use. There is increased emphasis on the provision for small businesses. London Plan policy 4.2 Bc encourages the management of "long term structural changes in the office market, focusing new capacity where there is strategic as well as local evidence of demand, encouraging renewal and modernisation in viable locations and supporting changes of surplus office space to other uses"

3.5 London Plan policy 4.2Bd encourages the re-use of otherwise surplus large office spaces for smaller units. London Plan policy 4.4 seeks the management of industrial land having regard to the need to protect locally significant industrial sites and managing the release of surplus industrial land having regard to the borough level groupings for transfer of industrial land. In this context London Borough of Hammersmith and Fulham are included as a borough where there should be a "restricted transfer of industrial land".

3.6 The Core Strategy policies follow from those in the London Plan. Strategic Policy B seeks to support the local economy by providing for inward investment in the preferred locations and by the protection of existing employment land where there is significant existing employment. However, unused or underused employment land may be permitted to change use to residential or mixed use "if there is no clear benefit to the economy in continued employment use".

3.7 More clarification on this is included in Borough wide policy LE1. This sets out criteria on which the future use of employment sites can be assessed. The two most relevant considerations to this application are: (i) "continued use would adversely

impact on residential areas" and (ii) "it can be satisfactorily demonstrated that the property is no longer required for employment purposes."

3.8 The industrial estate has developed from early Victorian beginnings to provide valuable accommodation for small business. It has evolved over time to become a combination of quasi industrial or low cost office premises and continues to provide a location for a number of small businesses. This is partly because it has appealed to the low cost office market or other quasi industrial uses.

3.9 The property has lacked investment in recent years and the applicants submissions indicate that there are considerable costs involved in the refurbishment of the estate to make it attractive in the market. The information submitted indicates that refurbishment is not a viable proposition due to inappropriate building forms and the current market conditions which would not yield a satisfactory return on investment especially where there are significant vacancies elsewhere in the borough.

3.10 The estate is situated in a location to the east of Fulham town centre amongst predominantly residential properties. The location would not be the preferred location for a new significant office complex neither would it be the preferred location for a new industrial estate. However, any change of use should be considered on the basis of whether the property can continue to provide a satisfactory range of small business accommodation that is fit for purpose or whether the property can no longer satisfactorily meet future demand.

3.11 Although the property is currently well occupied, the evidence submitted indicates that during 2012 the site is likely to become 75% vacant as 4 significant occupiers relocate. Furthermore, the refurbishment costs for the site would be uneconomic bearing in mind the likely rental return and having regard to demand and availability of property elsewhere in the vicinity.

3.12 The property is situated in a residential location where the merits of redevelopment for continued employment use must also be considered against the merits of an alternative residential or mixed use scheme. Since 2002 there have been over 50 complaints made to the Council's Environmental Health team relating to a variety of matters such as noise, odours, alarms, loud music and general site disturbance. There is no restriction on delivery services which currently operate 24 hours a day. Few of the units comply with modern working standards such as the disability discrimination act.

3.13 The applicant has submitted evidence to show that the use of the site for a mixed use was considered and would not be a viable proposition. In addition the surrounding uses would indicate a preference for a residential scheme. On balance the available evidence when assessed against the various relevant policies would indicate that, subject to satisfactorily relocation arrangements being made for the existing occupiers, the change of use to residential can be considered acceptable in principle. Although change of use would result in a loss of a number of small business units for which there is considered to be a long term need in the borough. Given the nature of the surrounding residential area, the problems with the building and costs of refurbishment all indicate that in this case the alternative use of the site for residential is considered acceptable for the site.

## Proposed residential use

3.14 National Planning Policy Statement (PPS) 1 (Delivering Sustainable Development) requires local authorities to promote more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. The London Plan also seeks to ensure that proposals achieve the optimum intensity of use that remains compatible with the local context and is well served by public transport.

3.15 PPS3 (Housing) emphasises the importance of increasing the delivery of homes and seeks to create mixed and balanced communities through encouraging the provision of a wide range of well designed housing (including affordable housing) to meet a variety of needs. Paragraph 41 sets a national target for 60% of new homes to be built on previously developed land. The document states that housing should be located in close proximity to community facilities, access to jobs, key services and infrastructure to assist in the creation of sustainable communities.

3.16 Policy 3.3 (Increasing London's Supply of Housing) of the London Plan sets minimum borough targets for housing provision up to 2021. The policy specifies a 10 year minimum target for LB Hammersmith and Fulham of 6,150 dwellings, and an annual monitoring target of 615 dwellings. Policy 3.4 (Optimising Housing Potential) requires new development to optimise the intensity of use of sites, taking into account the local context and character, design principles and public transport accessibility, consistent with the development density guidance that is provided in Table 3.2.

3.17 Core Strategy policy H1 (Housing Supply) reflects the guidance of the London Plan housing target and explains that one of the ways to address this, is by way of the development of brownfield sites such as that proposed. Meanwhile policy HO6 of the UDP requires new residential development to provide a mixture of units to meet the needs of family and non-family households.

3.18 The proposed development would provide for 40 houses and 10 flats. The tenure mix proposed includes 80% private (40 houses) and 20% affordable (10 flats) in the form of intermediate low cost housing. The construction of these homes would contribute towards achieving the Boroughs housing targets. As detailed in the Density section of this report, the proposed development is considered to optimise the use of the site. Accordingly, in addition to the compliance with the Core Strategy, the provision of housing on the site is considered to be consistent with the applicable London Plan policy guidance.

3.19 Further the proposed dwelling mix of 4 two-bedroom houses, 2 three-bedroom houses, 14 four-bedroom houses, 20 five-bedroom houses, 4 one-bed flats and 6 two bedroom flats represents a range of unit sizes, including significant provision of larger family sized units. The dwelling mix is considered to meet the policy requirement for the provision of a range of unit sizes within new development. This mix would provide for a type of development appropriate to the location in line with Core Strategy Policy H2 (affordable housing) and H4 (Housing Need).

## Residential Density

3.20 Policy H3 (Housing Quality and Density) of the Core Strategy LBHF requires that all housing development to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient in line with the requirements of the Code for Sustainable Homes, meet satisfactory internal and external space standards, and (subject to the size of scheme) provide a good range of housing types and sizes. Acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity.

3.21 Policy 3.4 (Optimising Housing Potential) of The London Plan seeks to ensure that development optimises housing output for different types of location within the relevant density range shown in Table 3.2 (Sustainable residential quality and residential density matrix) which takes into account local context and character, design principles and public transport capacity. Development proposals which compromise this policy will normally be resisted.

3.22 The site is located in Public Transport Accessibility Level (PTAL) 5 using Transport for London's methodology, indicating that it is very accessible by public transport. According to the London Plan density matrix, the site is considered to be set in an urban areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. This would support a density of between 200 and 700 habitable rooms per hectare (Hrh).

3.23 The proposed development site comprises 0.8 hectare site 8,000 square metres and would have a total of 335 habitable rooms which would result in a residential density of 413 hr/ha. A development of this quantum would fall within the lower half of the acceptable density range in the London Plan density matrix (PTALS 5-6), and is therefore consistent with London Plan requirements on this matter. Policy 3.4 of The London Plan recognises that the density matrix sets a strategic framework for appropriate densities in different locations aiming to enhance existing local character by relating the area's accessibility to appropriate development and the number of car parking spaces that should be provided. As such officers have considered the development not solely on density per se but a number of other relevant factors such as design, environmental quality, the amount and quality of open amenity space provision, the capacity of existing services and facilities to accommodate the development, the impact on on-street parking and access to the site from a range of transport modes and impact on the amenities of neighbouring residents. By satisfying these parameters the scheme may be considered acceptable, and this is analyzed and demonstrated below.

## Affordable Housing

3.24 London Plan policy 3.10 (Definition of Affordable Housing) defines affordable housing as including social rented and intermediate housing provided to specified eligible households whose needs are not met by the market and goes on to specify that affordable housing should also a) meet the needs of eligible households, b) include provisions for the unit to remain at an affordable price for future generations, and c) if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

3.25 The supporting justification to policy 3.10 defines the affordability requirements for intermediate housing and advises that these will be updated annually. Affordability is currently set at an upper annual income of £64,000 (as updated by the London Plan Annual Monitoring Report 7, February 2011), which translates to a maximum sale value of £224,000 (using a 3.5x income multiplier).

3.26 Policy 3.11 (Affordable Housing Targets) of the London Plan sets a London wide affordable housing target of at least 13,200 more affordable homes per year. The policy advises that 60% of new affordable housing should be provided for social rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The second part of policy 3.11 relates to the establishment of Borough level affordable housing targets through LDF preparation that take account of a range of considerations that include the strategic target and local circumstances.

3.27 Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan seeks negotiation to secure the maximum reasonable amount of affordable housing within new development taking account of the individual circumstances including development viability. Policy 3.13 (Affordable Housing Thresholds) outlines that affordable housing will normally be required on a site which has the capacity to provide 10 or more homes and that negotiations should take account of development viability.

3.28 The Homes & Communities Agency (HCA) good practice note 'Investment and Planning Obligations Responding to the Downturn' (August 2009) seeks the delivery of new affordable housing and outlines that where previously achievable affordable housing obligations in years past can not be viably supported in today's market, a flexible approach to affordable housing through flexible management of planning obligations will be needed.

3.29 The Core Strategy policy H2 (Affordability) sets a Borough wide target that 40% of all additional dwellings should be affordable. In recognition of the existing concentration of social rented properties in the Borough, the policy states a preference for the provision of intermediate and affordable rented housing over social rented housing. In relation to the negotiation of affordable housing provision on individual sites, the policy identifies a range of relevant considerations, including scheme financial viability.

3.30 The application proposes an overall affordable housing provision of 10 units, representing 20% of the overall development. All of these units would be provided as intermediate, discount market sale (DMS), units. The details of the proposed provision would include 4 one-bedroom units and 6 two bedroom flats.

3.31 The proposed affordable provision is below the affordable housing target of the Core Strategy and the proposed tenure mix does not meet the desired mix of the London Plan. However, in light of recent HCA guidance advocating flexible approaches to the delivery of affordable housing, the proposed provision is considered to provide the most desirable affordable housing mix for the development.

3.32 The planning application was accompanied by a viability appraisal which contains confidential financial information provided by the applicant that was independently scrutinised by Lambert Smith Hampton (LSH), a surveying firm. The financial appraisal compares the residual value arising from an appraisal of the proposed development

with a benchmark sum; in this case the benchmark sum comprises the Existing Use Value (EUV) plus a percentage increase in order to justify proceeding with the development and consequent risks accepted by the landowner. The principle of the viability assessment is an assumption that where the residual value exceeds the benchmark sum the development is judged to be financially viable and therefore likely to proceed, but where the residual value is lower than the benchmark the scheme is considered non-viable and unlikely to proceed. In this case the development appraisal has been carried out using the GLA Toolkit program and Lambert Smith Hampton concur this approach is reasonable. Use of the GLA Toolkit is standard practice for this type of appraisal, but in order to provide a market-based cross-check LSH carried out parallel development appraisals using the industry standard Argus Developer software.

3.33 LSH have confirmed that the assumptions and conclusions of the applicant's viability appraisal are reasonable. For example with regard to a suitable development return, the estimated returns reflect current market reality and are acceptable when compared to the toolkit rates. LSH have concluded that there is no scope for increasing the 20% affordable housing provision as a higher level of contribution would make the scheme commercially unviable. The conversion of one of the smaller private sale units to an affordable unit would result in a significant loss of value that would tip the balance in terms of what would be supportable in viability terms and would prevent the scheme coming forward.

3.34 The affordable dwelling mix is considered to represent the best mix of units, in that it provides units with increased subsidy to address household incomes below the maximum affordability threshold and also provides two bedroom units, with significant subsidy, suitable for small families.

3.35 In principle, the DMS product is considered to be an acceptable form of intermediate affordable housing. Effectively, the subject units are reduced in price to an agreed level of affordability, with the difference between this price and the market value transferred to the Council as covenanted equity. In this case, the proposed affordability level, which is aimed at incomes of between £30,000 and £64,000, accords with the London Plan affordability definition.

3.36 While the absence of social rented accommodation from the proposed affordable housing provision accords with policy H2 (Affordability) of the Core Strategy, it falls below the London wide target set out in the London Plan. This variance from the desired tenure mix of the London Plan is, in this case, considered to be acceptable given the specific characteristics of the surrounding context - several houses in Walham Grove have been converted into flats. More specifically, a high demand exists within the Borough for intermediate housing that is not being addressed due to a shortfall in provision. The reasoned justification to policy H2 describes this shortfall as 'severe' with the total intermediate housing stock of the Borough equivalent to approximately 2% of the overall housing stock. The proposed tenure mix would therefore contribute to addressing this shortfall.

3.37 Compared with the overall stock of social rented accommodation in the Borough, which represents approximately 33% of the total housing stock, the desire to prioritise intermediate housing within affordable provision is also consistent with the creation of mixed and balanced communities complying with policy 3.9 (Mixed and Balanced Communities) of the London Plan.

3.38 Furthermore, in considering the requirement for a significant contribution towards transport infrastructure, officers consider that the amount of affordable housing provision is acceptable on balance. In addition to the affordable housing provision, the applicant has agreed to provide financial contributions towards highway improvements, child yield and health care.

3.39 The proposed affordable housing provision is therefore considered to represent the maximum provision that the scheme can viably provide in accordance with both London Plan and Core Strategy policies, with a tenure split that is considered to better reflect the Borough level (housing stock) circumstances than the London Plan guidance. Accordingly, the proposed affordable housing provision is considered to be acceptable.

## DESIGN and ACCESSIBILITY

### Policy

3.40 The overall aim of PPS1 (Delivering Sustainable Communities) is the achievement of sustainable development, to be achieved by various means including the delivery of high quality development through good and inclusive design. PPS1 makes clear that design that is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted. PPS5 (Planning for the Historic Environment) sets out the principles and guidance necessary for the assessment of the impact of development on heritage assets. It promotes the conservation of heritage assets.

3.41 London Plan policy 7.1 requires that all new development is of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. Policy 7.2 requires that new development embraces the principles of inclusive design. Policy 7.3 requires new development to incorporate crime prevention measures to provide a safe and secure environment.

3.42 Policy 7.4 of the London Plan requires that new development responds to the surrounding setting and provides a human scale and relationship with street level activity and is informed by the historic context. Policy 7.5 requires the provision of high quality public realm that is comprehensible at a human scale. Policy 7.6 requires development to be of high architectural quality that is of a scale that is compatible with the surrounding area that makes a positive contribution to the immediate, local and wider area. Policy 7.21 seeks the retention of existing trees of value with new development, and their replacement when lost. Policy 7.8 of the London Plan requires that development respects affected heritage assets by being sympathetic to their form, scale, materials and architectural detail.

3.43 The UDP has the following policies that are of relevance: Policy EN2 requires that new development preserves or enhances the setting of conservation areas. Policy EN6 requires that new development preserves local buildings of merit. Policy EN8. requires that new development is of a high standard of design that is compatible with the scale and character of existing surrounding development. Policy EN25 seeks the retention of trees with development and suitable replacement where removal is considered to be acceptable.

3.44 Core Strategy policy BE1 requires that all new development creates a high quality, accessible, urban environment that respects the surrounding setting, including heritage assets.

3.45 Policy EN8 of the UDP relates to the design of new development and states that 'Development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting'. Schemes must be formulated to respect the historical context of the area and its sense of place, the scale, mass, form and grain of the surrounding development, relationship to the existing townscape, rhythm and articulation of frontages, local building materials, sustainability objectives and the principles of good neighbourliness. Policy G1 of the draft Development Management Development Plan Document (DM DPD) 2011 builds on policy EN8 of the UDP and other design and conservation policies, seeking new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting. Policy EN6 seeks to protect local buildings of merit. Policy EN2B states that development, including development outside conservation areas, will only be permitted if the character or appearance of the conservation area in terms of their setting and views into and/or out of them is preserved or enhanced.

#### Existing Townscape Context

3.45 The existing buildings on the site comprise an eclectic mix of building shapes and sizes and it is clear that they were all built at different times as there is no continuity. The buildings along the south-east side of the site (facing Walham Grove) are 3 storeys with flat roofs or double pitched roofs of profile metal roof sheeting. The buildings along the north-west side of the site (facing the school) are two storeys with double pitched roofs of profile metal sheeting. There are a mixture of two and three storey buildings towards the rear of site facing Knivet Road.

3.46 Only the double-arched entrance along Farm Lane (excluding the vehicular ramp) remains an attractive and reasonably intact feature which is included on the Council's local list of buildings of merit. There are no buildings behind the frontage to Farm Lane which are considered to be of architectural significance. The white-painted brick car showroom to the north of the arch is a generic workshop building without any notable architectural quality.

3.47 The existing 'U-shape' buildings on the site are built up to the boundary with the adjacent properties. The existing two and three storey side and rear elevations form the rear boundary walls to Walham Grove, Knivet Road and Halford Road. Walham Grove comprises semi-detached houses of mainly three storeys with lower ground floor properties. Knivett Road comprises two storey terraced houses most of which have loft conversions and full dormers to the rear. Fulham Primary School includes a five storey building with a playground between the school building and the northern boundary wall of the application site.

#### Design Response

3.48 The proposal involves the demolition of virtually all the existing buildings and structures on the site and represents an opportunity to introduce a more compatible residential terrace along Farm Lane which would be in keeping with the residential



character of the area. The site can be divided into two areas: the frontage along Farm Lane and beyond this the town houses around an open square.

3.49 The six proposed terraced houses and apartment block fronting Farm Lane would be white rendered two storeys plus a slate mansard and would be positioned either side of the existing twin arch entrance which would be retained and refurbished. These Farm Lane frontage buildings have been designed to reflect the height, proportions and materials of the existing house at No.99 Farm Lane which would adjoin the proposed terrace.

3.50 The six townhouses would be set back 1.6m from the back edge of the pavement to include front entrance gardens beyond low white rendered terrace walls and gates aligned with no.99 Farm Lane adjacent creating a physical and visual barrier from the street. The front entrance doors are set back creating a covered entrance. The proposed ridge height would line up with the No.99 Farm Lane and the existing entrance arches. The apartment block would also have small front gardens and window proportions, design and materials to match the houses on the other side of the entrance arches. The front elevation will also include a replacement electricity substation and the entrance to this has been blended into the scheme. Officers consider that these proposed development along the Farm Lane frontage is sympathetic to the design, scale and appearance of existing development in this part of Farm Lane. Furthermore the existing locally listed entrance arch would be retained as a vehicular and pedestrian access to the central part of the site, and remain the dominant architectural feature in this part of the street.

3.51 All existing two and three storey buildings to the rear of the entrance arches would be demolished. The replacement buildings would represent a significant reduction in the mass of buildings on the site due to a much smaller building footprint as well as the proposed positioning of the buildings back from the site boundary which would open up the space between the proposed houses and the existing adjacent buildings. The mansard design of the roof storey on some of the proposed houses results in some being one storey higher than some of the existing buildings on the site. Officers consider that the mansard roof design is a traditional roof form and gives the perception of a reduced bulk and massing at roof level. It is significant that unlike the existing buildings which are built up to the boundary, the form and layout of the proposed development has a much more open aspect. The proposed houses would be positioned between 18 m<sup>2</sup> and 30 m<sup>2</sup> from the opposing rear elevations at Walham Grove and Knivett Road and the development opens up the central part of the site due to the inclusion of a landscaped pedestrian communal space which would be surrounded on three sides by terraced townhouses of two to four storey heights.

