

London Borough Of Hammersmith & Fulham

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**Planning Applications Committee**

**Agenda for 20th September 2012**

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**Ward:** Fulham Broadway

**Site Address:**

McCoy House 1 Shorrolds Road London SW6 7TR



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

**Reg. No:**  
2012/01888/FUL

**Case Officer:**  
Sian Brown

**Date Valid:**  
09.07.2012

**Conservation Area:**  
: Walham Green Conservation Area - Number 14

**Committee Date:**  
20.09.2012

**Applicant:**

Mr Laurence Quail

88 Snakes Lane East Woodford Green Essex IG8 7HX

**Description:**

Demolition of the existing building and the erection of a 4 storey (plus basement) building comprising 8 flats (2 x 3 bed duplex units, 4 x 2 bed and 2 x 1 bed) and ancillary development.

Drg Nos: 769 GA 01; 769 GA 02 Rev A; 769 GA 03 Rev C; 769 GA 04 Rev B; 769 GA 05 Rev B; 769 GA 06 Rev A; 769 GE 01 Rev B; 769 GE 02 Rev A; 769 GE 03 Rev A; 769 GE 04 Rev A; 769 GE 05 Rev A; 769 GS 01 Rev A; 769 GS 02 Rev A; 769 GS 03; Sustainability Statement, dated 12th December 2011, prepared by Daedalus; Design & Access Statement, dated 7 June 2012; Flood Risk Assessment (FRA) prepared by WaterEnvironment Limited, ref: 11096/NM, dated 19th December 2011

**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 condition(s) set out below:

- 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 not be erected otherwise than in accordance with the following approved drawings: 769 GA 01; 769 GA 02 Rev A; 769 GA 03 Rev C; 769 GA 04 Rev B; 769 GA 05 Rev B; 769 GA 06 Rev A; 769 GE 01 Rev B; 769 GE 02 Rev A; 769 GE 03 Rev A; 769 GE 04 Rev A; 769 GE 05 Rev A; 769 GS 01 Rev A; 769 GS 02 Rev A; and 769 GS 03.

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 EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and Core Strategy 2011 Policy BE1.

- 3) None of the demolition works shall be undertaken 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.

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 and character and appearance of the adjoining conservation area, in accordance with policies EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 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 construction management plan and a construction logistics plan for each operational phase of development (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 use rail transport for bulk materials, particularly during demolition and construction phases. All construction works shall be carried out in accordance with the approved details.

To ensure 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 5.18 and 7.14 of the London Plan 2011 and policies EN2B, EN8, EN19A, EN20A, EN20B, EN20C and EN21 and of the Unitary Development Plan, as amended 2007 and 2011.

- 5) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details and samples of all materials to be used on the external faces of the new building and all surface treatments, including boundary walls, railings, gates and fences and no part of the development shall be used or occupied prior to the completion 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 and EN8 of the Unitary Development Plan as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 6) 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) typical bay of the front elevation.

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

- 7) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the Shorrolds Road elevation of the building hereby approved.

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

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the building, in accordance with Policy EN2B and EN8 of the Unitary Development Plan as amended 2007 and 2011, and Policy BE1 of the Core Strategy 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 Policy EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 10) No alterations shall be carried out to the external appearance of the development, 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 Policy EN2B, EN8 and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 11) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$ , as appropriate, for the floor/ceiling /wall structures separating different

types of rooms in adjoining dwellings. 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.

- 12) With exception to the private roof terrace areas shown on approved drawings, no part of the remainder of the flat roof areas provided by the development hereby approved shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss of privacy and noise and disturbance, in accordance with EN2B, EN8, EN20A, EN20B, EN21 and standards S13.2, and S13.2A of the Unitary Development Plan as amended 2007 and 2011.

- 13) No part of the development shall commence prior to the submission and approval in writing by the Council of details of the privacy screens used in connection with the balconies at first and second floor level, and the terrace at roof level, as indicated on drawing 769 GA 03C; 769 GA 04B, and 769 GA 05B, hereby approved, and no part of the residential unit shall be used or occupied prior to the installation of the privacy screen in accordance with the approved details. The privacy screens shall thereafter be retained in accordance with the approved details.