3.52 All of the proposed houses have front gardens with metal railings and landscaped hedges that create a physical barrier and retain a degree of defensible space, between the central open square and the entrances. The ground floors have stone cladding with stone surrounds to the setback entrance doors, some with porticos and others with balconies above, creating a covered entrance way. The units without balconies at first floor have Juliette balconies and a frameless glass balustrade. The additional floors of the building are yellow London stock brick with stone cornices wrapping around the parapet. The top floors of all houses are zinc standing seam, some set back and others mansard roofs.

3.53 The proposed terrace at the end of the square (opposing the entrance) includes two central mid-terraced houses that form a focal point within the square and are the only houses with full height brickwork, which are broken up with horizontal stone profiled bands. The rear roofs of these houses are proposed as mansards. In order to break up each terrace there are recessed gaps between each townhouse with brick dividing walls at roof level, enhancing the vertical separation of the individual houses. The proposed windows within the square are aluminium framed with dark grey powder-coated finish with stone surrounds and sills to match the ground floor stone and roof cornices. The front doors are solid timber painted black with translucent glazed infill panels providing light in the entrance halls.

3.54 The houses on the north and south sides of the square (backing onto the school and Walham Grove) are not aligned, with the middle four houses which have a set back, and include in addition to the ground floor front gardens include balconies at first floor in line with the front of the adjacent houses. These balconies have glass balustrades with thin aluminium frames, finished to match the windows.

3.55 The two houses to the right beyond the ramp have stepped entrances to provide clear headroom above the ramp leading to the underground car park below. Most houses are provided with a private garage and bike storage at basement level.

3.56 Officers consider that the height and layout of the buildings beyond the Farm Lane frontage are appropriate in relation to the existing surrounding development and heritage assets. The height proposed across the site is not considered to result in an overbearing impact on any adjoining property. The proposal will be visually permeable. The landscaped pedestrian communal space would be visible from Farm Lane and thereby contribute to the visual interest in this part of the street.

3.57 The proposed building materials are considered to be robust and high quality, and demonstrate that the images submitted for the scheme would be achievable. The architectural success will be achieved through the quality of the materials used, therefore conditions will be attached to ensure the development utilises materials of the highest quality.

## Heritage

3.58 PPS5 (Planning for the Historic Environment) provides advice on identifying heritage assets and assessing the effect that a development will have on the significance of those assets and their settings. It promotes the conservation of heritage assets and encourages opportunities to better reveal their significance by enhancing their setting.

3.59 The site was developed at the turn of the 1900's, the Farm Lane Trading Estate originally catered for the emerging motor trade. The heritage significance of the site relates principally to its history rather than its physical appearance. Apart from the locally listed arched entrance none of the existing buildings are of any architectural merit. The buildings are currently in poor condition and no longer fit for purpose due to major structural issues, water leakage and general building decay. Although the existing twin archway entrance presents practical difficulties in relation to commercial deliveries, loading, parking and access issues it is on the Local Register of Buildings of Merit. The proposal incorporates the arch into the design for a use for which it was originally

designed i.e. as the main vehicular access. Therefore an undesignated heritage asset would be preserved in accordance with policy HE8 of PPS5 and Policy EN6 of the UDP.

3.60 The setting of the Sedlescombe Road Conservation Area to the east and Walham Grove Conservation Area to the south which are designated heritage assets, would be preserved with Policy HE10 of PPS5 and UDP Policy EN2B .

#### Standard of Accommodation

3.61 Policy 3.5 of the London Plan requires new residential development to provide a high quality living environment internally. Table 3.3 of this policy specifies unit sizes for new development. A caveat is included within the policy stating that development that does not accord fully with the policy can be permitted if it exhibits exemplary design and contributes to the achievement of other policy objectives.

3.62 Policy 3.8 of the London Plan requires new residential development to be built to lifetime homes standards, with ten percent of units designed to be wheelchair accessible or easily adaptable to this standard. Policy 7.3 advises that new development should seek to create safe, secure and appropriately accessible environments.

3.63 Policy EN10 of the requires new development to create a safe and secure environment. Policy HO6 requires, among other matters, 10% of new residential units to be designed to be suitable for occupation by wheelchair users. Standard S7A specifies minimum internal floorspace standards for new residential units. Standard S5 states that ground floor family and non family dwellings should have at least 36m<sup>2</sup> and 14m<sup>2</sup> respectively of amenity space.

3.64 Policy H3 of the Core Strategy requires new residential development to provide high quality living conditions for future occupiers.

3.65 All of the proposed units have been designed to exceed the minimum dwelling size requirements outlined in Standard S7A of the UDP, exceed the minimum dwelling size requirements of Table 3.3 of the London Plan and provide satisfactory private amenity space for each dwelling. The proposed two-bed (97 -189 m<sup>2</sup>), three-bed (233 m<sup>2</sup>), four-bed (154-176 m<sup>2</sup>) and five bed (270 - 303 m<sup>2</sup>) houses would have generous internal floor areas floor. The one-bed (62-64 m<sup>2</sup>) and two-bed (75-98 m<sup>2</sup>) flatted units would also have generous internal floor areas. Each house will have its own private amenity space of between 36 - 91 m<sup>2</sup> and each flat will have at least 5 m<sup>2</sup> of amenity space in the form of a balcony except the two ground floor flats which have a more generous gardens of between 29 and 31 m<sup>2</sup>. In addition, each unit will have access to the communal private amenity space (1,852m<sup>2</sup>) within the centre of the development which equates to an additional 37m<sup>2</sup> of amenity space for every unit on site.

3.66 All of the proposed units have been designed to exceed these requirements and to comply with Lifetime Homes principles. In accordance with London Plan policy 3.8, 10% of the dwellings (4 houses and 1 flat) will be wheelchair accessible and 10% of the on site car parking bays will be designed to accommodate wheelchair bound drivers.

3.67 The development would be managed by a concierge during the day. The front pedestrian gates would be shut at night to provide greater security for residents of the development. The pedestrian and vehicular entrance would be overlooked by windows

on all sides of the development. Details of how the scheme will seek to achieve Secure by Design status will be required by condition to ensure the satisfactory security of future residents in terms of access control to the buildings.

3.68 In accordance with the provisions of the Equality Act 2010, the Council needs to have due regard for the potential of the proposal to affect the various needs of protected 'characteristics' and groups. In keeping with these objectives, the following are examples of increased opportunities for accessibility by all groups; increased disabled/wheelchair access throughout the site, all units to be built to Lifetime Homes standards; and provision of substantial public realm within the site. The scheme would not be designed in such a way to exclude or have any detrimental impact on any groups in society and therefore it is considered that the proposed development would not contravene the Act.

3.69 Overall, it is considered that the standard of accommodation will give rise to a high quality internal living environment that will satisfactorily meet policy and emerging policy requirements. The current design approach has been a response to the various comments made throughout the pre-application and application processes involving the local community, stakeholders and Council officers. The scheme generally complies with the relevant policies and guidance, all of which require a high standard of design.

#### Residential Amenity

3.70 Policy EN8 of the UDP outlines that development should respect the principles of good neighbourliness and ensure that new developments are designed so that the amenities of existing residential properties are not unacceptably harmed. Standards S13.1, S13.2, S13.2a and S13.3 provide guidance on loss of outlook, loss of privacy to neighbouring properties, noise and disturbance, and the aspect for future occupiers arising from new development.

3.71 Under Standard S13.1 where a development does not breach a general standard of 45 degrees from a 2m height on the boundary from adjoining residential property the development would not have an overbearing impact in terms of outlook. In this case, whilst the massing and height of the proposed building increases across the whole site, unlike the existing buildings which are built up to the boundary the proposed development is set off the boundary by at least 10m from the nearest opposing residential properties in Walham Grove and Knivet Road. Officers are satisfied that this proposal would not result in any material harm to the amenities of adjoining residents to warrant the refusal of planning permission. The proposal accords with Standard S13.1 of the UDP which seeks to protect outlook.

3.72 The rear elevations of the proposed buildings facing the nearest opposing residential properties in both Walham Grove and Knivet Road contain several windows and balconies. The proposed layout provides a minimum of 18m between the habitable room windows in the opposing terrace in both Walham Grove and Knivet Road. The windows and balconies in the rear of elevation of the proposed terrace facing the school would be positioned at least 10.5m from the boundary and would not overlook any habitable windows. The proposed development would therefore accord with Standard S13.2 which seeks to protect privacy and overlooking.

3.73 The proposed balconies in the rear elevations of the terraces facing Walham Grove and Knivet Road where they occur would be restricted in size, projecting just

0.4m from the elevations. It is not considered that the resulting space would be useable floorspace and their use would not give rise to noise and disturbance to warrant withholding planning permission. In this respect the proposal would accord with S13.2a of the UDP.

3.74 In considering the protection of adequate daylight and sunlight to existing buildings, the Council has had regard to EN8 in respect of neighbourliness and the guidance set out in Building Research Establishments' (BRE) Report 1991 - "Site Layout Planning for Daylight and Sunlight - A guide to good practice. When compared to the existing situation the proposed building although increased in height has been set back along its boundaries to minimise the impact of the development on the opposing residential development. A daylight analysis has been carried out which demonstrates that the development would have no significant adverse daylight impact on the amenities of the closest residential buildings at Walham Grove and Knivet Road or Fulham School. In fact due to the introduction of a set back the amenities of those occupiers would not only be protected but in virtually all case would actually be improved.

3.75 Similarly, in respect of sunlight, analysis indicates that the proposed development would not have any discernible impact on either the residents in Walham Grove or Knivet Road or Fulham School that would be noticeable to the occupants. Officers consider that, that the level of daylight and sunlight is comparable to existing and several actually results in an improvement. In these circumstances, there are no grounds to warrant the withholding of planning permission and adequate levels of daylight/sunlight will be provided for occupiers throughout the scheme and neighbouring properties.

3.76 Standard S13.3 states that no dwelling should have all of its habitable room windows facing exclusively in a northerly direction. The proposed development houses and flats which have a twin aspect and none of the units would be exclusively north facing. The proposal complies with Standard S13.3

3.77 In summary, the proposal would not result in surrounding properties experiencing any significant undue loss of amenity in terms of overlooking/privacy or increased sense of enclosure. The proposal would therefore comply with Standards S13.1, S13.2 and S13.3 of the UDP.

#### Open space

3.78 The relevant national guidance is set out in PPS 1 (Creating Sustainable Communities), PPS 3 (Housing) and PPS 9 (Biodiversity and Geology). These policies seek to ensure the provision of quality open space and landscaping within new developments.

3.79 Policy 3.6 of the London Plan and the GLAs SPG 'Providing for Children and Young People's Play and Informal Recreation' (2008) requires the provision of play space for children within new residential development commensurate with the child yield of the development.

3.80 Policy H3 of the emerging core strategy promotes shared amenity space in large residential developments. Policy OS1 seeks to ensure provision of quality accessible

and inclusive open space and children's play. Policy BE1 seeks good quality public realm, landscaping to help regenerate places.

3.81 Policy EN23 of the UDP requires the provision of suitable open space within new development to meet the needs of future occupiers. Policy EN23B similarly requires the provision of suitable playspace in development that provides family housing. Policies EN23 and EN23B are supported by Standards S5A.1, S5A.2, S6 and S7.1 relating to the provision of amenity space in new development. The site is in an area of open space deficiency.

3.82 Child yield is calculated using multipliers that stipulate the average number of children a unit is likely to produce based on the units, tenure and mix. When calculating the likely child required area of play space provision. Using the GLA Data Management and Analysis Group (DMAG) multipliers which are the most appropriate for inner London Boroughs, the proposed mix of units (4 two-bedroom houses, 2 three-bedroom houses, 14 four-bedroom houses, 20 five-bedroom houses, 4 one-bed flats and 6 two bedroom flats) would generate a yield of 40 children - of these 16 (40%) would be 0-4 years, 14 (35%) would be 5-10 years and 10 (25%) would be 11-15 years.

3.83 The Mayor of London's Supplementary Planning Guidance on providing for children and young people's play and informal recreation states that the need for play space will equate to the number of children multiplied by the benchmark standard of 10 sq m/child. In this case, the amount of children's play space required equates to approximately 400m<sup>2</sup>. (This figure may be reduced to make allowance for children under the age of five in houses with gardens). The Play Space SPG requires that this is provided proportionate to the yield within each of the various age brackets (early years, primary, secondary and post-16) and at specified distances from the proposed development's units. Given that the site lies within an area of open space deficiency

3.84 In this case, each house will have its own private amenity space of between 36 - 91 m<sup>2</sup> and each flat will have at least 5 m<sup>2</sup> of amenity space in the form of a balcony except the two ground floor flats which have a more generous gardens of between 29 and 31 m<sup>2</sup>. Given the provision of private amenity space for under 5 year olds the quantity of required play space can be reduced from 400 m<sup>2</sup> to 240 m<sup>2</sup>. An appropriate level of financial contribution would only be acceptable if it can be demonstrated that the application site exhibits planning constraints and that the financial contribution will be not less than that for on-site provision of 240 m<sup>2</sup> of total play space as adapted to each of the different age groups requirements. Given the level of communal amenity space (1,852m<sup>2</sup>) within the centre of the development officers consider that this provision should be met on site by adapting the communal amenity space. A condition would be attached to ensure the provision of this (Condition 33).

3.85 The proposals includes the provision of high quality hard and soft landscaping which will be ensured by conditions (Conditions 16 and 17).

3.86 Overall the level of open space proposed across the site is considered by Officers to give rise to a high quality living environment that will deliver policy expectations.

## TRANSPORT

3.87 PPG13 (Transport) expects better integration between planning and transport and promotes accessibility by public transport, walking, cycling instead of the private vehicles.

3.88 Policy 6.1 of the London Plan 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 policy also provides guidance for the establishment of maximum car and cycle parking standards. Policy 6.3 of the London Plan requires applications for new development to detail the impacts on transport capacity and that any development does not compromise highway safety. Policy 6.9 seeks to facilitate an increase in cycling in London and requires that new development provides for the needs of cyclists.

3.89 London Plan Policy 6.10 seeks an increase in walking in London through the provision of high quality pedestrian environments. Policy 6.11 seeks a coordinated approach to smoothing traffic flow and tackling congestion through a range of sustainable development principles, public transport improvements and corridor management. Policy 6.13 of the London Plan states the objective for promoting new development while preventing excessive car parking provision, and states that new development should accord with the London Plan car and cycle parking standards. The policy also requires that 20% of car parking spaces provide an electrical charging point and that the delivery and servicing needs are met.

3.90 Policy TN4 of the UDP requires new development to incorporate ease of access by disabled people and people with mobility impairment. Policies TN5 and TN6 require that the design and layout of development provides for the needs of pedestrians and cyclists respectively. Policy TN8 sets out the Borough's road hierarchy and the restrictions on development within this hierarchy. Policy TN13 states that the arising traffic generation of development will be assessed along with the contribution to traffic congestion. Policy TN15 requires new development to accord with the car parking standards set out in the Plan. Policy TN21 advises that development will be required to contribute to public transport where necessary due to resulting impact on services.

3.91 UDP Standard S18 requires compliance with the Council's car parking standard except in exceptional circumstances and requires car parking spaces for commercial uses to be provided within a site. Standard S19 provides detailed guidance on expectations for the overall layout of a car parking area and the dimensions of each space. Standard S20 requires the provision of cycle parking and necessary complementary facilities to meet the needs of cyclists. Standard S23 states that shared surfaces will only be considered to be acceptable where it can be assured that vehicle speeds will be low.

3.92 Core Strategy policy T1 seeks improvement to the opportunities for walking within the Borough and localised highway improvements to reduce north-south congestion in the Borough and requires that new development secures access for all persons and provides appropriate car parking provision to meet the essential needs of the development without impacting on the quality of the urban environment. The council's draft Development Management DPD is currently the subject of public consultation. The policies contained therein are proposed to replace the remaining extant policies in

the UDP. By and large, the transport policies are the same as those currently in the UDP. Policy J1 requires a transport assessment and a travel plan in certain circumstances. Policies J2 and J3 set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met (similar to UDP policy TN15 and Standard S18, which references Table 12.1). Policy J4 is about disabled person's parking. Policy J5 encourages the use of cycling and walking and in terms of cycle parking requires a greater number of spaces than both the UDP and London Plan. Policy J6 is the same as policy TN8 of the UDP. The relevant policies in the Development Management DPD will be a material consideration to which regard must be had in considering the application. Once it has been adopted, it will replace a number of UDP policies and form part of the council's development plan. As it is still a draft document at an early stage of the adoption procedure and will not be adopted until after an independent examination, it does not lend itself considerable weight. Nonetheless, officers consider that the proposal also accords with the relevant transport policies mentioned above. The proposal accords with the relevant provisions of the UDP and London Plan and the emerging DM DPD.

### Car and Bicycle Parking

3.93 The site is within Controlled Parking Zone (CPZ) F, which operates restricted parking Monday to Saturday 9:00am - 8:00pm. The site has a PTAL score of 5 using Transport for London's methodology, indicating that it is very accessible by public transport. Vehicular access into the site would be via an existing crossover.

3.94 The proposed development should conform to the parking standards, as listed in S18 to S19, and Table 12.1 of the UDP and also the London Plan 2011. The maximum allowed by the UDP is 75 spaces and by the London Plan is 90 spaces. 79 off-street basement car parking spaces are provided as part of this application, 64 allocated to the townhouses and 11 for the flats.

3.95 The parking provision is considered satisfactory due to it being within London Plan 2011 standards. Furthermore the provision of visitor car parking spaces should mean that there is minimal impact on on-street parking in the vicinity of the development, which is in line with UDP standards.

3.96 Eight of the car parking spaces are proposed to be disabled bays, representing approximately a 10% provision. This is in line with the Council's 'Access for All' SPD.

3.97 The basement will have a one-way access ramp, which will be signal controlled lighting, with waiting areas at top and bottom. The ramp gradient would be in line with the Institution of Structural Engineers Design recommendations for multi-storey and underground car parks (Fourth edition) 2011.

3.98 The application states that 20% of the car parking spaces will be provided with active charging points for electric vehicles. This is in line with the London Plan 2011 standards.

3.99 The management and location of visitors car parking bays will be detailed within a car parking management plan. This will be conditioned to ensure effective allocation and management of spaces.



3.100 The application states that one cycle parking space will be provided for each of the flats within a secure covered store (10 in total) and two cycle parking spaces be provided within the basement area of each of the houses (80 in total). An additional cycle parking area will be provided in the basement.

3.101 Five motorcycle parking spaces in the basement and this considered satisfactory.

#### Traffic Generation

3.102 Traffic and pedestrian surveys were undertaken at the site during the morning and evening periods to determine the existing trips the site generates. The applicants submissions indicate that the vehicle generation will be reduced by 32 vehicles in the AM peak and 30 vehicles in the PM peak. This is a 74% reduction in two way vehicular traffic into Farm Lane in the AM peak and 71% in the PM peak.

3.103 Compared to the existing land use, the overall pedestrian / cyclist numbers will be reduced by 48 in the AM peak and 39 in the PM peak. This is a 70% reduction in two way walking / cycling movements into Farm Lane in the AM peak and 76% in the PM peak.

3.104 The predicted trip generation is considered acceptable and would not be detrimental to the exiting traffic conditions.

#### Servicing

3.105 The retention of the existing entrance arches restricts the height of vehicles that can access the site. The largest vehicle that can access the site would be a long wheel base transit type van. Service vehicles would pass through the arches, confirm their arrival via an entry-phone located outside of the vehicle and pedestrian gates and then be granted access into a delivery area located close, but clear of, the car ramp. No heavy goods vehicle (HGV) access will be possible into the site and therefore any deliveries via this type of vehicle would have to be from the existing pay and display parking bays on Farm Lane. The number of this type of HGV delivery would only be sporadic and would be expected to be a significant reduction on the current site use. Furthermore the parking stress on Farm Lane is only 59%, and it is considered that up to 30 metres of parking bay could be installed on Farm Lane as part of the development. The servicing arrangements are therefore considered acceptable.

3.106 Policy H5 of the draft DM DPD requires developments to include suitable facilities for waste management. Refuse access to the site is also limited by the entrance arches. Therefore, the applicant proposes that a refuse collection point is to be located within close proximity of the public highway from which the site refuse bins can be collected. The location and operation of this would be conditioned so that it accords with 'The Storage of Refuse and Recyclables, Supplementary Planning Document'.

#### Emergency Access

3.107 Fire access to the site is not possible due to the arches. The application states that a fire strategy has been developed, which would provide sprinklers to all houses, with a fire tender parking on Farm Lane. Approval for this should be gained from the London Fire Brigade and this will be conditioned.

## Travel Plan

3.108 A Travel Plan has been submitted by the applicant. The proposed targets are to maintain the forecast vehicular movements, which is at least 50% lower than what is generated by the current use and to increase cycling by 5%, over the life of the travel plan. These are considered to be satisfactory, however this should be subject to review following the completion of the initial monitoring survey, which will be undertaken once there is 75% occupation of the proposed development.

3.109 If the travel plan targets are not being achieved, it will be the responsibility of the Travel Plan Coordinator to consult and agree with the Council appropriate remedial measures to ensure that future targets can be achieved.

3.110 Monitoring of the travel plan would be conducted in line with the London Travel Plan Monitoring Protocol. This requires monitoring every three years by an independent third party. Monitoring would also be conducted in the intervening years. Annual progress reports should give an overview of progress towards targets and details of actions and measures to be implemented over the next one year period to ensure that targets continue to be met. A full review of the travel plan should be conducted every three years. The full travel plan would be secured by way of S.106 and a contribution of £4.5k (£1.5k/year for the three monitoring years) would be secured by S.106 for monitoring the Travel Plan.

## Demolition and Construction Phase

3.111 A Construction Logistics Plan will be required in accordance with Transport for London (TfL) requirements. This would seek to minimise the impact of demolition and construction traffic on nearby roads and restrict construction trips to off peak hours only. A condition would be attached to secure this.

3.112 Pedestrian visibility has also been considered and is acceptable in relation to pedestrian / vehicle interaction. Pedestrians will be able to gain access to the site from the main entrance which would have a delineated shared access. These details would be secured by a condition.

3.113 Overall in terms of transport, officers consider that the proposal will comply with policy.

## Energy

3.114 PPS22 (Renewable Energy) sets out the Government's target of reducing carbon dioxide emissions by 60% by 2050 through improved energy efficiency measures and the use of renewable energy. The London Plan energy policies set out the lean, clean, green hierarchy approach to building design and the related strategic targets.

3.115 London Plan policy 5.1 states the target to achieve a 60% reduction in London's CO2 emissions by 2025. Policy 5.2 advises that the policy 5.1 target should be achieved through planning decisions by using less energy, supplying energy efficiently and using renewable energy (lean, clean, green), and specifies CO2 reduction targets for new development, progressively increasing to zero carbon development between 2016 and 2031. Policy 5.3 requires the highest standards of sustainable design and

construction to be employed throughout London addressing CO2 emissions, urban heat islands, efficient use of natural resources, minimising pollution, minimising waste, avoidance of natural hazards including flooding, ensuring the development is comfortable for users, securing sustainable materials and local supplies and promoting and protecting biodiversity.

3.116 Policy 5.6 of the London Plan encourages the use of decentralised energy (combined heat and power systems) in new major development. Policy 5.7 seeks the incorporation of renewable energy generation in new development to assist in the reduction of CO2 emissions. Policy 5.8 supports the use of innovative alternative energy technologies to reduce the use of fossil fuels and CO2 emissions. Policy 5.9 seeks to reduce the impact of the urban heat island effect in London and encourages new development to incorporate places and spaces that assist in preventing overheating, and provides a cooling hierarchy of measures that major development should follow to minimise internal heat generation and effects.

3.117 Core Strategy Policy CC1 states that the Council will reduce emissions and tackle climate change through ensuring that new development minimises energy use, uses energy from efficient sources and uses renewable energy where feasible, and through meeting London Plan reduction targets. In accordance with London Plan policy 5.2, an Energy Assessment has been submitted to show the expected energy demand and associated CO2 emissions of the development and to outline the CO2 reduction benefits of the various sustainable energy efficiency measures to be integrated.

3.118 Baseline figures are shown for a selection of dwelling types intended for the site, including townhouses and affordable flats. The calculations show that the intended energy efficiency measures and Combined Heat and Power (CHP) system are expected to reduce CO2 emissions by at least 25% (closer to 35% in the affordable flats). However, there does not appear to be baseline energy use and CO2 emissions information for the development as a whole. This information should be supplied prior to commencement of development.

3.119 Details of the energy efficiency measures to be used to reduce energy use and CO2 emissions are provided, which show that building components such as walls /floors /windows and roofs will be specified to higher insulation standards than required by the Building Regulations, the construction will have high 'airtightness' levels to reduce heat loss but still provide adequate ventilation, energy efficient lighting will be installed, the mechanical ventilation system will operate with heat recovery where appropriate, white goods appliances and other components such as fans, pumps etc will be energy efficient. These measures are expected to reduce CO2 emissions by around 10%.

3.120 As required by London Plan policies on sustainable energy, low and zero carbon technologies have been assessed for their feasibility. A Gas fired Combined Heat and Power (CHP) system is planned to provide the baseload heating requirement. This is estimated to provide an additional 15% CO2 reduction, although full details in terms of quantifying the benefits are not included. In terms of renewables, a range of technologies has been assessed for use on the site, however, none are proposed.

3.121 Given that a CHP system (supplemented with gas boilers) is planned to help provide heating requirements, the most suitable renewables for the site would be those that generate electricity (i.e. wind turbines and solar PV panels). Of these, the latter are quite often integrated into developments that also use CHP systems. The possibility of

installing roof-mounted PV panels should be explored, particularly if there is a shortfall in meeting the 25% CO2 reduction requirement via the energy efficiency and CHP system.

3.122 The approach outlined is acceptable, subject to confirmation of the overall development's performance in terms of CO2 reduction. An appropriate condition will be attached (Condition 36).

#### Sustainability

3.123 Policy H3 of the Core Strategy requires new housing development to be well designed and energy efficient in line with the requirements of the Code for Sustainable Homes. A Code for Sustainable Homes assessment has been submitted which shows that the development is expected to meet level 4 of the Code (on a scale of 1-6, where 6 is the most sustainable). As well as the sustainable energy measures outlined above, other measures that will be integrated to boost the development's sustainability performance include: the use of water efficient appliances to reduce potable water use, the installation of a rainwater collection system for external irrigation, use of building materials with low environmental impacts that have been responsibly sourced (e.g. sustainable timber), space will be provided for waste and recycling, including internal storage space, ecology of the site will be enhanced, waste will be minimised during demolition/construction and a Considerate Constructors Code will be used to minimise impacts and low emission CHP/gas boilers will be installed.

3.124 Overall, the approach to sustainability and the aim of achieving level 4 of the Code for Sustainable Homes is in line with the requirements of London Plan Policy 5.3 on sustainable design and construction. The sustainability measures outlined in the Sustainable Design and Energy Statement would be conditioned

#### Flood Risk

3.125 A Flood Risk Assessment (FRA) has been carried out as required. The site is in the Environment Agency's (EA's) Flood Risk Zone 3 which indicates a high probability of flooding, however this is the risk without any flood defences in place. In reality, the Thames Barrier and river wall defences provide a high level of protection. Breaches or failures of these defences could occur and these scenarios have been assessed but show that the site would not be impacted. The residual risk from river flooding from the Thames is therefore considered to be low and the use of the site for residential development is acceptable. Basement accommodation is included, but bedrooms will not be located at this level and internal access will be provided to higher floors in case there is any need to evacuate due to flooding. Other flood mitigation measures include the raising of ground / podium levels in the east of the site approximately 0.5m above Farm Lane to the east, limiting the potential for off-site run-off to enter the site.

3.126 Internal ground floor levels of the properties will also be raised 50mm above adjacent paved areas, and suitable site grading and cut-off drains would be used at ground floor and basement levels to restrict ingress of surface water from on-site sources into buildings. Suitable measures (e.g. speed hump / cut-off drain) will also be installed at the vehicular entrance to the basement to restrict ingress of water into the basement level.

3.127 As there are basement dwellings, an informative will be attached to any permission advising that the fitting of non-return valves to help prevent surcharging sewers flooding basement areas. The other proposed mitigation measures can be secured by condition. The Environment Agency have stated that the flood risk measure proposed across the site are satisfactory subject to various conditions relating to measures detailed within the FRA being implemented. While Thames Water have no objection to the proposal.

#### Sustainable Urban Drainage Systems (SUDS)

3.128 PPS 1 (Delivering Sustainable Development) and PPS 25 (Development and Flood Risk) aim to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new developments are necessary in such areas, PPS25 seeks to make it safe, without increasing flood risk elsewhere and, where possible, reducing flood risk overall.

3.129 London Plan policy 5.11 supports the provision of green roofs within development to assist in sustainable urban drainage systems. Policy 5.12 states that new development must comply with the flood risk assessment and management requirements of PPS25. Policy 5.13 of the London Plan states that development should incorporate sustainable urban drainage systems and specifies a drainage hierarchy for new development. Policy 5.14 of the London Plan states the requirement for development proposals to ensure the provision of adequate wastewater infrastructure to meet the related needs. Policy 5.15 seeks the conservation of water resources through, among other matters, minimising water use and promoting rainwater harvesting.

3.130 Policy CC1 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water

3.131 The current site is entirely covered in hard-standing or impermeable surfaces, meaning that all surface water run off is currently directed into the local combined sewer network. Peak discharge from the site has been calculated to be 106 litres/second and Sustainable Urban Drainage Systems (SUDS) are planned that will reduce this by 50% to 53 litres/second. There is also the need to attenuate the volume of surface water run off by 307.1m<sup>3</sup>.

3.132 The proposed development introduces 930m<sup>2</sup> of soft landscaping which represents about 12% of the site. This permeable surface will help reduce run-off by allowing surface water to infiltrate in to the soil rather than going into the sewers. However, use of soakaways and swales is not proposed due to site limitations. Permeable pavement is also not thought to be feasible as it would be located above the basement and there wouldn't be enough space to install. Green roofs will be incorporated into the scheme which will help attenuate run-off.

3.133 There is a potential requirement for an underground storage tank which would store run-off and release via a controlled outflow situated close to the site entrance. Pumping will be required to convey surface water runoff from parts of the site to the

attenuation tank (pumping requirements will be minimised where possible). A condition would be attached to any permission to ensure that the details of the proposed SUDS are satisfactory. (Condition 37).

## Noise

3.134 PPG 24 (Planning and Noise) provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development. UDP policy EN20B states that noise and associated vibration can affect and have a direct impact on noise sensitive users, particularly housing. Existing and proposed noise levels will be taken into account when assessing a proposal for residential development. Policy H9 of the draft DM DPD requires development to implement noise mitigation measures when necessary.

3.135 The construction period of the development is likely to give rise to the most significant noise and vibration impacts on surrounding properties. In terms of operational noise, the development will generate vehicular movements in the directly adjoining streets, however this is not expected to have a significant impact upon the area. The Council's Pollution Control Team have no objection to the proposal, subject to conditions.

3.136 The overall noise impact is considered by officers to meet policy requirements.

## Contamination

3.137 Policy 5.21 of the London Plan states the support for the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development. Policy CC4 of the Core Strategy states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.. Policy H7 of the draft DM DPD requires effective measures to treat, contain or control contamination and policy H11 builds on UDP policy EN20A(i).

3.138 The Council's Environmental Quality Team has advised that potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with EN20A and EN21 the conditions would be attached to any permission requiring the assessment of contaminated land to be carried out (Conditions 7 and 8).

## Archaeology

3.139 The site is located adjacent to a designated archaeological priority area. PPS5 (Planning for the Historic Environment) advises on identifying heritage assets and assessing the effect that a development will have on the significance of those assets and their settings. It promotes the conservation of heritage assets and encourages opportunities to better reveal their significance by enhancing their setting.

3.140 London Plan policy 7.8 advises that development should incorporate measures that appropriately address the site's archaeology. LBHF UDP policy EN7 states a presumption against proposals which would involve significant alteration of, or cause damage to, Archaeological Remains of National Importance and advises that the loss of

archaeological value must be outweighed by the need for the development. The policy advises that archaeological study of application sites will be required before approval. Core Strategy Policy BE1 advises that new development should respect and enhance the historic environment of the Borough, including archaeological assets.

3.141 Greater London Archaeological Advisory Service have raised no objections to the proposals subject to conditions securing a programme of archaeological work in accordance with a written scheme of investigation.

3.142 Overall in terms of archaeological impact, officers consider the proposal will meet policy requirements.

## NATURE CONSERVATION

3.143 The footprint of the buildings on site virtually cover the whole site and the proposed redevelopment includes a large landscaped open square and private gardens which include soft landscaping (930 m<sup>2</sup>) where none currently exists and represents 12% of the site. Officers consider that this would provide new opportunities for and contribute to nature conservation interest. In this respect the proposal would accord with Policy EN29 (nature conservation) of the UDP, Policy OS1 (open spaces) of the Core Strategy and Policy 7.19 (Biodiversity and access to nature) of the London Plan which seek to protect and enhance biodiversity. Policy E3 of the draft DM DPD requires developments to enhance the nature conservation interests. A condition would be attached to any permission to ensure that existing established trees on the adjoining boundaries would be safeguarded during construction (Condition 5).

## Planning Obligations

3.144 CIL Regulations (2010) states that in dealing with planning applications, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations.

3.145 London Plan policy 8.2 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. Core Strategy policy CF1 requires that new development makes contributions towards or provides for the resulting increased demand for community facilities.

3.146 In accordance with Section 106 of the Town and Country Planning Act 1990 (As Amended) the applicant has agreed to enter into a legal agreement. The Legal Agreement will include:

- Affordable housing provision, comprising 20% intermediate units
- A contribution in the order of £300,000 towards necessary improvements to the social and physical infrastructure in the local area.
- Travel Plan management and monitoring
- The entire residential development to be Car Permit Free

- Marketing of wheelchair units
- Work in partnership with the Council's Economic Development Team to maximise job opportunities for local people including employment, training, apprenticeship opportunities, outreach programmes including schools to raise aspirations and awareness of job opportunities, including during construction phases.
- Car Parking Management Plan.
- pay for related highway works
- meet the costs of the Council's Legal, Professional and Monitoring fees, including the cost of the review of the financial viability appraisal.

## 5.0 RECOMMENDATION

5.1 The Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and negotiate and complete a legal agreement under Section 106 of the 1990 Act and Section 278 Agreement (and other appropriate powers) and to grant permission upon the completion of a satisfactory legal agreement and subject to the conditions outlined above.

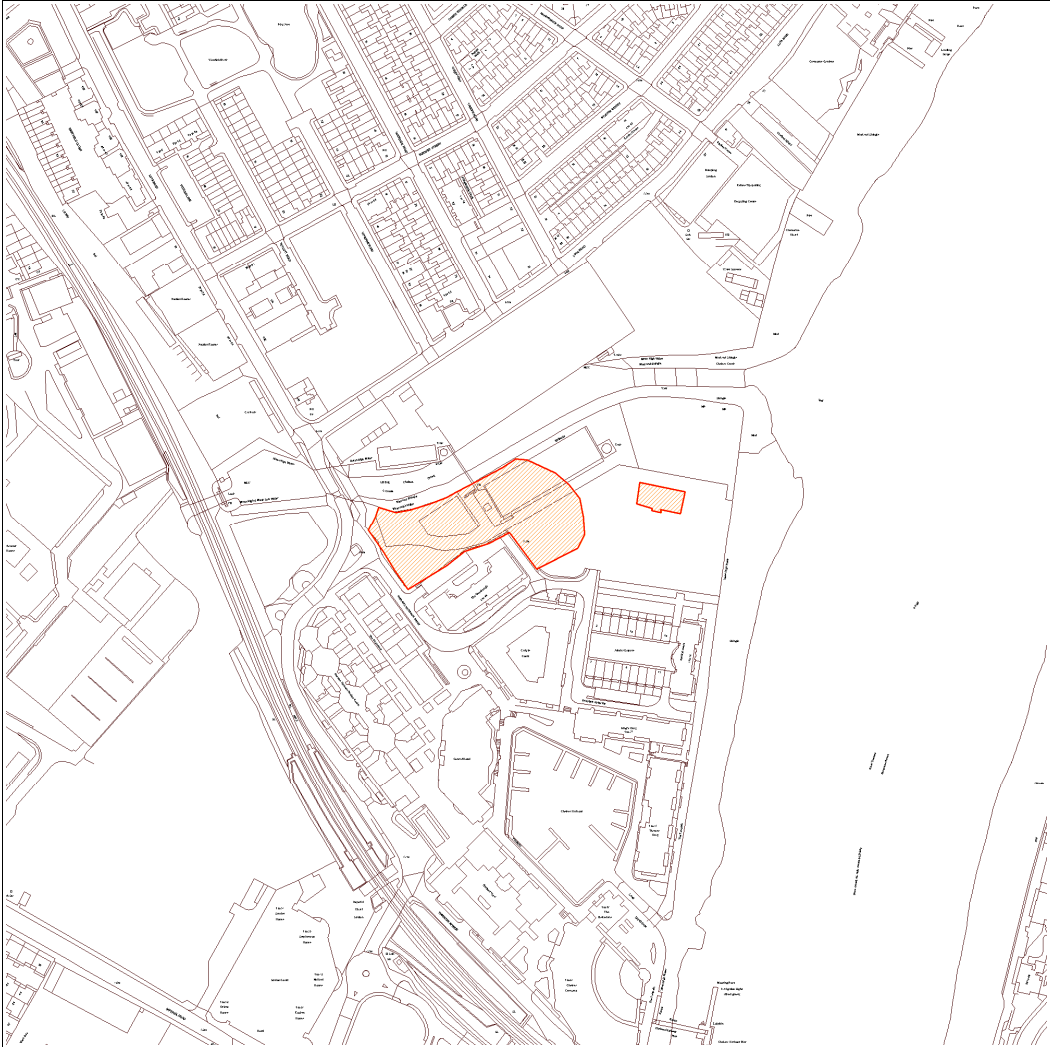


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**Ward:** Sands End

**Site Address:**

Land Adjacent To South Side Of Chelsea Creek Chelsea  
Harbour Drive Chelsea Harbour London



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**For identification purposes only - do not scale.**

**Reg. No:**  
2011/03122/FUL

**Case Officer:**  
Brett Henderson

**Date Valid:**  
06.09.2011

**Conservation Area:**

**Committee Date:**  
14.12.2011

**Applicant:**

Circadian Ltd  
C/O Agent

**Description:**

New planning application for erection of part 5, part 6 storey building containing 110 affordable dwellings and erection of part 6, part 7, part 8 storey building containing 18 private market dwellings; hard and soft landscaping; Creekside path; associated amenity space; car parking (59 spaces) and cycle parking (167 spaces). The application will result in a reduction in the number of dwellings that will be developed on site when planning permission ref. no. 2002/03132/FUL (granted on 30/01/06 for the development of 382 residential dwellings) is built out. There will be a reduction in affordable housing provision from 213 dwellings to 110 dwellings; reduction in height of the main affordable housing block HF3 to part 5, part 6 storeys from 8 to 10 storeys; change of 36 intermediate affordable dwellings within building HF2 to 18 private market dwellings; and a revised access layout. This will result in a reduction of total dwellings across the site to 297 dwellings from the previously approved 382.