In order to ensure there is no loss of privacy or overlooking to the occupiers of neighbouring residential occupiers, in compliance with Policy EN8 and Standard S13.2 of the Unitary Development Plan, as amended 2007 and 2011.

- 14) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the residential development hereby approved, as indicated on the approved drawing 769 GA 02A, and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy TN6 and standard S20.1 of the Unitary Development Plan, as amended 2007 and 2011, and Policy 6.9 and Table 6.3 of the London Plan 2011.

- 15) 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 769 GA 02A. All refuse generated by the development hereby permitted shall be stored within these enclosures, shall only be brought to the front of the premises on the day of collection 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.

- 16) Prior to the commencement of the development details of the proposed measures to ensure that the development achieves "secured by design" status shall be submitted to and approved in writing by the Council. No part of the development thereby effected shall be used or occupied prior to the implementation of the approved details.

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 2011 and policy EN10 of the Unitary Development Plan as amended 2007 and 2011.

- 17) A minimum of 10% of all dwellings hereby approved 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).

To ensure a satisfactory provision for dwellings, meeting the needs of people with disabilities, in accordance with the Policy H4 of the Core Strategy 2011, Policy 3.8 and 4.5 of the London Plan 2011 and the Council's Supplementary Planning Guidance (Access for All).

- 18) Prior to commencement of the development hereby approved, details and drawings at a scale of 1:100 showing the location of 1.0m wide by 1.5m long rectangular "soft spots" in the ground floor slab of both duplex units shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as approved and permanently retained thereafter.

To ensure that future occupiers of those the flats are able to insert a trapdoor or "through-the-floor" lift between the ground and basement floors in accordance with 'Lifetime Homes' standards, and Policy H4 of the Core Strategy 2011, Policy 3.8 of The London Plan (2011) and the Council's Supplementary Planning Guidance (Access for All).

- 19) 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 20) 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 21) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and



EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 22) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 23) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 24) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 25) Notwithstanding the information given in the Flood Risk Assessment (FRA) prepared by Water Environment Limited, ref: 11096/NM, dated 19th December 2011, no part of the development shall commence until further information regarding flood protection measures shall be submitted to and approved in writing by the council. The development hereby approved shall be constructed in accordance with the measures outlined in the submitted details and no part of the development shall be occupied until the approved measures have been implemented.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan 2011, Policy CC1 and CC2 of the Core Strategy 2011, National Planning Policy Framework (2012) and the Technical Guidance to the National Planning Policy Framework (2012).

- 26) The development hereby approved shall be constructed in accordance with the Sustainability Statement prepared by Daedalus Environmental, dated 12th December 2011, and thereafter shall be permanently retained.

To ensure the construction of a sustainable development, in accordance with Policy 5.1, 5.2, 5.3, 5.6, 5.7, 5.8 of the London Plan 2011, and Policy CC1 and H3 of the Core Strategy 2011.

- 27) The development hereby permitted shall not commence until a surface water drainage scheme, based on sustainable drainage principles, and a maintenance programme for the sustainable urban drainage measures, have 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 maintained in accordance with the agreed details.

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 CC2 of the Core Strategy 2011, Policy 5.13 of The London Plan 2011 and PPS25.

- 28) The development shall not commence prior to the implementation of an archaeological field evaluation in accordance of a written scheme of investigation previously submitted to and approved in writing by the local planning authority. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Council.

In order to ensure the preservation or protection of any archaeological interests that may be present on the site, in accordance with Policy EN7 of the Unitary Development Plan, as amended 2007 and 2011 and Policy 7.8 of the London Plan 2011.

- 29) In the event that the results of the field evaluation required by condition 28 reveal the presence of archaeological interests on the site, the development shall not commence prior to the implementation in full of a programme of works to ensure that the archaeology is either preserved or fully excavated, in accordance with a written scheme previously submitted to and approved in writing by the local planning authority.