Drg Nos:

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

Subject to there being no contrary direction from the Mayor for London; that the Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the following conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

- 2) The development shall be carried out and completed in accordance with the following drawings and documents submitted, unless agreed in writing by the Council: LRTW-4/PA/03-001; LRTW-4/PA/03-110-B; LRTW-4/PA/05-120-A; LRTW-4/PA/05-100-A; LRTW-4/PA/03-120; LRTW-4/PA/05-120-A; LRTW-4/PA/05-200; LRTW-4/PA/05-300; LRTW-4/PA/03-310; LRTW-4/PA/03-400; LRTW-4/PA/09-200; LRTW-4/PA/05-320.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.21, 7.27 and 7.30 of the London Plan and policies EN2, EN3, EN8, EN25, EN31, EN31X, EN32 and

EN35 of the adopted UDP (as amended in September 2007 and October 2011) and policies BE1, RTC1 and HTC of the Core Strategy.

- 3) No development shall commence on any phase, or any successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority. The scheme should make provision for:
- a) the excavation of any significant archaeological features
  - b) the assessment of the results, and proposals for their publication
  - c) the publication of the results
  - d) the deposition of the site archive at the Borough Archives
- The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the local planning authority.

To ensure that the archaeological heritage of the application site is properly investigated in accordance with PPG 16 and Policy EN7 of the adopted UDP (as amended in September 2007 and October 2011).

- 4) No demolition or construction works shall commence prior to the submission and approval in writing by the Council of a demolition method statement, a demolition and construction management plan and a construction logistics plan (in accordance with Transport for London guidelines), which shall include details of the steps to be taken to re-use and recycle waste, details of site enclosure throughout construction and details of the measures proposed to minimise the impact of the construction processes on the existing amenities of the occupiers of neighbouring properties, including monitoring and control measures for dust, noise, vibration, lighting and working hours, waste classification and secure off-street loading and drop off facilities, and the measures proposed to prevent the passage of mud and dirt onto the highway by vehicles entering and leaving the site in connection with the demolition and construction processes. The plan shall also investigate ways to maximise water transport for bulk materials, particularly during demolition and construction phases. All construction works shall be carried out in accordance with the approved details.

In order that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the amenities of local residents and the area generally, in accordance with ordnance with policies EN2, EN8, EN19A, EN20A, EN20B, EN20C and EN21 and of adopted UDP (as amended in September 2007 and October 2011).

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

receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy and policies EN20A and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 6) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater . All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy and policies EN20A and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 7) Unless otherwise agreed in writing by the Council, the development hereby approved shall not commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy and policies EN20A and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 8) Unless otherwise agreed in writing by the Council, the development hereby approved shall not commence until a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy and policies EN20A and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 9) Unless otherwise agreed in writing by the Council, the development hereby approved shall not 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: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy and policies EN20A and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 10) Unless otherwise agreed in writing by the Council, the development hereby approved shall not commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to CLR

11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy and policies EN20A and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 11) Prior to commencement of development other than site remediation or excavation, details of a comprehensive surface water drainage scheme shall be submitted to and approved in writing by the Council. The development shall accord with the approved strategy, and details of this compliance shall be submitted to and approved in writing by the Council. The surface water drainage scheme shall be maintained in full working order for the lifetime of the development.

To ensure that surface water run-off is managed and the risk of flooding is reduced in accordance with PPS25 and policies 5.11, 5.12, 5.13, 5.14 and 5.15 of the London Plan.

- 12) Prior to the commencement of the development, details of compliance with the approved Energy Strategy for the development shall be submitted to and approved in writing by the Council. Development shall proceed in accordance with the details as approved and the details shall be maintained in full working order for the lifetime of the development.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan.

- 13) Prior to occupation of any building, confirmation that the dwellings meet the requirements of level 4 of the Code for Sustainable Homes shall be submitted to and approved in writing by the Council.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan.

- 14) Prior to first occupation of the development, a site servicing strategy, including vehicle tracking, shall be submitted to and approved in writing by the Council detailing management of deliveries to and throughout the site, emergency access throughout the site, collection of waste and recyclables, times of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement. The approved measures shall be implemented and continued thereafter for the lifetime of the development.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policy EN20A,

EN20B, EN21, TN5, TN13 and Standard S21 of the adopted UDP (as amended in September 2007 and October 2011).

- 15) Prior to first occupation of the flatted buildings a car parking management plan shall be submitted to and approved in writing by the Council detailing allocation of car parking spaces to residents and location of electric charging points.

To ensure the appropriate distribution of specialist parking in the development and that all spaces can be readily accessed by vehicles, in accordance with policies 6.13 and 7.2 of the London Plan and policies TN4 and TN15 of the adopted UDP (as amended in September 2007 and October 2011).

- 16) No development shall commence until particulars and samples of all of the materials to be used in all roof coverings and external faces of buildings, and details of all paving and external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure within that phase have been submitted and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with policy EN2, EN3 and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 17) No development shall commence prior to the submission and approval in writing by the Council of full details of the proposed hard and soft landscaping of the site, including planting schedules and details of the species, height and maturity of any trees and shrubs and proposed landscape maintenance plan. These details shall include the pedestrian links and the Creekside Path, the access to each building and all other proposed shared surfaces, including surface materials and kerb details that ensure a safe and convenient environment for blind and partially sighted people. The approved scheme shall be implemented in the next winter planting season following completion of the building works for that phase, or before the occupation of that phase and use of any part of the buildings, whichever is the earlier, and the landscaping shall thereafter be retained and maintained in accordance with the approved details.

To ensure a satisfactory external appearance, and that the needs of the visually impaired are catered to in accordance with the Equality Act 2010 and policy EN2, EN3, EN8 and EN26 of the adopted UDP (as amended in September 2007 and October 2011).

- 18) Prior to the occupation of each phase of development, details of secure cycle storage shall be submitted to and approved in writing by the Council. Development shall accord with the details as approved, and the cycle parking provision shall be retained thereafter for the lifetime of the development.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers and users, in accordance with policies 6.9 and

6.13 of the London Plan (2011) and policy TN6 and Standard S20.1 of adopted UDP (as amended in September 2007 and October 2011).

- 19) Prior to use, any plant, machinery or equipment and / or any extract / ventilation system and ducting at the development hereby approved shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policy EN20A, EN20B and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 20) The external noise level emitted from any plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10 dBA, as assessed according to BS4142: 1997 at the nearest and / or most affected noise sensitive premises, with all machinery operating together.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from mechanical installations/ equipment and their uses, in accordance with Policy EN20A, EN20B and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 21) No development shall commence on any phase until details of anti-vibration measures have been submitted to and approved in writing by the Council. 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. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by vibration, in accordance with Policy EN20A, EN20B and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 22) Prior to commencement of the development hereby approved, details of external artificial lighting shall be submitted to and approved in writing by the Council. Details shall demonstrate that vertical illumination of neighbouring premises is a maximum of 10lux at ground floor and 5lux at first floor level. The recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2005' shall also be met with regard to glare and sky glow. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting and to ensure that lighting is not a hazard to navigation and that it minimises impacts on river ecology in accordance with Policy EN20C and EN21 of the adopted UDP (as amended in September 2007 and October 2011).



- 23) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being granted.

To ensure that the visual impact of telecommunication equipment can be considered, in accordance with Policy EN2, and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 24) Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, no development within the curtilage of a dwelling house which forms part of the overall development hereby approved shall be carried out without the prior permission of the Council, obtained through the submission of a planning application.

In the interests of the living conditions of neighbouring properties within the development, in accordance with policies EN8 and EN8B of the adopted UDP (as amended in September 2007 and October 2011).

- 25) Details of a communal satellite system to be placed on the top of each of the buildings to serve all residents in that building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The communal satellite system shall remain in operating order for the lifetime of the development.

To ensure that the visual impact of telecommunication equipment can be considered, in accordance with Policy EN2, and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 26) Details of the measures to be incorporated into the design of the development to enable the operation of emergency services communications equipment throughout all levels of the scheme shall be submitted to and approved by the Council prior to the commencement of each phase of the development, other than site preparation works or site remediation, and the detail as approved shall be implemented in accordance with an agreed scheme prior to the occupation of that relevant phase of the development.

To ensure that emergency services communications equipment functions effectively throughout the development in accordance with policy 7.13 of the London Plan.

- 27) Prior to commencement of any phase of development, details of measures to adequately accord with the Metropolitan Police 'Secure by Design' scheme shall

be submitted to and approved in writing by the Council. Such details shall include, but not be limited to, CCTV coverage, access controls, basement security measures, and means to secure the site throughout construction. Development shall proceed in accordance with the approved details and measures shall be retained thereafter.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with policies 7.3 and 7.13 of the London Plan and policy EN10 of the adopted UDP (as amended in September 2007 and October 2011).

- 28) Prior to the commencement of each building of development, details of compliance with lifetime homes standards for the residential units and of the provision of 10% of the residential units to wheelchair housing standard or accessible to this standard, shall be submitted to and approved in writing by the Council. The Development shall accord with the details as approved.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policy 3.8 of the London Plan and policy HO6 of the adopted UDP (as amended in September 2007 and October 2011).

- 29) Any tree or shrub planted pursuant to approved landscape details that is removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory provision for planting, in accordance with policies EN2, EN8 and EN26 of the adopted UDP (as amended in September 2007 and October 2011).

- 30) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the buildings hereby permitted.

To ensure a satisfactory external appearance, in accordance with Policy EN2, and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 31) No plumbing or pipes, other than rainwater pipes on the approved elevations, shall be fixed on the external faces of the buildings.

To ensure a satisfactory external appearance, in accordance with Policy EN2, and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 32) Details, including drawings in plan, section and elevation at a scale of no less than 1:20, of all proposed boundary treatments, means of enclosure to ground floor private amenity space and gates shall be submitted to and approved in writing by

the local planning authority. The approved boundary treatments, means of enclosure and gates shall be implemented before the development is occupied and shall be retained thereafter for the lifetime of the development.

To ensure a satisfactory external appearance, in accordance with policy EN2, EN3 and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

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

The proposed works will be in close proximity to underground water and sewerage utility infrastructure and the condition is necessary to ensure that these are protected during construction, in accordance with policies 5.14 and 5.15 of the London Plan (2011).

- 34) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details in plan, section and elevation (at a scale of not less than 1:20) of typical bays including detail of cladding, fenestration, balconies and entrances for each of the buildings, and no part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policy EN2, EN3 and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 35) No deliveries to or from the Site in connection with the site preparation or construction works shall take place outside the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and no such deliveries shall take place at all on Sundays or public holidays.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policy EN20A, EN20B, EN21, TN5, TN13 and Standard S21 of the adopted UDP (as amended in September 2007 and October 2011).

- 36) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

To protect the quality of the water environment by ensuring no pollution pathways are created as a result of the proposed foundations in accordance with policy 5.21 of the London Plan and policy CC4 of the Core Strategy. The Environment agency recommend that developers follow the risk management framework provided in our guidance for 'Piling into Contaminated Sites' and also refer to the document: 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention'.

- 37) Prior to the occupation of each phase details of the mail boxes for the flatted dwellings on Carnwath Road shall be submitted to and approved by the Council and the mail boxes shall be installed and retained as approved.

To ensure the proposed development will provide adequate mail facilities for all residents, in compliance with Policy EN2, EN3 and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 38) Prior to occupation of the development, details of the installation (including location and type) of at least 26 electric vehicle charger points within the car parking areas must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charger points shall be installed and retained in working order for the lifetime of the development.

To encourage sustainable travel in accordance with London Plan (2011) Policies 5.8 and 6.13.

- 39) The windows in the upper floors of HF2 facing east towards HF1 shall be fixed with obscured glazing that shall not be able to be openable.

In order to protect the privacy of future residents of the development from overlooking in accordance with policy EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 40) Each lift core within the development shall contain a fire rated lift, details of which shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of any building containing a lift. All lifts should have enhanced lift repair service running 365 day/24 hour cover to ensure no wheelchair occupiers are trapped if the single lift breaks down. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policy 3.8 of the London Plan and policy HO6 of the adopted UDP (as amended in September 2007 and October 2011).

- 41) Details of the colour, composition and texture of the render and bond, mortar mix and pointing style of the brickwork shall be submitted for the Council's approval

prior to commencement of works and implemented in accordance with approved details.

To ensure a satisfactory external appearance, in accordance with policies EN2, EN3 and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 42) No development shall commence on any phase until a scheme for temporary fencing and/or enclosure of the site where necessary has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details and retained for the duration of the building works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.'

To ensure a satisfactory external appearance of the site, in accordance with policies EN2, EN3 and EN8 of the adopted UDP (as amended in September 2007 and October 2011).

- 43) No deliveries nor collections / loading nor unloading shall occur at the development hereby approved other than between the hours of 8am and 8pm.

To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise, in accordance with Policy EN20A, EN20B and EN21 of the adopted UDP (as amended in September 2007 and October 2011).

- 44) The development hereby permitted shall not be commenced until such time as a detailed scheme to deliver an improvement of the flood defences has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of a new retreated statutory flood defence line and include ecological enhancement through the creation and construction of tidal terraces. The new defences shall be of an appropriate standard to provide a 100 year lifetime in accordance with PPS25. For any defences that remain, a full structural survey shall be carried out including intrusive testing to inform works required to bring the defences up to the 100 year lifetime.

The scheme shall include a crest level which is no lower than the statutory flood defence level of 5.41m AOD and include capacity for future raising of 600mm above this level, or demonstrate the viability of how these raisings could be incorporated to accommodate climate change provisions when required. The scheme should address how access to the defences will be maintained to allow inspection, repair or replacement of the defences in perpetuity.

Development shall be carried out in accordance with both the approved details and a programme of implementation first agreed in writing with the Local Planning Authority in liaison with the Environment Agency.

To ensure that the site is defended from flooding from the River Thames for the lifetime of the development to an appropriate standard and to improve the ecology

and amenity of the river wall through construction of tidal terracing in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

- 45) A detailed scheme which improves the existing surface water drainage on site based on sustainable principles shall be submitted to and approved in writing by the local planning authority. Surface water to be discharged via gravity directly to the creek shall be disposed of through outfalls no greater than 300mm in diameter to minimise the risk of scour occurring on the foreshore using the principles set out in the submitted Flood Risk Assessment and Drainage Strategy. The scheme shall include details of adoption and measures to ensure the maintenance of the drainage system in perpetuity.

To reduce the risk of flooding from surface water through SUDS and to limit scour occurring on the foreshore in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

- 46) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

To protect the quality of the water environment in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

- 47) Notwithstanding details shown on the drawings as approved, before any part of the development on the two sites commences, there shall first be submitted to and approved by the local planning authority details that show the location and internal layout of the 11 wheelchair accessible apartments proposed, including appropriate wheelchair and related storage and turning space, circulation space in accessible bedrooms and bathrooms, provision for en-suite bathroom access, and corridor widths that accord with the Mayor of London's Interim London Housing Design Guide 2010 and Local Development Framework supplementary planning document general guidance.

Core Strategy 2011 Policy H4 for meeting housing needs seeks for 10% of dwellings to be accessible or readily adaptable for residents who are wheelchair users in the context of a continuing need for housing for people who need care and support; and the Mayor of London's 2007 "Best Practice Guidance - Wheelchair Accessible Housing" which is summarised and distinguished from Lifetime Homes housing in Appendix 3 of the Mayor's Interim London Housing Design Guide 2010.

- 48) Prior to the commencement of the development, details of compliance with the approved Sustainability Statement for the development shall be submitted to and approved in writing by the Council. Development shall proceed in accordance with

the details as approved and the details shall be maintained in full working order for the lifetime of the development.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan.

- 49) Development shall not begin until a scheme for the treatment of Chelsea Creek has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the construction and subsequent maintenance of the inter-tidal terraces, of the marginal and aquatic species to be planted and of the location and design of mooring posts, boat-landing and access facilities and health and safety measures (life saving equipment such as grab chains, access ladders and life buoys along the river edge to a standard recommended in the 1991 Hayes Report on the Inquiry into River Safety) to be provided. Development shall be carried out in accordance with both the approved details and a programme of implementation first agreed in writing with the local planning authority.

To protect the quality of the water environment in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

- 50) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately-owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any building in the development. The landscape management plan shall be carried out as approved.

To ensure a satisfactory provision for planting, in accordance with policies EN2, EN8 and EN26 of the adopted UDP (as amended in September 2007 and October 2011).

- 51) Notwithstanding the details shown on the approved drawings, development shall not begin until full details of the proposed riverside walk, which shall be not less than 6.0m wide, have been submitted to and approved in writing by the local planning authority. An access strip not less than 5.0m wide along the River Thames frontage shall be left free of permanent development, including ventilation grilles, lighting columns, planting and changes in level, unless otherwise agreed in writing by the local planning authority.

To ensure satisfactory usability and external appearance, and that the needs of the visually impaired are catered to in accordance with the Equality Act 2010 and policy EN2, EN3, EN8 and EN26 of the adopted UDP (as amended in September 2007 and October 2011).

- 52) Development shall not begin until a scheme for access to the river wall on the landward side of Chelsea Creek adjacent to Building HF3A has been submitted to

and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

To protect the quality of the water environment in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

- 53) There shall be no storage of materials within 8.0m of the River Thames and 4.0m of Chelsea Creek except when development works hereby permitted within those areas are being carried out.

To protect the quality of the water environment in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

- 54) Development shall not begin until a scheme for the clearance of vegetation from the site, taking into account the findings of a survey to identify nesting birds, has been submitted to and approved in writing by the local planning authority. Clearance shall be carried out in accordance with the approved scheme.

In the interests of nature conservation and biodiversity protection in accordance with policies EN25, EN28A and EN29 of the adopted UDP (as amended in September 2007 and October 2011).

- 55) Details of bird and bat boxes to be provided in the development shall be submitted to and approved in writing by the local planning authority not later than three months from the commencement of each phase. The approved bird and bat boxes shall be installed before any respective phase are first occupied. Thereafter the approved bird and bat boxes shall be retained in accordance with approved details.

To ensure that the development enhances biodiversity in the interests of nature conservation and biodiversity protection in accordance with policies EN25, EN28A and EN29 of the adopted UDP (as amended in September 2007 and October 2011).

### **Justification for Approving the Application:**

1. Land use: The proposed development is in accordance with the Council's aspirations for the area and the principle of residential redevelopment will make effective use of previously under-utilised land. Given the proposal's financial viability appraisal along with the Council's current housing stock and local and regional housing policy targets, the dwelling mix, tenure split and level of affordable housing is considered acceptable in accordance with London Plan (2011) policies 2.18, 3.3, 3.4, 3.7, 3.10, 3.11, 3.12, 3.13, 3.16, 7.27 and 7.28 and policies HO6, EN32, EN34A and EN35 of the adopted UDP (as amended in



September 2007 and October 2011) and policies H1, H2, H3, C, CF1, CS8, HTC and RTC1 of the Core Strategy.

2. Design: The proposal represents a high quality development which would make a positive contribution to the riverside, providing a vibrant new urban quarter in this part of the Borough. The proposal preserves and enhances the character and appearance of the conservation area and listed building. The development is therefore considered to be acceptable in accordance with Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.21, 7.27 and 7.30 of the London Plan (2011) and policies EN2, EN3, EN8, EN25, EN31, EN31X, EN32 and EN35 of the adopted UDP (as amended in September 2007 and October 2011) and policies BE1, RTC1 and HTC of the Core Strategy.

3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of air quality, undue noise, overlooking, loss of sunlight or daylight to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development is therefore considered acceptable in accordance with Policies G3, EN10, HO6, EN8, EN20A, EN23, EN23B and Standards S5A.1, S5A.2, S6, S7.1, S7A, S13.1, S13.2 and S13.3 of the adopted UDP (as amended in September 2007 and October 2011), and policies H3 and CC4 of the Core Strategy.

4. Transport: Subject to a satisfactory legal agreement there would be no significantly adverse impact on traffic generation and the scheme would not result in unacceptable conditions on the road network. Satisfactory provision would be made for cycle parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The development is therefore considered to be acceptable in accordance with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2011) and policies TN4, TN5, TN6, TN8, TN13, TN15 and TN21 and Standards S18, S19, S20, S21 and S23 of the adopted UDP (as amended in September 2007 and October 2011) and policy T1 of the Core Strategy.

5. Access: The development would provide a safe and secure environment for all users. The development is therefore considered acceptable in accordance with Policy EN10 of the adopted UDP (as amended in September 2007 and October 2011), and the Council's adopted supplementary planning document 'Access for all'.

6. Sustainability: The proposed development has been designed to meet the highest standards of sustainable design and construction, also utilising renewable energy technology. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The development is therefore considered acceptable in accordance with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan (2011) and policies EN28A and EN29 of the adopted UDP (as amended in September 2007 and October 2011) and policies CC1, CC2, H3, OS1 and RTC1 of the Core Strategy.

7. Land Contamination: The application proposes that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development is therefore considered acceptable in accordance with policy 5.21 of the London Plan (2011) and policy CC4 of the Core

Strategy and policies EN20A and EN21 the adopted UDP (as amended in September 2007 and October 2011).

8. Archaeology: The site is located within an Archaeological Priority Area and a condition will secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation. The proposed development is therefore considered acceptable in accordance with policy 7.8 of the London Plan (2011), policy EN7 of the adopted UDP (as amended in September 2007 and October 2011) and policy BE1 of the Core Strategy.

9. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. The development is therefore considered to be acceptable in accordance with Planning Policy Statement (PPS) 25 and London Plan policies 5.11, 5.13, 5.14.

10. Planning Obligations: The application proposes that its impacts are mitigated by way of financial contributions to fund improvements that are necessary as a consequence of the development. The proposed development is considered to adequately mitigate external impacts and is therefore considered to be acceptable in accordance with policy 8.2 of the London Plan (2011), policy EN23 of the adopted UDP (as amended in September 2007 and October 2011) and policy CF1 of the Core Strategy.

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

### **All Background Papers held by Michael Merrington (Ext: 3453):**

Application form received: 5th September 2011  
Drawing Nos: see above

**Policy Documents:** The London Plan 2011  
Unitary Development Plan as amended 2007 and 2011  
Core Strategy 2011

### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
London Fire And Emergency Planning Authority	02.11.11
Hammersmith And Fulham Disability Forum	17.11.11
Health And Safety Executive	24.11.11
Hammersmith And Fulham Disability Forum	17.11.11

Health And Safety Executive	21.11.11
Environment Agency - Planning Liaison	22.11.11
Port Of London Authority	22.11.11
Greater London Authority - Planning Decisions Unit	21.11.11
Environment Agency - Planning Liaison	19.10.11
Thames Water - Development Control	07.11.11
Port Of London Authority	25.10.11
Health And Safety Executive	08.11.11
Council For British Archaeology	03.11.11
Chelsea Harbour Residents' Association	31.10.11

### **Neighbour Comments:**

#### **Letters from:**

#### **Dated:**

25 The Quadrangle Chelsea Harbour Drive Chelsea Harbour London SW10 0UG	01.11.11
17 The Quadrangle Chelsea Harbour Drive Chelsea Harbour London SW10 0UG	31.10.11
33 The Quadrangle Chelsea Harbour Drive Chelsea Harbour London SW10 0UG	26.10.11
Zest Events Ltd 2 Swan Mews London SW6 4QT	04.11.11
25 The Quadrangle Chelsea Harbour	04.11.11

### **OFFICER'S REPORT**

#### **1.0 BACKGROUND**

##### **Site Description**

1.1 The site shown on the site plan comprises an area of 0.7 hectares and forms part of two consented and implemented wider masterplans within Kensington and Chelsea on the North side of Chelsea Creek and LBHF on the South side, that were granted planning permission in January 2006. It is a cleared and vacant brownfield site containing no structures.

1.2 The site is accessed via Chelsea Harbour Drive and Thames Avenue or by footbridge over the creek from RBKC. The site borders the Chelsea Harbour development to the south and gently undulates from 7.0m AOD, at the entrance down to

the Thames path at 5.41m AOD. Vehicular access is from Chelsea Harbour Drive at the western end of the site.

1.3 The site has a public transport accessibility level (PTAL) of 3 (average).

#### The Surrounding Area

1.4 Lots Road Power Station, now decommissioned, stands on the north bank of Chelsea Creek. The power station building, just over 100 years old, is one of the more prominent and dominant buildings in the area. It stands at the back of the Lots Road footway with a frontage of some 138m and a façade height of about 24m to the top of the parapet and a depth of 53.5m. There are two tall brick chimneys, about 83m high, just within the south wall of the turbine hall.

1.5 Lots Road is L-shaped, running west from Cremorne Road past the power station and then turning north towards King's Road. The area bounded by Lots Road, King's Road, Ashburnham Road and Cremorne Road is often referred to as the Lots Road triangle. It comprises primarily terraced housing on Lots Road, Ashburnham Road, Tadema Road and other residential roads. It is generally two-storey and three-storey housing, built a little before the power station, with a degree of rhythm and ornament typical of its time. Also within the Lots Road triangle are Westfield Park, the Heatherly School of Fine Art and Ashburnham Community Centre (both with façades to Lots Road opposite the west end of the power station), an adventure playground and a number of commercial uses (these last mainly on the north-south leg of Lots Road).

1.6 To the east of the power station on Lots Road is the SITA waste transfer station. It has an arched brick façade to Lots Road but, within the site, comprises mainly modern buildings, the equivalent of 2-2½ storeys high, clad in green profiled sheet metal. Though it is situated on Cremorne Wharf, no use is made of the river. HGVs access the site along Lots Road from Cremorne Road. The grade II listed Lots Road Pumping Station is also located to the east of the Power Station.

1.7 To the south of the site lies Chelsea Harbour, a predominantly residential development dating from the 1980s that is contained on its other two sides by the West London Rail Line (WLL) and the Thames. It comprises a series of buildings, varying from four and six storeys nearest to the application site up to eight or nine elsewhere, in a relatively compact and visually dense layout, centred around a marina and with the taller Belvedere Tower, towards the southern end of the development, as its focal point. The overall design, generally with brick or rendered facades and pitched roofs, is very much of its time.

1.8 Imperial Wharf, another mixed use, but predominantly residential development, nearing completion, lies on the opposite side of the WLL bridge and embankment from Chelsea Harbour. It continues the theme of visually fairly dense development, in a more modern design idiom, with buildings generally a little taller than in Chelsea Harbour rising to 13 storeys on certain elements, but without the focal tower. To the south west of the Imperial Wharf development will be a sizable area of public open space.

1.9 Several high buildings already stand close to the river. The Belvedere Tower is the focal point of the Chelsea Harbour development, a slender 20 storey tower with a distinctive pyramidal roof. World's End, inland of Cheyne Walk to the north east, dates from the 1970s and comprises seven residential towers of 18/20 storeys plus mid-rise

linking buildings, all primarily brick clad. On the south bank, Montevetro is an unashamedly modern design with a distinctive sloping profile, rising from a low point adjacent to the listed St Mary's Church up to 19 storeys at its northerly end. Near to it, away from the river, are two earlier towers, of similar height but more standard in design, in the Somerset Estate. There are numerous other riverside developments, completed and under construction, giving the riverside a densely developed character; many buildings are several storeys high but none is more than about half the height of the Belvedere Tower, World's End or Montevetro.

1.10 The site sits in something of a cul-de-sac. Access to it is by one leg or the other of Lots Road, from Cremorne Road or King's Road. The WLL provides a barrier to the south west. The only access to Fulham, to the west, is by an under-bridge from Harbour Avenue to Townmead Road, where a barrier is used to restrict traffic to Chelsea Harbour residents, buses and pedestrians. Chelsea Embankment and Cheyne Walk form part of a 'red route' (part of the Transport for London Road Network) coming west from the City along the north bank of the Thames before turning inland and north westwards along Cremorne Road, part of Ashburnham Road, Gunter Grove and Finborough Road. Fulham Road, running south westwards from Hyde Park Corner, is also a red route. King's Road, parallel to it but closer to the site, is not. Finborough Road, Gunter Grove and the northerly part of Ashburnham Road form the north bound half of a one way loop; Redcliffe Gardens and Edith Grove form the south bound half, leading into Cremorne Road. While either end of Lots Road provides the only approach towards the site, there is the opportunity of leaving by way of the southerly part of Ashburnham Road or, roughly parallel to it, Tadema Road.

1.11 Imperial Wharf station is located approximately 300m to the west of the site and provides links to London Underground and National Rail services. The closest bus stops are located less than 100m from the site on Lots Road and Harbour Avenue.

#### Planning History of Application Site

1.12 In January 2006 planning permission was granted subject to a S106 legal agreement (dated 27th April 2005) by the Secretary of State for the demolition of buildings ancillary to the former Lots Road Power Station; the provision of 382 residential units by means of the erection of a residential tower with a ground floor gymnasium plus six other buildings; car parking spaces, cycle parking, children's playspace, servicing, landscaping and associated works to Chelsea Creek and Chelsea Basin, including the construction of three pedestrian bridges across the creek. This consent was technically implemented when all structures on site were demolished by the developer.

1.13 In December 2010 the Planning Applications Committee resolved to grant consent to a variation to the legal agreement of the extant consent to delay the triggers for affordable housing having accepted the applicant's arguments regarding viability. The variation proposes a safeguard that the affordable housing should be delivered by a date of no later than five years from completion of the market housing.

1.14 In December 2011 a Screening Opinion was issued by the Council in response to a Screening Report submitted by the current applicant on the environmental impact of the changes to the affordable housing elements of the extant consent. The Screening Opinion outlined that the Council considered that the change to the comprehensive single scheme (the extant consent) did not give rise to a significant adverse environmental impact. In respect of potential wider regional impacts, it was considered

that the proposed development would lessen the scale, intensity and impact of the extant consent which comprises a denser and taller development of the site. Furthermore, it was considered that the scale of development would not have wide-ranging environmental effects, and that the level of environmental sensitivity of the site is such that the potential impacts can be assessed individually, within the various documentation as part of the planning application. The Council concluded that an Environmental Statement was not required to be submitted with the planning application.

1.15 A number of conditions in the extant consent have been discharged by the Council over recent years.

1.16 The bulk of the LBHF site (excluding an area of land alongside the creek) has the benefit of an extant planning permission as Phase 2 of the Chelsea Harbour development (for 173 dwellings, none of which would be affordable housing). The original permission was granted in 1986 and an appeal decision in 2003 confirmed that Phase 2 remained capable of lawful implementation.

### Application Description

#### The Extant Consent

1.17 The planning permission for the LBHF site includes a total of 213 affordable residential units (177 social rented units and 36 Intermediate units) within Buildings HF2 and HF3 A, B and C. This equates to a 56% affordable housing provision based on the number of residential units.

1.18 The consented scheme included Building HF1, (a 37 storey tower), which will be sited close to where Chelsea Creek joins the river Thames. At the opposite end of the river frontage, Building HF5 will lie back from the river, parallel to the most easterly Chelsea Harbour building. Building HF4, part seven / part eight storeys in height would enclose a riverside square between Buildings HF1 and HF5. These buildings are not proposed to be changed and are outside the planning application boundary for this application.

1.19 As part of the consented scheme, buildings HF3 A, B and C would be located at the entrance to the site off Chelsea Harbour Drive with the access road directed below HF3A and to the rear of the affordable buildings.

1.20 The affordable housing element of the consented scheme is located within Buildings HF2 and HF3 and comprises the following:

- Building HF3A, fronting onto Chelsea Harbour Drive, comprises a part 8, part 10 storey building containing a total of 42 social rented affordable units;
- Building HF3B fronting onto Chelsea Creek comprises an 8 storey block providing 42 social rented affordable units;
- Building HF3C consists of two blocks, varying in height between 5 and 8 storey's, one being crescent shaped which encloses private open space. These two blocks provide a total of 93 social rented units.

- Building HF2 comprises a 7 storey block fronting Chelsea Creek containing 36 intermediate residential units.

#### The Proposed Scheme

1.21 This full detailed planning application is for the erection of a part 5, part 6 storey building (HF3) containing 110 affordable dwellings and the erection of a part 6, part 7, part 8 storey building (HF2) containing 18 private market dwellings; plus hard and soft landscaping, Creekside path, associated amenity space, car parking (59 spaces) and cycle parking (171 spaces).

1.22 The application will result in a reduction in the number of dwellings that will be developed on site when the extant consent (planning permission ref. no. 2002/03132/FUL granted on 30/01/06 for the development of 382 residential dwellings) is built out. There will be a reduction in affordable housing provision from 213 dwellings to 110 dwellings; a reduction in height of the main affordable housing block HF3 to part 5, part 6 storeys from 8 to 10 storeys; a change of 36 intermediate affordable dwellings within building HF2 to 18 private market dwellings; and a revised access layout. This will result in a reduction of total dwellings across the site to 297 dwellings from the previously approved 382.

1.23 In comparison to the Consented Scheme, the footprint of HF3 has been reduced by 33% from 2,864sqm to 1,916sqm and the basement car park has been removed from HF3 entirely, the parking is accommodated at ground floor level. The position and size of HF2 is largely unchanged from the Consented Scheme except for the change to private residential rather than intermediate affordable housing. HF2 will have access to basement car parking.

1.24 Planning permission is now being sought to provide a total of 110 affordable residential housing units consisting of two tenures, affordable rent and intermediate, with a ratio split of 25% to 75% respectively. This includes remodelling the affordable housing blocks within the consented scheme, HF3 A, B, C, into one 'L' shaped block: HF3 and will result in an affordable housing provision of 37% based on the number of residential units.

1.25 The planning application was accompanied by a financial viability appraisal that provided a description and justification for the proposed level of affordable housing including mix and tenure.

1.26 All of the dwellings will have direct access to private amenity space in the form of either ground floor gardens or upper floor balconies.

1.27 The revised vehicle access runs between the pedestrian path adjoining the Creek and HF3 before turning southward and descending to the consented basement car park under the market housing along the Thames. HF3's car park is located behind a wall between Chelsea Harbour Drive and HF3.

1.28 There would be 2 main entrances to HF3 from the vehicle access route through the site and 4 main entrances to the rear from the car park. Communal amenity space is provided between HF3 and the boundary with the Chelsea Harbour development. To the east of HF3 the reduced building footprint has allowed the provision of a large public park.

1.29 The predominant building material proposed on HF3 is differing shades of white terracotta and white render, while HF2's will be limestone tiles.

1.30 The proposed changes to the consented housing mix are illustrated in the table below:

	2006 consent (H&F)	revised proposals	increase/decrease
private	169 (44%)	187 (62%)	+18
affordable social rent	177 (46%)	28 (10%)	-149
affordable intermediate	36 (10%)	82 (28%)	+46
total	382 (100%)	297 (100%)	-85

#### Amendments

1.31 Following consultation and negotiations with Officers, minor amendments to the application have been submitted comprising:

- The ground floor private amenity space for buildings HF2 and HF3 have been amended to achieve the required 14sqm per unit.
- The windows on the south east elevation of building HF2 facing building HF1 are now annotated with obscured glass.
- A brown roof has been provided on building HF2.
- Defensible planting has been provided to all ground floor apartment windows of buildings HF2 and HF3 that are not currently protected by private amenity space.
- Waste bins have been relocated away from ground floor habitable room windows in building HF3.
- Four flats have had their single bedroom sizes increased to meet minimum size requirements.

## 2.0 PUBLICITY AND CONSULTATIONS

#### Pre-Application Consultation

2.1 A Statement of Community Involvement (SCI) has been submitted with the application. The SCI details the lengthy public consultation exercises undertaken by the Applicant prior to the submission of the planning application. This includes pre-application meetings with Council officers, and a two day public exhibition. The SCI highlighted that overall attendees of the exhibition thought the proposal would be a significant improvement to the consented scheme and were keen that development on the site progresses. Attendees recognised that the scale and density of the proposed development is less than that of the consented scheme.

#### Application Consultation

2.2 The application was advertised by way of press and site notices, and letters sent to individual properties in the surrounding streets and statutory consultees in early October 2011.

2.3 The following is a summary of comments that have been received from local resident groups:

#### 2.4 Chelsea Harbour Residents' Association

Welcomes the proposed reduction in the height of the buildings. However are concerned with the following issues:



- The impact of the works during the building phase, in terms of noise, dust and general disruption.
- The siting of all the affordable housing so close to Chelsea Harbour.
- The siting of the children's playground immediately adjacent to Chelsea Harbour, which could potentially cause noise and nuisance.
- The lack of any plans for a perimeter wall separating the whole development from Chelsea Harbour.
- Lack of information about very necessary improvements to the infrastructure, there will be gridlock in Lots Road.

## 2.5 The Disability Forum

Welcomes provision of social rented/affordable rent housing as well as wheelchair accessible units of more than 1 bedroom.