In order to ensure the preservation or protection of any archaeological interests on the site, in accordance with Policy EN7 of the Unitary Development Plan, as amended 2007 and 2011 and Policy 7.8 of the London Plan 2011.

- 30) Prior to the occupation of the development hereby approved, the development shall incorporate a non-return valve or other suitable device.

To protect the new units from flooding from a surcharging sewer, as recommended by Thames Water and in accordance with Core Strategy (2011) Policy CC2, London Plan (2011) Policy 5.12 and PSS25.

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

1. Land use: The loss of the employment use is considered to be acceptable in that it has remained underused for sometime, despite active marketing of the site, and that there are alternative employment site within the borough . As such the principle of redevelopment which would make effective use of previously developed land, is considered to be acceptable. The development would be in accordance with the NPPF (2012), Policies B and LE1 of the Core Strategy, Policy 4.2 and 4.4 of the London Plan 2011 and Policy DM B1 of the submission DM

DPD. The redevelopment of the site for residential is considered acceptable, in accordance with the NPPF (2012), London Plan 3.3, Core Strategy H1 and H4, UDP Policy H06 and Policy DM A1 and DM A3 of the submission DM DPD. The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to London Plan Policies 3.4, 3.5 and 3.8, Core Strategy Policies H2, H3 and H4, UDP Policy H06 and Standards S7.A and S13.3 and Policy DM A2 of the submission DM DPD, and the amenity space provision is also considered satisfactory, having regard to the physical constraints of the site, judged against UDP Policy EN23 and Standard S5.A and Policy DM A2 of the submission DM DPD.

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 development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8, Core Strategy Policy BE1, UDP Policy EN2B and EN8 and Policy DM G1 of the submission DM DPD, which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

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 or outlook 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 UDP Policies EN8, EN20A, EN20B, EN20C and EN21 and Standard S13.

4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and UDP Policy EN10. The proposal would provide ease of access for all people, including disabled people, in accordance with London Plan Policy 3.8, Core Strategy Policy H4, UDP Policy H06, Policy DM A4 of the submission DM DPD and the Council's Adopted Supplementary Planning Document (SDP) 'Access for All'.

5. 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. Conditions will secure satisfactory provision cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, Core Strategy Policy T1 and CC3, UDP Policies TN4, TN5, TN6, TN8, TN13, TN15, TN21, EN17 and Standards S18, S19 and S20 and Policy DM J2, DM J3 and DM J5 of the submission DM DPD.

6. Sustainability: Despite it not being necessary to meet the sustainability and carbon reduction requirements a Sustainability Statement has been submitted confirming that sustainability measures will be integrated beyond the minimum requirements of Building Regulations and planning requirements. The development would therefore be acceptable in accordance with London Plan Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8 and 5.9, Core Strategy Policy CC1 and H3 and Policy DM H1 of the submission DM DPD.

7. Archaeology: The site is located within an Archaeological Priority Area. 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 London Plan Policy 7.8, Core Strategy Policy BE1, UDP Policy EN7 and Policy DM G7 of the submission DM DPD.

8. Flood Risk: A Flood Risk Assessment (FRA) has been submitted. However further details regarding flood protection measures shall be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2012), London Plan (2011) Policies 5.11, 5.12, 5.13, 5.14 5.15; Core Strategy 2011 Policies CC1 and CC2, Policy DM H3 of the submission DM DPD, NPPF (2012) and the NPPF (2012).

9. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with policy 5.21 of the London Plan, Policy CC4 of the Core Strategy and Policy DM H7 of the submission DM DPD.

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 London Plan Policy 8.2.