- Ensure that all housing units meet Lifetime Home standards.
- The housing units should comply with LBHF Access for All SPD.
- Ensure that the lifts are usable in the event of a fire.
- Since the application only shows one lift at any one place all lifts should have enhanced lift repair service running 365 day/24 hour cover to ensure no one is trapped if the single lift breaks down.
- Ensure that the waste and recycling areas and facilities are fully accessible.
- The post should be delivered to each individual flat rather than a central core as this might be difficult for some disabled people.
- Ensure that the public realm is fully accessible for disabled people including shared surfaces. The shared surface should comply with the latest Department of Transport Local Transport note 1/11: shared surfaces (20 Nov 2011).
- Some benches in the public parks and paths should have accessible arm rests and should be distributed at frequent intervals around the site.
- Consider providing a sensory garden in the park area.
- Ensure that the playground area is accessible and inclusive for disabled children (playground should be inclusive).

## Statutory Agencies and Organisations

### 2.6 Port of London Authority

- No objection subject to conditions.

### 2.7 Thames Water

- No objection subject to a condition and an informative.

### 2.8 British Archaeology

- No objection. Although we had objected to the original development of the Lots Road Power Station site, there is no objection to this amendment as the proposal would actually reduce the impact and open up better views of the Power Station together with spaces along the Creek.

### 2.9 Environment Agency

- No objection subject to conditions.

### 2.10 Health and Safety Executive

- No objection.

### 2.11 London Fire and Emergency Planning Authority

- No objection.

## 2.12 GLA

The application complies with some of the London Plan policies but not with others, , however, the following changes could remedy the situation:

- Affordable housing, tenure split, bedroom size mix and density: The quantum and approach to tenure mix needs to be independently verified.
- Urban design and access: The applicant should consider direct access onto the street.
- Climate change mitigation: The applicant should consider the priority to deliver a single heat network from a single energy centre and to confirm the overall carbon savings.
- Climate change adaptation (non-compliant): The advice from the Environment Agency and LBHF is required in order to allow further consideration regarding flooding. Appropriate conditions should be secured regarding living roofs and water management.
- Transport (non-compliant): In order for this application to comply with the London Plan, a review of car parking levels is required, contributions towards implementing 'Legible London' should be secured alongside the existing section 106 contributions relating to the 2006 consented scheme. Further bus contributions and contributions towards Imperial Wharf station may also be required.

2.13 A total of 3 objections were received from local residents made on the common themes below, the numbers in brackets indicate how many residents raised that particular concern:

- Increase in traffic congestion (3)
- Loss of light to Quadrangle building, Chelsea Harbour (3)
- Increased noise (2)
- Buildings too close to Quadrangle building, Chelsea Harbour (2)
- Out of character with Chelsea Harbour (1)
- Negative impact on natural life on and around the Chelsea Creek (1)

## 2.14 Design Review Panel

- There is a great improvement in relation to the height, bulk and mass of the buildings.
- We are not entirely sure why there was a major change in placing a road along the creek side, however, we would prefer a true shared surface to guarantee the quality of the space.
- In regard to the layout and setting, we tend to feel that the junction at the corner of block HF5 leading to the ramp that links to the basement is a bit confused.
- We would prefer to see the gardens to the rear of the space, solely for private and communal.
- In terms of the building materials it would be beneficial to view the large scale details. The panel question the use of render for the rear elevation. It should be terracotta throughout.

## 3.0 PLANNING CONSIDERATIONS

3.1 The key issues can be summarised as follows:

Principle of Development; Housing (standard of accommodation and tenure); Urban Design; Impacts on Surrounding Properties; Open Space; Transport; Air Quality; Noise

Impact; Ecology; Contamination; Flood Risk; Environmental Sustainability; Archaeology; and Planning Obligations

#### Principle of Development

3.2 National Planning Policy Statement (PPS) 1 (Delivering Sustainable Development) requires local authorities to promote more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. The London Plan also seeks to ensure that proposals achieve the optimum intensity of use, that remains compatible with the local context and is well served by public transport.

3.3 The site is designated in the Core Strategy as a Nature Conservation Area (River Thames), Conservation Area (Sands End), Thames Policy Area, and Thames Path adjoining Chelsea Creek. Archaeological Priority Area and Thames Policy Area. It also lies within Flood Zone 3.

3.4 The principle of development is established in the planning consent dated January 2006 for the scheme comprising 382 residential units, including a 37 storey residential tower. The applicant has implemented the consent and therefore development has legally started, but construction can not commence due to financial viability issues. This proposal relates to a reduction in affordable dwellings to allow the applicant to viably build out the extant consent.

#### Housing

3.5 PPS3 (Housing) emphasises the importance of increasing the delivery of homes and seeks to create mixed and balanced communities through encouraging the provision of a wide range of well designed housing (including affordable housing) to meet a variety of needs. Paragraph 41 sets a national target for 60% of new homes to be built on previously developed land. The document states that housing should be located in close proximity to community facilities, access to jobs, key services and infrastructure to assist in the creation of sustainable communities.

3.6 Policy 3.3 (Increasing London's Supply of Housing) of the London Plan sets minimum borough targets for housing provision up to 2021. The policy specifies a 10 year minimum target for LBHF of 6,150 dwellings, and an annual monitoring target of 615 dwellings. Policy 3.4 (Optimising Housing Potential) requires new development to optimise the intensity of use of sites, taking into account the local context and character, design principles and public transport accessibility, consistent with the development density guidance that is provided in Table 3.2.

3.7 Core Strategy policy H1 reflects the guidance of the London Plan housing target and explains that one of the ways to address this, is by way of the development of brownfield sites such as that proposed. Meanwhile policy HO6 of the LBHF UDP as amended in September 2007 and October 2011 requires new residential development to provide a mixture of units to meet the needs of family and non-family households.

3.8 The construction of 297 dwellings would provide a sizeable contribution towards achieving the Borough's housing targets. As detailed in the Density section of this report, the proposed development is considered to optimise the use of the site. Accordingly, in addition to the compliance with the Core Strategy directive for the area, the provision of housing on the site is therefore considered to be consistent with the applicable London Plan policy guidance.

3.9 The dwelling mix in this application, proposes a range of unit sizes, including significant provision of two bedroom and larger family sized units. The dwelling mix is considered to meet the policy requirement for the provision of a range of unit sizes within new development.

#### Density

3.10 According to policy H3 (Housing Quality and Density) of the Core Strategy LBHF will expect all housing development to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient in line with the requirements of the Code for Sustainable Homes, meet satisfactory internal and external space standards, and (subject to the size of scheme) provide a good range of housing types and sizes. Acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity.

3.11 Policy 3.4 (Optimising Housing Potential) of the London Plan seeks to ensure that housing development achieves the maximum intensity of use while taking account of local context and character, public transport accessibility and the attainment of a high quality design. Density guidance is provided in Table 3.2, which outlines a density range of 200 - 450 habitable rooms per hectare (hrh) for sites with an urban location and a PTAL of 3.

3.12 The London Plan and GLA Interim Housing Supplementary Planning Guidance (April 2010) note that where proposals are made for developments above the relevant density range they must be tested rigorously, balancing concerns for overall housing output against policies which are relevant to higher density development. These include different aspects of 'liveability' related to proposed dwelling mix, design and quality, amenity provision and space, physical access to services, sustainable design and construction, car parking. In addition, the wider context of the proposal taking account of its contribution to local 'place shaping' is relevant.

3.13 The density of the extant consent is 768hrh and this application will reduce that density by 19% to 620hrh. The reduced density will lessen the impact of the development on neighbouring properties and infrastructure in the locality. Given this, officers conclude that the proposed level of density is acceptable.

#### Affordable Housing

3.14 London Plan policy 3.10 (Definition of Affordable Housing) defines affordable housing as including social rented and intermediate housing provided to specified eligible households whose needs are not met by the market and goes on to specify that affordable housing should also a) meet the needs of eligible households, b) include provisions for the unit to remain at an affordable price for future generations, and c) if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

3.15 The supporting justification to policy 3.10 defines the affordability requirements for intermediate housing and advises that these will be updated annually. Affordability is currently set at an upper annual income of £74,000 (as updated by the London Plan 2011), which translates to a maximum sale value of £259,000 (using a 3.5x income multiplier).

3.16 Policy 3.11 (Affordable Housing Targets) of the London Plan sets a London wide affordable housing target of at least 13,200 more affordable homes per year. The policy advises that 60% of new affordable housing should be provided for social rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The second part of policy 3.11 relates to the establishment of Borough level affordable housing targets through LDF preparation that take account of a range of considerations that include the strategic target and local circumstances.

3.17 Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan seeks negotiation to secure the maximum reasonable amount of affordable housing within new development taking account of the individual circumstances including development viability.

3.18 Importantly, part B of policy 3.12 advises that 'negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation ('contingent obligation'), and other scheme requirements'.

3.19 London Plan policy 3.13 (Affordable Housing Thresholds) outlines that affordable housing will normally be required on a site which has the capacity to provide 10 or more homes and that negotiations should take account of development viability.

3.20 The Homes & Communities Agency (HCA) good practice note 'Investment and Planning Obligations Responding to the Downturn' (August 2009) seeks the delivery of new affordable housing and importantly outlines that where previously achievable affordable housing obligations in years past can not be viably supported in today's market, a flexible approach to affordable housing delivery will be needed.

3.21 Core Strategy policy H2 (Affordability) sets a Borough wide target that 40% of all additional dwellings should be affordable. LBHF recognises that there is an imbalance of tenures in the borough with a high proportion of both social (32 per cent) and private (23.4 per cent) rented accommodation (Borough Profile, 2010). The Core Strategy outlines that even if all the 40% affordable housing target (almost 3000 dwellings by 2021/22) is intermediate housing, this will still only increase the intermediate housing stock to about 4,800 dwellings or about 5.5% of the total dwelling stock. In recognition of this concentration of social rented properties in the Borough, policy H2 states a preference for the provision of intermediate and affordable rented housing over social rented housing. In relation to the negotiation of affordable housing provision on individual sites, the policy identifies a range of relevant considerations, including scheme financial viability.

3.22 Under the terms of the policies outlined above, housing developments should usually provide an element of affordable housing, unless it can be demonstrated, taking into account the consideration outlined above that it would not be feasible to do so.

3.23 The application proposes a total of 110 affordable residential housing units consisting of two tenures, affordable rent and intermediate discount market sale (DMS), with a ratio split of 25% to 75% respectively. The details of the proposed provision is summarised in the following tables:

3.24 The proposed development seeks to revise the provision of affordable units from the consented scheme, as follows:

	1 Bed / 2 person (p)	1 Bed / 2 p*	2 Bed / 4 p	2 Bed / 3 p*	2 Bed / 4 p*
Size (sqm)	50	53	70	70-77	82
HF3A	4	0	8	2	1
HF3B	35	1	28	4	1
Total Units	39	1	36	6	2

	3 Bed / 5 p	3 Bed / 4 p*	3 Bed / 5 p*	4 Bed / 6 p	Total
Size (sqm)	86	89	104	99	
HF3A	8	0	1	4	28
HF3B	12	1	0	0	82
Total Units	20	1	1	4	110

\* denoted wheelchair accessible units

3.25 It is proposed that Building HF3A will therefore comprise 28 residential units (affordable rented) and Building HF3B will comprise 82 units (DMS).

3.26 The comparable total number of affordable housing units in the consented scheme is as follows:

	Studio	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Total
Total Units	1	66	81	47	14	4	213

3.27 It is also proposed that the 36 Intermediate affordable residential units within Building HF2 are changed to market units.

	Studio	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Total
HF2	0	0	5	12	1	0	18

3.28 The proposed affordable provision is below the affordable housing target of the Core Strategy and the proposed tenure mix does not meet the desired mix of the London Plan. The HCA good practice note 'Investment and Planning Obligations Responding to the Downturn' (August 2009) outlines that where previously achievable affordable housing obligations in years past can not be viably supported in today's market, a flexible approach to affordable housing delivery will be needed. In light of this HCA guidance the proposed provision is considered to offer the most viable affordable housing mix for the development.

3.29 The planning application was accompanied by a viability appraisal prepared by the Applicant which is based on an assessment of the developer's return generated by the project, expressed as a percentage return on the overall development costs. The results of the appraisal indicate that the scheme does not generate the usual developer's return of 20% on cost, with the scheme achieving a substantially lower return. Therefore, the financial appraisal demonstrates that it is not viable to provide further affordable housing in addition to all the other planning benefits that would be delivered with the application proposal.

3.30 The viability report has been independently scrutinised by Lambert Smith Hampton (LSH). Their assessment confirmed that the assumptions and conclusions of the viability appraisal are reasonable. In summary, LSH's conclusions are as follows:

- The Applicant's appraisals have been properly prepared and the development costs, phasing, and methodology data inputs are considered to be reasonable and appropriate having regard to the nature and complexity of the project;
- In LSH's assessment they found slightly higher values attributed to the affordable elements of the scheme. However, in overall terms the differences are relatively slight in the context of the overall scheme values and costs. Both the applicant's appraisal and LSH's assessment generate development returns significantly below the minimum 20% on cost required before a development project is regarded as financially viable.
- On this basis, and while noting the differences in the appraisal outcomes, LSH concur with the applicant's principal conclusions in that the scheme does not generate a sufficiently high rate of return to justify allocation of any additional affordable housing or to make any further section 106 financial contributions.

3.31 The affordable dwelling mix is considered to represent the best mix of units, in that it provides (one bed) units with increased subsidy to address household incomes below the maximum affordability threshold and also provides two bedroom units, with significant subsidy, suitable for small families.

3.32 In principle, the DMS product is considered to be an acceptable form of intermediate affordable housing. Effectively, the subject units are reduced in price to an agreed level of affordability, with the difference between this price and the market value transferred to the Council as covenanted equity. In this case, the proposed affordability level, which is aimed at incomes of between £42,857 and £71,429, accords with the London Plan affordability definition.

Number of Units	DMS Sale Price	Affordability (Income)
1 Bed Flat 10	£150,000	£42,857
1 Bed Flat 10	£160,000	£45,714
1 Bed Flat 10	£170,000	£48,571
1 Bed Flat 7	£180,000	£51,429
2 Bed Flat 10	£170,000	£48,571
2 Bed Flat 10	£180,000	£51,429
2 Bed Flat 10	£190,000	£54,286
2 Bed Flat 3	£200,000	£57,143
3 Bed Flat 5	£210,000	£60,000
3 Bed Flat 4	£230,000	£65,714
3 Bed Flat 4	£250,000	£71,429

3.33 While the level of provision of affordable rented accommodation accords with policy H2 (Affordability) of the Core Strategy, it falls below the London wide target set out in the London Plan. This variance from the desired tenure mix of the London Plan is, in this case, considered to be acceptable given the specific characteristics of the surrounding context. More specifically, a high demand exists within the Borough for intermediate housing that is not being addressed due to a shortfall in provision. The reasoned justification to policy H2 describes this shortfall as 'severe' with the total intermediate housing stock of the Borough equivalent to approximately 2% of the overall housing stock. The proposed tenure mix would therefore contribute to addressing this shortfall.

3.34 Compared with the overall stock of social rented accommodation in the Borough, which represents approximately 33% of the total housing stock, the desire to prioritise intermediate housing within affordable provision is also consistent with the creation of mixed and balanced communities complying with policy 3.9 (Mixed and Balanced Communities) of the London Plan.

3.35 In addition to the affordable housing provision, the applicant has agreed to provide financial contributions towards the physical and social infrastructure in the area to adequately mitigate the potential impact of the proposal. Since the original planning permission the council is in a better position to assess these likely requirements given the development infrastructure study and transport study commissioned this year for the emerging South Fulham Riverside SPD. This SPD seeks to ensure that the whole area is planned in a comprehensive and integrated manner. It advises that, amongst other things, major transport interventions are required to facilitate the wider regeneration of the area, which is currently constrained by the existing highway and public transport network.

3.36 The application will result in a reduction in the extant consent's affordable housing, which has been assessed against policy in this report and is on balance considered acceptable. This may mean that there may be a reduced number of dwellings that are built, which are accessible to some residents, younger people, BME groups and single women. For example, younger people who have had less time in their careers to build up capital to purchase a property. However, there will be other age groups who will benefit from the provision of this new housing stock, and this is likely to include parents with small children because the development proposes a large number of family size units. This doesn't mean that younger people will not be able to access the stock entirely, so there is not considered to be discrimination in this regard. Therefore the application is considered to comply with the Equality Act (2010).

3.37 The proposed affordable housing provision is considered to represent the maximum provision that the scheme can viably provide in accordance with both London Plan and Core Strategy policies, with a tenure split that is considered to better reflect the needs of the Borough given the current housing stock circumstances. Accordingly, the proposed affordable housing provision is considered to be acceptable.

#### Urban Design

3.38 The overarching aim of PPS1 (Delivering Sustainable Communities) is the achievement of sustainable development, to be achieved by various means including the delivery of high quality development through good and inclusive design. PPS1 makes clear that design that is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted. PPS5 (Planning for the Historic Environment) sets out the principles and guidance necessary for the assessment of the impact of development on heritage assets. It promotes the conservation of heritage assets.

3.39 London Plan policy 7.1 requires that all new development is of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. Policy 7.2 requires that new development embraces the principles of inclusive design. Policy 7.3 requires new development to incorporate crime prevention measures to provide a safe and secure environment.



3.40 Policy 7.4 of the London Plan requires that new development responds to the surrounding setting and provides a human scale and relationship with street level activity and is informed by the historic context. Policy 7.5 requires the provision of high quality public realm that is comprehensible at a human scale. Policy 7.6 requires development to be of high architectural quality that is of a scale that is compatible with the surrounding area that makes a positive contribution to the immediate, local and wider area. Policy 7.8 of the London Plan requires that development respects affected heritage assets by being sympathetic to their form, scale, materials and architectural detail.

3.41 The Thames Strategy - Kew to Chelsea SPG (2002) 'recognises the need to protect and enhance historic buildings, sites, structures, skylines and views of importance'.

3.42 The LBHF UDP has the following policies that are of relevance: Policy EN2 requires that new development preserves or enhances conservation areas. Policy EN3 requires that new development preserves the setting of Listed Buildings. Policy EN8 requires that new development is of a high standard of design that is compatible with the scale and character of existing surrounding development.

3.43 Policy EN31x of the UDP advises that development will not be permitted in the Thames Policy Area unless it respects the riverside context. Policy EN34 encourages the provision of enhancement to the riverside walk with relevant development.

3.44 Core Strategy policy BE1 requires that all new development creates a high quality, accessible, urban environment that respects the surrounding setting, including heritage assets.

#### Design Review Panel

3.45 There was general consensus among the Design Review Panel members that the revisions are an improvement, especially in regard to the building form. The Panel appreciated the effort in tackling prior issues of height, bulk and mass. The applicant was encouraged to develop further detail on the landscaping elements of the scheme (i.e. the gardens at the rear should be private, and the access road should be a shared space), which they have addressed. Overall, the panel were impressed with how the challenging aspects of the site have been dealt with.

#### Scale, Massing and Layout

3.46 The height and layout of the buildings within the development is an important consideration to ensure an appropriate relationship with surrounding development and heritage assets. The development proposes a reduction in height of the main affordable housing block HF3 to part 5, part 6 storeys from a consented 8 to 10 storeys. The scale, massing and location of building HF2 will remain the same as the extant consent.

3.47 In comparison to the Consented Scheme, the footprint of HF3 has been reduced by 33% from 2,864sqm to 1,916sqm and the basement car park has been removed from HF3 entirely, the parking is accommodated at ground floor level. The reduced footprint includes remodelling the affordable housing blocks within the consented scheme into one 'L' shaped block. HF3 will maintain its consented 15.7m setback to the eastern side of the Quadrangle building in Chelsea Harbour, while its setback to the northern side of this building will be reduced from between 24.5m to 32.7m to between

18m to 28.5m. The reduced scale now allows the upper levels of the Quadrangle to have views to the north and east.

3.48 The corner of HF3 increases the sense of openness between the consented riverside buildings and allows the provision of a large new public park. The corner also provides a strong feature in urban design terms which will enhance views from the Creek and strengthen its relationship with the Power Station opposite.

3.49 The finer grained development layout is now more closely related to the human scale. The significant reduction in height of HF3 will drastically reduce the scheme's impact on the existing residential properties in Chelsea Harbour, those to be built in the future, the Sands End Conservation Area and the grade II listed Lots Road Pumping Station.

3.50 The former fortress like frontage to Chelsea Harbour Drive has been opened up and scaled down. The revised layout will create greater permeability through the site with the introduction of a shared surface vehicle access adjoining the Creek via a landscaped park entry on Chelsea Harbour Drive. Officers consider the new route to be open and inclusive increasing public enjoyment and awareness of the Creek. A new communal courtyard will be provided between HF3 and the Quadrangle building along with private gardens for the ground floor flats.

3.51 Details of how the scheme will seek to achieve Secure by Design status will be required by condition.

3.52 Overall the scale, massing and layout are considered to satisfactorily meet the policy aspirations for this site and are an improvement on the extant consent.

#### Architecture/elevational treatment

3.53 In terms of materials HF3 is proposed to be predominantly clad in differing shades of white terracotta and white render. Balconies will be metal with a timber decking, windows will be powder coated aluminium framed with double glazing. HF2 will be predominantly clad in limestone tiles and thin horizontal strips of aluminium spandrel panels at each floor. Balconies will be laminated glass with a timber decking and stainless steel handrails, windows will be powder coated aluminium framed with double glazing. The roofs of both buildings will be flat brown roofs, while the roof of HF3 will contain some Photovoltaic Panels that won't be readily visible from ground level.

3.54 The proposed building materials are considered to be robust and high quality, and demonstrate that the images submitted for the scheme would be achievable. The muted tones of the colours and extensive use of terracotta and tile is considered to ensure that while being contemporary, the development would not date easily. The architectural success will be achieved through the quality of the materials used, therefore conditions will be attached to ensure the development utilises materials of the highest quality.

3.55 Officers and the GLA raised concern about a lack of front doors to the new street, however, the provision of entrances to the units from this street had been explored by the applicant. The proposed levels respond to existing site levels and allow enhanced privacy to the ground floor units which does not lend itself to direct street access. The street scene will be further enhanced with the introduction of planting to provide defensible space between the flats and the shared surfaces. Access has been provided

by individual entrances from the south facing landscaped courtyard and two from the new road, which is considered acceptable and animates the frontage sufficiently.

3.56 The proposal demonstrates good quality architecture that will fit in well with the existing neighbourhood and the consented buildings HF1, HF4 and HF5, adjoining the river. Overall the architectural/elevational treatment is considered to satisfactorily meet policy aspirations.

#### Heritage

3.57 PPS5 (Planning for the Historic Environment) provides advice on identifying heritage assets and assessing the effect that a development will have on the significance of those assets and their settings. It promotes the conservation of heritage assets and encourages opportunities to better reveal their significance by enhancing their setting.

3.58 The new HF3 building would provide an appropriate level of enclosure to the Creek. The impact of the development on the setting of Lots Road Pumping Station, which is Grade II listed, would be much reduced compared to the extant consent, thereby preserving its setting in accordance with policy HE8 of PPS5.

#### Standard of Accommodation

3.59 Policy 3.5 of the London Plan requires new residential development to provide a high quality living environment internally. Table 3.3 of this policy specifies unit sizes for new development. A caveat is included within the policy stating that development that does not accord fully with the policy can be permitted if it exhibits exemplary design and contributes to the achievement of other policy objectives.

3.60 Policy 3.8 of the London Plan requires new residential development to be built to lifetime homes standards, with 10% of units designed to be wheelchair accessible or easily adaptable to this standard. Policy 7.3 advises that new development should seek to create safe, secure and appropriately accessible environments. The Mayor's 'London Housing Design Guide' (2010) outlines minimum space standards for affordable housing.

3.61 Policy EN10 of the UDP requires new development to create a safe and secure environment. Policy HO6 requires, among other matters, 10% of new residential units to be designed to be suitable for occupation by wheelchair users. Standard S7A specifies minimum internal floorspace standards for new residential units.

3.62 Policy H3 of the Core Strategy requires new residential development to provide high quality living conditions for future occupiers.

3.63 All of the proposed units have been designed to exceed the minimum dwelling size requirements outlined in Standard S7A of the UDP, and all of the units will exceed the minimum dwelling size requirements of Table 3.3 of the London Plan. The rooms in the flats also meet the minimum room size standards outlined in the London Housing Design Guide.

3.64 All of the proposed units have been designed to comply with Lifetime Homes principles. In accordance with London Plan policy 3.8, 10% of the dwellings will be wheelchair accessible and 10% of the on site car parking bays will be designed to

accommodate wheelchair bound drivers. Conditions will be attached to ensure the satisfactory security of future residents in terms of access control to the buildings.

3.65 In accordance with the provisions of the Equality Act 2010, the Council needs to have due regard for the potential of the proposal to affect the various needs of protected 'characteristics' and groups. In keeping with these objectives, the following are examples of increased opportunities for accessibility by all groups; increased disabled/wheelchair access throughout the site, all units to be built to Lifetime Homes standards; and provision of substantial public realm within the site. The scheme would not be designed in such a way to exclude or have any detrimental impact on any groups in society and therefore it is considered that the proposed development would not contravene the Act.

3.66 In conclusion, it is considered that the standard of accommodation will give rise to a high quality internal living environment that will satisfactorily meet policy requirements.

#### Urban Design Conclusion

3.67 The current design approach has responded to a number of the various comments made throughout the pre-application and application processes involving the local community, stakeholders and Council officers. It is considered that the scheme has improved from the extant consent, with a better quality of architectural integrity, design, density and streetscape impact and it is considered to comply with the relevant policies and guidance.

#### Impacts on Surrounding Properties

3.68 This section focuses on the impact that the scheme would have on the properties surrounding the site. Policy EN8 of the UDP outlines that development should respect the principles of good neighbourliness and ensure that new developments are designed so that the amenities of existing residential properties are not unacceptably harmed. Standards S13.1, S13.2 and S13.3 provide guidance on the loss of outlook and the loss of privacy of neighbouring properties arising from new development.

3.69 HF3 will maintain its consented 15.7m setback to the eastern side of the Quadrangle building in Chelsea Harbour, while its setback to the northern side of this building will be between 18m and 28.5m. The reduced scale now allows the upper levels of the Quadrangle to have views to the north and east. While the 15.7m setback to the Quadrangle is less than the required 18m it is in line with the extant consent, however its height has nearly halved. It is therefore considered that the impact on this side of the Quadrangle will be substantially reduced and that the proposal is acceptable.

3.70 HF2 will retain its consented location and the setbacks to buildings HF4 (12.8m to 14.5m across a street) and HF1 (12.8m to 14m) are unchanged. Furthermore, the proposed room configurations of HF2 will be generally similar to the consented floor plan. However, the applicant is now willing to fix the upper floor windows that face HF1, all of which serve dual aspect rooms, with obscured glass to help prevent overlooking.

3.71 Given that the setbacks of the HF3 and HF2 to existing and proposed development remain similar to the extant consent, which have previously been seen as acceptable, there will not be an increased impact on surrounding properties. In fact the reduction of HF3's height will significantly reduce its impact. Overall, in light of the likely improvements to amenity achieved through the redevelopment, it is not

considered that the scheme will have a significantly detrimental impact on the privacy or outlook of adjacent residents or future residents within the development.

3.72 In summary, the proposal would not result in surrounding properties experiencing any significant undue loss of amenity in terms of overlooking/privacy or increased sense of enclosure.

#### Sunlight and Daylight

3.73 Policy 7.6 of the London Plan (2011) states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing and wind and microclimate. There are no specific policies with regards to daylight, sunlight or overshadowing either within the saved UDP or the Core Strategy.

3.74 A Daylight and Sunlight Impact Assessment was submitted with the application. It assessed the impact of the proposed development on the daylight and sunlight of adjoining residential occupiers and future occupiers of the development against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991). The Assessment also compared the impact of the consented scheme to the proposed development.

3.75 The Vertical Sky Component (VSC), Average Daylight Factor (ADF) and Sunlight to Gardens and Open Spaces methods were used to consider the daylight impact of the development. The surrounding residential properties considered in the analysis were: The Quadrangle, The Chambers and Carlyle Court Buildings.

3.76 The Quadrangle: Regarding VSC the proposed scheme would result in a reduced impact on this building compared to the extant consent. The Chambers: Regarding VSC the proposed scheme would result in a reduced impact on this building compared to the extant consent. Carlyle Court Buildings: Regarding VSC there is little difference in the impact of either the consented or proposed scheme on this building, therefore the impact of the proposed scheme is considered acceptable.

3.77 The VSC for HF3 itself is similar to the Consented scheme although due to the South East facing leg being closer to The Quadrangle building the results are slightly worse than the Consented scheme in this section of the building. The Consented scheme achieves slightly better VSC levels due to the increased distance of the South East Façade from The Quadrangle, which means that daylight access at the base of the façade is marginally better. In both the consented and proposed schemes there are areas around the internal corners (particularly at the junction between the two blocks) where daylight levels fall away, but could still be considered acceptable.

3.78 In terms of VSC for HF2, the Assessment outlines that the height and footprint of proposed this block has remained the same as the consented scheme, therefore all results shall have previously been seen as acceptable in terms of planning. Regardless this building has generally good access to daylight.

3.79 The ADF assessment for HF3 found that 84.82% of room shall meet the recommended ADF values. A maximum 20% failure rate is advised according to the BRE standards, therefore as only 15.18% fail, this is considered an acceptable rate. It should be highlighted that lower than recommended ADF values are achieved in certain areas due to balconies creating an external obstruction limiting the amount of daylight

into flats, therefore a compromise must be met to allow flats adequate access to private amenity space.

3.80 The ADF assessment for HF2 found that all apartment and room types exceed the BRE recommended values in block HF2. Therefore it can be determined that all flats would achieve good levels of daylight.

3.81 In terms of Sunlight to Gardens and Open Spaces the Assessment demonstrates that Public amenity areas and gardens within the development shall receive adequate levels of sunlight throughout the year. No adverse impact has been made to the external spaces of the existing surrounding area due to the proposed development.

3.82 It is important to give due consideration to the local medium (/high) density context within which the site is located. It is certainly the case that in denser urban environments there will inevitably be some adverse impacts from a development of this scale. Furthermore, within these built up environments the guidelines need to be applied more flexibly. The BRE guidelines state that 'the advice given is not mandatory and this document should not be seen as an instrument of planning policy; although it gives numerical guidelines, these should be 'interpreted flexibly because natural lighting is only one of many factors in site layout design.'

3.83 Overall, the proposed scheme would result in some loss of sunlight and daylight to some surrounding properties, but the vast majority of these reductions would be within acceptable guidelines as set out in BRE guidelines. Although some properties would experience a reduction in daylight levels, these instances constitute a very small proportion of the overall number of units assessed. Officers would therefore consider, that as a matter of planning judgment, that the wider overall benefits of the scheme would outweigh the harmful affects to a minimal number of properties - especially given the need to apply BRE guidelines flexibly in dense urban areas. The Sunlight and Daylight Assessment demonstrates that the reduction in height of the proposed HF3 building compared to that of the Consented Scheme will result in improved daylight conditions for occupiers of the adjacent residential buildings. On balance, it is considered that the proposal would comply with policy requirements in this respect.

#### Open Space

3.84 The relevant national guidance is set out in PPS 1 (Creating Sustainable Communities), PPS 3 (Housing) and PPS 9 (Biodiversity and Geology). These policies seek to ensure the provision of quality open space and landscaping within new developments.

3.85 Policy 3.6 of the London Plan and the GLA's SPG 'Providing for Children and Young People's Play and Informal Recreation' (2008) requires the provision of play space for children within new residential development commensurate with the child yield of the development.

3.86 Policy H3 of the Core Strategy promotes shared amenity space in large residential developments. Policy OS1 seeks to ensure provision of quality accessible and inclusive open space and children's play. Policy BE1 seeks good quality public realm, landscaping to help regenerate places.

3.87 Policy EN23 of the UDP requires the provision of suitable open space within new development to meet the needs of future occupiers. Policy EN23B similarly requires the

provision of suitable playspace in development that provides family housing. Policies EN23 and EN23B are supported by Standards S5A.1, S5A.2, S6 and S7.1 relating to the provision of amenity space in new development. The site is in an area of open space deficiency.

3.88 In spite of the reduced housing numbers the children's play space at 400sqm in area will not be reduced in size and will remain on the southern boundary with Chelsea Harbour. In spite of the objection received about the location of the play space close to Harbour residents, this matter can not be addressed in this application because the space is located outside the planning application boundary and has already been granted consent.

3.89 In terms of private amenity space all of the dwellings will have direct access to their own private amenity space in the form of either a balcony or ground floor garden. All of the private amenity space meets the minimum size standards in the UDP for ground floor non-family units and the London Housing Design Guide for balconies.

3.90 The proposed scheme incorporates communal amenity space, which is accessible to the occupiers of HF3 and is located between this block and the boundary with the Quadrangle building. The provision of this additional space ensures that the occupiers of the upper level units in the building also have access to larger areas amenity space. HF2 residents will benefit from being surrounded by 3 parks.

3.91 During the Public Inquiry for the extant consent, concern was expressed by the Inspector about a shortfall of open space provided within the development given its location in an area of open space deficiency. The scheme before us has taken significant steps to address this matter with the provision of a new public park 680sqm in area between HF3 and HF4, and a revised Creekside promenade that includes a new 150sqm park adjoining Chelsea Harbour Drive.

3.92 Overall the level of open space proposed across the site is considered by Officers to give rise to an acceptable quality of living environment that will adequately comply with policy.

#### Transport

3.93 PPG13 (Transport) encourages better integration between planning and transport and promotes accessibility by public transport, walking, cycling instead of the private vehicles.

3.94 Policy 6.1 of the London Plan 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 policy also provides guidance for the establishment of maximum car and cycle parking standards. Policy 6.3 of the London Plan requires applications for new development to detail the impacts on transport capacity and that development should not compromise highway safety. Policy 6.9 seeks to facilitate an increase in cycling in London and requires that new development provides for the needs of cyclists.

3.95 London Plan Policy 6.10 seeks an increase in walking in London through the provision of high quality pedestrian environments. Policy 6.11 seeks a coordinated approach to smoothing traffic flow and tackling congestion through a range of

sustainable development principles, public transport improvements and corridor management. Policy 6.13 of the London Plan states the objective for promoting new development while preventing excessive car parking provision, and states that new development should accord with the London Plan car and cycle parking standards. The policy also requires that 20% of car parking spaces provide an electrical charging point and that the delivery and servicing needs are met.

3.96 Policy TN4 of the UDP requires new development to incorporate ease of access by disabled people and people with mobility impairment. Policies TN5 and TN6 require that the design and layout of development provides for the needs of pedestrians and cyclists respectively. Policy TN8 sets out the Borough's road hierarchy and the restrictions on development within this hierarchy. Policy TN13 states that the arising traffic generation of development will be assessed along with the contribution to traffic congestion. Policy TN15 requires new development to accord with the car parking standards set out in the Plan.

3.97 UDP Standard S18 requires compliance with the Council's car parking standard except in exceptional circumstances. Standard S19 provides detailed guidance on expectations for the overall layout of a car parking area and the dimensions of each space. Standard S20 requires the provision of cycle parking and necessary complementary facilities to meet the needs of cyclists. Standard S23 states that shared surfaces will only be considered to be acceptable where it can be assured that vehicle speeds will be low.

3.98 Core Strategy policy T1 seeks improvement to the opportunities for walking within the Borough and localised highway improvements to reduce north-south congestion in the Borough and requires that new development secures access for all persons and provides appropriate car parking provision to meet the essential needs of the development without impacting on the quality of the urban environment.

3.99 The draft South Fulham Riverside SPD has identified that strategic transport infrastructure improvements to the local area are of paramount importance to mitigate the impact of future development and ensure sustainable regeneration of the area. Development proposals adjoining the South Fulham Riverside area will be expected to contribute towards these improvements, subject to their likely impact and the scheme's viability. A section 278 agreement may be required for off site highway works.

3.100 In assessing the transport impacts of this application, consideration must be given to the reasonable amount of car parking that should be provided on this site, commensurate with both the needs of the future occupiers and the potential impact on the surrounding road and transport network, and ensuring that the provision of a safe highway environment.

#### Car and Bicycle Parking

3.101 The application proposes a total of 32 ground floor level car park spaces at HF3 including 4 visitor and 27 basement car park spaces at HF2 that includes 9 visitor bays. All of these car park spaces would be accessed from the new road to Chelsea Harbour Drive. The parking ratio for the affordable dwellings is 0.29 and for the market dwellings is 1.5. It is stated that 20% of the car parking spaces at the development will be equipped to provide electric car charging facilities, this is in accordance with the London Plan requirements. There will be 171 bicycle parking spaces spread across HF3 and HF2 and 10% of the car parking spaces will be dedicated to wheelchair users.



3.102 The car parking ratio is in line with the ratios within the consented development and is acceptable. The car parking ratio is approximately 0.5 per unit across the development which is in line with emerging policy as part of the draft South Fulham Riverside SPD. The development will be subject to a S106 obligation that restricts new residents (apart from blue badge holders) from obtaining on street car parking permits for any existing or new controlled parking zone. The bicycle parking provision is provided in accordance with the London Plan and the UDP standards. The layout of the car parking, cycle parking and access arrangements meet the relevant standards in the UDP and has satisfied the Council's Highways Officer.

#### Traffic Generation and Highway Impact

3.103 The application is for a reduction in residential units and as such one would expect a reduction in trip generation as a result. A Transport Assessment (TA) has been submitted, which accords with the requirements of TN13, that sets out the differences between the extant consent and the new trip characteristics of the site. The table below compares the multi modal trip generation of the consented scheme with that of the reduced current application.

Consented 213 units (HF3 & HF2)      Proposed 128 units (HF3 & HF2)

	am	pm	am	pm
Car	15	12	8	6
Walk	51	30	31	18
Cycle	3	5	2	3
Bus	62	37	37	22
Underground	76	45	45	27
Rail	13	7	8	4
Taxi	1	3	1	2
Motorcycle	1	0	1	0
Total	222	139	133	82

3.104 The trip generation methodology used in the TA is valid and accompanied with a robust sensitivity test and the reduction in peak trips on the various transport network is expected, as is the modal split. A comparison of local traffic conditions has been undertaken as part of the TA and has shown that overall traffic flows have reduced between 2002 and 2010 by approximately 30%. This alongside the increase in PTAL of the site from 2 to 3 (based mainly on the opening of the Imperial Wharf overground station) should ensure the necessary local transport capacity to support the proposal with further security achieved through the additional S106 commitments.