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

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

Application form received: 15th June 2012

Drawing Nos: see above

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

### **Consultation Comments:**

**Comments from:**

Environment Agency - Planning Liaison

**Dated:**

13.07.12

## **Neighbour Comments:**

### **Letters from:**

Flat C, 354 North End Road, London  
NAG  
NAG

### **Dated:**

08.08.12  
03.08.12  
27.07.12

## **OFFICER'S REPORT**

### **1.0 BACKGROUND**

1.1 The application relates to a two storey building located on the south side of Shorrolds Road, close to the junction with North End Road. The property is located adjacent to the Walham Green Conservation Area and the boundary of Fulham Town Centre. The building has historically been in office use, however has recently been occupied by a charitable organization in order to reduce the costs of running an otherwise empty property.

1.2 The building is bounded by the three storey residential terrace of Shorrolds Road to the west, 354 North End Road (a four storey building with commercial at ground floor and residential above) which is included on the Council's register of Buildings of Merit and 356 North End Road (a three storey building with commercial at ground floor and ancillary storage/office space above) to the east, and the rear garden of 258 (a three storey building with commercial at ground floor and residential above) and the garden of the Cock and Hen public house (360 North End Road) to the south. Directly opposite is the block, 2 - 6 Shorrolds Road.

### **1.3 Relevant planning history:**

A number of applications were made between 1951 and 1979 regarding the use of the building as packaging office and various light industrial manufacturing.

1988 - Planning permission granted for the erection of an extension at first floor level

1989 - Planning permission granted for the erection of a rear extension at first floor level (modification to planning permission granted in 1988)

In November 2011 planning permission was granted for the redevelopment of the site by the erection of a 4 storey (plus basement) building comprising offices (325 m<sup>2</sup>) at ground and basement level, and 6 flats (2 x 1 bed and 4 x 2 bed) at first, second and third floor levels (2008/01840/FUL). This was not implemented.

Earlier this year planning permission was sought for the redevelopment of the site by the erection of a part three storey part four storey (plus basement) building comprising 8 flats (2 x 3 bed duplex units, 4 x 2 bed and 2 x 1 bed) (2011/04056/FUL). The applicant stated that the abovementioned approved mixed use scheme was not viable nor commercially attractive.

In this case the envelop of the building would remain largely as that approved in 2008. The main differences between the abovementioned approved scheme and this proposal can be summarised as: the change in use of the basement and ground floor levels from office space to 2 x duplex flats, a reduction to the size of the basement and ground floor level, a slight increase to the height of the building (300mm) to enable the proposed building to meet building regulations, and a change to the design of the façade.

Planning permission was refused by the Planning Applications Committee (11 April 2012) on grounds relating to visual amenity, in particular the design of the front elevation and its relationship with the prevailing pattern and grain of existing development. The application is currently being appealed.

1.4 This current application is also for the redevelopment of the site by the erection of a part three storey part four storey (plus basement) building comprising 8 flats (2 x 3 bed duplex units, 4 x 2 bed and 2 x 1 bed). The proposal is a revision to the abovementioned refused application. The revisions relate to the design of the front elevation.

## 2.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

2.1 Site notice and press advert. Individual notification letters sent to occupiers of neighbouring properties.

2.2 Two representations received from neighbouring properties raising objection on the following grounds:

- The demolition of the existing building which is an integral part to Shorrolds Road and its architecture.
- Subsidence to adjacent properties caused by the excavation of the basement.

2.3 The Environment Agency have confirmed they have no objection to the proposed development.

## 3.0 PLANNING ISSUES

3.1 The main planning considerations to be considered in light of the London Plan and the Council's adopted Core Strategy and Unitary Development Plan policies and standards include; the loss of the B1 use and the principle of the residential use in land use terms, quantum and intensity of development in terms of the height, scale and massing; impact on surrounding uses particularly on the existing amenities of occupiers of neighbouring residential properties in terms of noise, outlook, light and privacy and potential for traffic generation, and the impact on the highway network. In addition consideration should be given to the Development Management Development Planning Document ('The DM DPD'), which is now submitted to the Inspectorate for Examination. The DM DPD, when adopted, will form part of the London Borough of Hammersmith and Fulham's Local Development Framework (LDF). The document sets out the proposed development management policies to be used by the council in helping to determine individual planning applications and must be read alongside the Core Strategy. When adopted, the LDF DM DPD will replace the remaining policies in the borough's adopted UDP and will be used, together with the Core Strategy and London Plan.