3.105 The TA maintains the range of mitigation measures that were contained in the S106 agreement for the consented scheme which is appropriate, in particular the contribution to the riverbus service which is under threat of closure. Items that have been added to the TA's suggested head of terms are a contribution to the western extension of the Mayors cycle hire scheme and a parking, construction and servicing management plan.

3.106 The submission of a construction management plan will be required through condition to ensure the impact of demolition and construction work on adjoining properties is minimised.

3.107 The traffic generation of the proposed development has been predicted using established database methods, and the impact of this has then been modelled on the surrounding road network. Officers are satisfied with the figures produced provided a suitable S106 contribution is paid towards the local transport infrastructure upgrades.

#### Access

3.108 The revised layout will create greater permeability through the site with the introduction of a shared surface vehicle access adjoining the Creek via a landscaped park entry on Chelsea Harbour Drive. Officers consider the new route to be open and inclusive increasing public enjoyment and awareness of the Creek. The revised internal layout provides improved circulation and legibility for pedestrians, cyclists and vehicles. The main section of the internal road is envisaged as shared space in order to encourage pedestrian priority and to reduce vehicle speeds.

3.109 To access car parking associated with the affordable units, drivers will enter the site from Chelsea Harbour Drive and then turn right into the car park. Vehicles destined for the car park associated with the private residential will continue past the affordable residential block and then turn right to access a ramp down to a basement car park. The basement car park is as consented does not form part of this application.

#### Servicing

3.110 Service vehicles will access the development via Chelsea Harbour Drive, the same route as private vehicles. The site is accessible to small delivery vehicles, refuse vehicles and fire vehicles. A management regime is proposed at the site, as part of the remit of the estate management company. This will involve the movement of refuse from cores within the building footprint to the designated refuse collection positions. The management company will ensure that waste will be moved for refuse collection days.

3.111 Goods deliveries are expected to occur predominantly during off peak periods. Day to day servicing for block HF3 will take place via a service bay located off the main internal spine road adjacent to the Creek. Vehicles expected to service the site on a regular basis would be mainly light box van vehicles, providing deliveries such as postal, supermarket and home deliveries.

3.112 Details of the tracking of the refuse vehicle and emergency services vehicles are required and it is considered acceptable for this to be addressed by condition. Further detail is also required by condition to demonstrate that adequate emergency service vehicle access is provided throughout the site.

#### Refuse

3.113 UDP policy EN17 requires developments to provide suitable facilities for the storage and collection of segregated waste. There is sufficient space for the storage and collection of refuse and recyclables throughout the scheme. Provision of refuse storage would be secured by way of condition along with a refuse collection methodology.

#### Travel Plan

3.114 A Travel Plan was submitted with the application consisting of a series of practical measures aimed at encouraging the use of more sustainable travel by site occupants and the surrounding community. The document assists in reducing the

reliance on car travel to the site and encouraging the use of more sustainable forms of transport. The Travel Plan and its monitoring will be secured in the S106.

#### Transport Conclusion

3.115 Overall in terms of transport it is considered by Officers that the proposal will comply with policy requirements.

#### Air Quality

3.116 The site is located within an Air Quality Management Area as the whole borough was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide and Particulate Matter (PM10). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).

3.117 Policy 7.14 of the London Plan seeks that development proposals minimise pollutant emissions. Policy EN20A of the UDP seeks that development does not release pollutants into water, soil or air, which would cause unacceptable harm to people's health and safety, the natural environment or the landscape. Policy CC4 of the Core Strategy explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives.

3.118 A qualitative assessment of the potential effects of the development in relation to air quality has been undertaken, through a review of LBHF and RBKC air quality and assessment documents in order to identify baseline conditions in the area; and a review of the operational traffic flow data.

3.119 The nearest element of the development to Chelsea Harbour Drive is the western end of building HF3, which is set back from the road edge by approximately 18.5m. This would reduce the exposure of occupants to road sources of air pollutants, and is in contrast to the consented scheme where this building was located directly adjacent to Chelsea Harbour Drive. The air quality assessment (AQA) considers that the significance of introducing residential uses within the Development would be negligible in air quality terms.

3.120 The completed development would reduce the traffic impact of the extant consent. Therefore, a quantitative assessment of the operational traffic effects was not undertaken. The AQA states that the air quality effects of the traffic associated with the operation of the proposed development would not be significant.

3.121 In respect of the assessment of emissions from the communal heating CHP system, detailed energy plant specifications are not normally available at this stage in the planning process. However, the detailed specification and installation of the CHP would need to be in line with the requirements of the Clean Air Act (1993) and Environmental Protection Act (1990). In order to comply with this legislation a condition will be attached requiring the design of the CHP and any necessary air quality assessment to be submitted prior to the commencement of the development. The Environmental Health Department would be consulted on this information and would therefore have an opportunity to comment once the detailed design of the CHP has been completed.

3.122 Condition will be attached requiring the submission of a construction management plan that will detail how dust, noise and vehicle movements during construction will be satisfactorily mitigated.

3.123 Overall in terms of air quality Officers consider the development meets policy requirements.

#### Noise Impact

3.124 PPG 24 (Planning and Noise) provides advice on how the planning system can be used to minimise the adverse impact of noise without placing unreasonable restrictions on development. UDP policy EN20B states that noise and associated vibration can affect and have a direct impact on noise sensitive users, particularly housing. Existing and proposed noise levels will be taken into account when assessing a proposal for residential development.

3.125 The noise surveys in the submitted Noise Impact Assessment (NIA) indicated the prevalent noise source was road traffic. Noise mitigation measures have been recommended by the NIA on proposed building façades at the boundaries of the site to ensure that a reasonable level of amenity for future residents could be obtained. Mitigation measures include the use of a suitable glazing specification and the provision of acoustically attenuated trickle ventilation for the worst effected façades so as to minimise the need for residents to open windows. It is considered that with the proposed mitigation measures in place, a good level of amenity could be obtained for all future residents of the proposed development. Consequently, the proposed development site would be suitable for residential development.

3.126 A noise assessment was submitted as part of the 2004 Environmental Statement for the project, addressing both construction noise and vibration, and road traffic noise impact. Given the reduction in scale of the proposed development the findings of this assessment would stand true. Because construction derived noise and vibration is development specific, construction noise and road traffic noise have not been considered as part of this assessment. A condition will be attached dealing with noise and vibration during construction.

3.127 The Council's Pollution Control Team have no objection to the proposal, subject to conditions. The overall noise impact is considered by Officers to meet policy requirements.

#### Ecology

3.128 PPS 9 (Biodiversity and Geological Conservation) sets out the planning policies on the protection of biodiversity and geological conservation through the planning system. It seeks that biological and geological diversity are conserved or enhanced as part of development proposals.

3.129 London Plan policy 5.11 supports the provision of green and brown roofs within new development as a way of enhancing habitat diversity within London. Policy 7.19 seeks the enhancement of London wide biodiversity and states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity.

3.130 Core Strategy Policy OS1 states that the Council's objective to protect and enhance biodiversity in the Borough and policy RTC1 states the aim to enhance river related biodiversity. UDP Policy EN28A states that the Council will not approve development that would have a demonstrably harmful effect on protected species or their habitat. Policy EN29 states that development should protect any significant nature

conservation interest of a development site and provides guidance for new development to follow to enhance nature conservation.

3.131 The Ecological Appraisal submitted with the application states the proposed buildings are situated within areas of low ecological value consisting of hardstanding and rubble piles. However, other areas of greater ecological value such as scrub and tall ruderal vegetation will also be affected.

3.132 The consented buildings contained areas of extensive brown roofing. It is considered that since these brown roofs are also designed into the newly proposed buildings, the impact of the loss of habitats currently present within these areas can be compensated for through the planting of appropriate species and landscaping throughout the site.

3.133 The site offers suitable foraging and nesting habitat for birds and some foraging and roosting potential for bats. As such a condition will be required for the submission of a mitigation strategy in order to minimise any impacts on these faunal species during works as well as to enhance the site for these species once works are complete.

3.134 There is potential for works to affect Chelsea Creek and the Nature Conservation Area, however the impact will be reduced in comparison to the extant consent with the reduction in height and the increased setback HF3 now has from the Creek. The conditions to protect Chelsea Creek in the extant consent will be imposed on this application.

3.135 In summary, it is not considered that the proposal would have an adverse impact on the ecology, biodiversity and natural environment in the area. The scheme would provide additional natural habitat for the local ecology and as such would be in accordance with policy requirements.

#### Contamination

3.136 Policy 5.21 of the London Plan states the support for the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development. Policy CC4 of the Core Strategy states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.137 The Council's Environmental Quality Team has advised that potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policies EN20A and EN21 of the UDP, policy CC4 of the Core Strategy, and policy 5.21 of the London Plan, conditions are recommended requiring the assessment of contaminated land to be carried out.

#### Flood Risk and Drainage

3.138 PPS 1 (Delivering Sustainable Development) and PPS 25 (Development and Flood Risk) aim to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new developments are

necessary in such areas, PPS25 seeks to make it safe, without increasing flood risk elsewhere and, where possible, reducing flood risk overall.

3.139 London Plan policy 5.11 supports the provision of brown roofs within development to assist in sustainable urban drainage systems. Policy 5.12 states that new development must comply with the flood risk assessment and management requirements of PPS25. Policy 5.13 of the London Plan states that development should incorporate sustainable urban drainage systems and specifies a drainage hierarchy for new development. Policy 5.14 of the London Plan states the requirement for development proposals to ensure the provision of adequate wastewater infrastructure to meet the related needs. Policy 5.15 seeks the conservation of water resources through, among other matters, minimising water use and promoting rainwater harvesting.

3.140 Core Strategy Policy CC1 requires new development be designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water.

3.141 A Flood Risk Assessment (FRA) has been submitted with the application and advises that both HF2 (7.45m AOD) and HF3 (6.8m AOD) remain at no risk of flooding from the design flood level of 5.41m AOD. Furthermore, their reduced mass is likely to have a slight, positive impact in terms of flood levels elsewhere. Neither block is at risk during a breach event and significant resilience is provided above the design flood event level of 5.41m AOD. The remainder of the site is unchanged from the Consented Scheme.

3.142 The EA has been consulted with regard to the impact of the planning application relative to the Consented Scheme. They have confirmed their understanding that the planning application does not represent a significant departure from the consented scheme in terms of flood risk. The FRA concludes that the planning application represents no change in terms of flood risk from the consented scheme.

3.143 In terms of surface water drainage, a strategy has been developed for the previously consented scheme. Due to the sites location so close to the Thames and Chelsea Creek, it is proposed to discharge surface water directly to the Creek. The potential effects of discharging into the Creek with the tidal lock in place have been taken into account to ensure that this approach will not cause flooding on site. The site has been divided into three storm catchment areas, which drain via their own drainage and outfall pipes into the Creek.

3.144 The Environment Agency have stated that the flood risk measure proposed across the site are satisfactory subject to various conditions relating to measures detailed within the FRA being implemented. While Thames Water have no objection to the proposal subject to a condition relating to impact piling.

#### Environmental Sustainability

3.145 PPS22 (Renewable Energy) sets out the Government's target of reducing carbon dioxide emissions by 60% by 2050 through improved energy efficiency measures and the use of renewable energy. The London Plan energy policies set out the lean, clean, green hierarchy approach to building design and the related strategic targets.

3.146 London Plan policy 5.1 states the target to achieve a 60% reduction in London's CO2 emissions by 2025. Policy 5.2 advises that the policy 5.1 target should be achieved through planning decisions by using less energy, supplying energy efficiently and using renewable energy (lean, clean, green), and specifies CO2 reduction targets for new development, progressively increasing to zero carbon development between 2016 and 2031. Policy 5.3 requires the highest standards of sustainable design and construction be employed throughout London addressing CO2 emissions, urban heat islands, efficient use of natural resources, minimising pollution, minimising waste, avoidance of natural hazards including flooding, ensuring the development is comfortable for users, securing sustainable materials and local supplies and promoting and protecting biodiversity.

3.147 Policy 5.6 of the London Plan encourages the use of decentralised energy (combined heat and power systems) in new major development. Policy 5.7 seeks the incorporation of renewable energy generation in new development to assist in the reduction of CO2 emissions. Policy 5.8 supports the use of innovative alternative energy technologies to reduce the use of fossil fuels and CO2 emissions. Policy 5.9 seeks to reduce the impact of the urban heat island effect in London and encourages new development to incorporate places and spaces that assist in preventing overheating, and provides a cooling hierarchy of measures that major development should follow to minimise internal heat generation and effects.

3.148 Core Strategy Policy CC1 states that the Council will reduce emissions and tackle climate change through ensuring that new development minimises energy use, uses energy from efficient sources and uses renewable energy where feasible, and through meeting London Plan reduction targets. Policy H3 of the Core Strategy requires new housing development to be well designed and energy efficient in line with the requirements of the Code for Sustainable Homes.

## Energy

3.149 A detailed Sustainability and Energy Strategy has been submitted to support the application. In terms of energy efficiency, the main building elements such as floors, walls, roof and windows will be specified with high insulation performance. High standards of airtightness will be integrated, glazing will be optimised to allow use of natural daylight without encouraging over-heating. Energy efficient lighting will be installed throughout, heat recovery will be used on ventilation systems and energy efficient plant and equipment will be installed in the energy centre. White goods, where provided, will be energy efficient. Calculations show that these measures will help reduce CO2 emissions by about 1-2% beyond the requirements of the 2010 Building Regulations.

3.150 The main CO2 reductions will come from the integration of a new onsite energy centre. This will incorporate a Combined Heat and Power (CHP) system and be connected to the energy centre implemented as part of the consented scheme. High efficiency gas boilers will also be installed to help meet peak heating loads. The heating system will distribute hot water around the development and be controlled in each dwelling by heating interface units. This removes the need for each flat to have its own individual gas boiler. Electricity generated by the CHP systems will also be distributed and used on the site, supplemented by power from the national grid.

3.151 Calculations show that the integration of the CHP and local power distribution scheme can reduce the development's CO2 emissions by a further 22%. Additional

carbon savings of between 3-4% will also be achieved by installing a 110m<sup>3</sup> array of solar PV panels on the roof of building HF3.

3.152 Overall, the proposed sustainable energy measures will meet the London Plan requirements to reduce CO<sub>2</sub> emissions by at least 25% below Building Regulation requirements. The implementation of the measures outlined in the Energy Strategy will be conditioned.

#### Sustainable Design and Construction

3.153 In addition to the sustainable energy measures planned for the development, a number of sustainable design and construction measures are planned that will help reduce its environmental impacts.

3.154 These include: installation of water efficient fittings and devices to help reduce water consumption; provision of centralised facilities for the segregation of waste in order to maximise recycling; use of sustainably sourced, recycled or re-used building materials, where possible; brown roofs are planned which improve the ecological benefits of the development; the applicant will also sign up to the Considerate Constructors Scheme to manage construction impacts and will implement a Site Waste Management Plan; sustainable drainage measures are also planned.

3.155 The development design has been assessed as meeting Level 4 of the Code for Sustainable Homes. This complies with the requirements of London Plan policy 5.3 on sustainable design and construction. The implementation of the measures outlined in the Sustainability Statement will be conditioned.

3.156 Overall in terms of environmental sustainability Officers consider the proposal will generally meet policy requirements.

#### Archaeology

3.157 The site is located within a designated Archaeological Priority Area. PPS5 (Planning for the Historic Environment) advises on identifying heritage assets and assessing the effect that a development will have on the significance of those assets and their settings. It promotes the conservation of heritage assets and encourages opportunities to better reveal their significance by enhancing their setting.

3.158 London Plan policy 7.8 advises that development should incorporate measures that appropriately address the site's archaeology. UDP policy EN7 states a presumption against proposals which would involve significant alteration of, or cause damage to, Archaeological Remains of National Importance and advises that the loss of archaeological value must be outweighed by the need for the development. The policy advises that archaeological study of application sites will be required before approval. Core Strategy Policy BE1 advises that new development should respect and enhance the historic environment of the Borough, including archaeological assets.

3.159 In their response British Archaeology have outlined that they have no objection to the proposed development. A condition securing the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

3.160 Overall in terms of archaeological impact Officers consider the proposal will meet policy requirements.



## Planning Obligations

3.161 CIL Regulations (2010) states that in dealing with planning applications, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations.

3.162 The CIL Regulations also set out a number of tests including that: a planning obligation must be necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly related in scale and kind to it and reasonable in all other respects. Negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and in kind to the proposed development and its impact on the wider area.

3.163 London Plan policy 8.2 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. Core Strategy policy CF1 requires that new development makes contributions towards or provides for the resulting increased demand for community facilities. The draft South Fulham Riverside SPD is also relevant and outlines the need for contributions in the area to go towards the local and strategic transport infrastructure and social infrastructure needs that may arise due to the resulting development pressures. Major transport interventions are required to facilitate sustainable regeneration of the area, which is currently constrained by the existing highway and public transport network.

3.164 The nature of the proposal, involving works to public highways, means that an agreement under s.278 of the Highways Act 1980 may also be necessary.

3.165 In accordance with Section 106 of the Town and Country Planning Act 1990 (As Amended) and S278 of the Highways Act 1980 the applicant has agreed to enter into a legal agreement(s). The Legal Agreement will include:

- Affordable housing provision, comprising 28 affordable rented units and 82 DMS units at the sale prices outlined in this report.
- A contribution of £3 million towards necessary improvements to the social and physical infrastructure in the local area.
- Travel Plan management and monitoring.
- Work in partnership with the Council's Economic Development Team to maximise job opportunities for local people including employment, training, apprenticeship opportunities, outreach programmes including schools to raise aspirations and awareness of job opportunities, including during construction phases.
- Outstanding monies will be index-linked from date of granting permission.
- The communal heating system should be installed in such a way that ensures future potential to connection to a district heat network in this part of the borough.
- Linking of proposed CCTV to the Council system or other approved system.
- Public rights of access to the public realm area within the proposed development, including the public open space. To be managed in accordance with a plan to be submitted to and approved in writing by the Council. Development shall accord with the details as approved.
- Restriction of new residents (apart from blue badge holders) from obtaining on street car parking permits for any existing or new controlled parking zone.

- Commitment to meet the costs of the Council's Legal, Professional and Monitoring fees, including the cost of the review of the financial viability appraisal.

#### 4.0 CONCLUSION

4.1 In summary, it is considered that the proposal is an appropriate response to the site. The development is consistent with national policy and guidance, the London Plan, the Core Strategy, and the UDP. It would enhance this part of Fulham and enable the delivery of much needed housing which has been mothballed since the recession. The development would preserve the character of the Conservation Area and historic Lots Road Pumping Station, and would make a significant contribution to the regeneration of South Fulham. It would be a good quality development which would make a positive contribution to this part of the Borough and act as a catalyst to regeneration.

#### 5.0 RECOMMENDATION

5.1 The Committee resolve that the Executive Director of Transport and Technical Services be authorised to determine the application and negotiate and complete a legal agreement under Section 106 of the 1990 Act and Section 278 Agreement (and other appropriate powers) and to grant permission upon the completion of a satisfactory legal agreement and subject to the conditions outlined above.