## Land use

3.2 The overriding emphasis in both national and regional policy is to enable increased provision for new housing, albeit not at the expense of existing economic activity. National and regional policy specify that employment land and premises should be retained where needed and intensified where appropriate, but unwanted or inappropriately located under-utilised land or premises should be released to provide for increased housing, either as single use or as a mixed use scheme (NPPF and London Plan Policy 4.2 'Offices' and Policy 4.4 'Industrial Land and Premises'), and where appropriate contribute to town centre renewal.

3.3 This approach underlines the Core Strategy. 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". More clarification on this is included in Borough wide policy LE1 which sets out criteria on which the future use of employment sites can be assessed. The most relevant consideration to this application is: (ii) "it can be satisfactorily demonstrated that the property is no longer required for employment purposes." This is supported by Policy B1 of the Submission DM DPD.

3.4 This property is situated behind the properties in North End Road at the beginning of Shorrols Road however it lies outside the defined town centre boundary. It has historically been in office use, however has recently been occupied by a charitable organization in order to reduce the costs of running an otherwise empty property.

3.5 The principal of the loss of the B1 use on the site has been accepted under the previous application (2011/04056/FUL). Under the previous application the applicant submitted a statement of declaration confirming the extent of marketing and the resultant level of interest. This was supported by a letter from PSK Knighton, who have been marketing the property, and a report from H B Surveyors and Valuers, who were commissioned to provide their views on the lettable of the office space. PSK Knighton confirmed that they have marketed the property since February 2007. The marketing has focused on the lettable of the office space associated with both the existing building and the approved building. Within this period the application site has been advertised on the Company's website and on the Focus Website (a national website available to all commercial property agents), and a marketing board has been erected on the building. In addition various property particulars have been produced and mailed out at regular intervals to all London agents with active requirements, and a marketing campaign has been undertaken targeting small and medium sized businesses who might be seeking office accommodation in south west London. The supporting documents also indicated that some reduction in rental has been offered but this has not achieved a long term let.

3.6 Despite the level of marketing and reduction in rental the level of interest in the property as office space has been low. PSK Knighton and H B Surveyors and Valuers suggested that the reasons for the extended vacancy of the existing building and the lack of interest in the approved development were to do with the secondary location, out of centre/residential street, together with the limited size and layout of the office space, problems of access due to the proximity to the North End Road market, and the



availability of more favourable properties elsewhere within the town centre and in Fulham.

3.7 In this respect, the available evidence when assessed against the various relevant policies indicated that reasonable efforts have been made to secure a future for the building as offices but that no occupiers had come forward. In this respect the loss of the B1 Use was considered acceptable in principle. In these circumstances Core Strategy policies Strategic Policy B and LE1 would indicate that alternative development for either residential or mixed use would be an appropriate alternative. The scheme for solely residential use was therefore considered to comply with these policies. There have been no changes to the occupation of the building or to the policy framework which would alter this view under the current proposal.

## Housing

3.8 The NPPF seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. London Plan Policy 3.3 B states that an annual average of 32,210 net additional homes should be delivered. Table 3.1 sets an annual target of 615 net additional dwellings for Hammersmith and Fulham. Core Strategy Policy H1 reiterates the London Plan's annual target of 615 net additional dwellings for the borough. Policy DM A1 of the submission DM DPD states the council will seek to exceed the London Plan housing target by seeking housing on both identified and windfall sites and as a result of change of use. The provision of 8 units would contribute towards these targets.

3.9 Core Strategy Policy H4, UDP Policy H06 and Policy DM A3 of the submission DM DPD requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. In particular there should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.

3.10 In accordance with the above policies the proposed dwelling mix of 2 x 1 bedroom, 4 x 2 bedroom and 2 x 3 bedroom represents a range of unit sizes, including a provision of larger family sized units.

## Density/Affordable housing

3.11 With regard to the proposed density, London Plan Policy 3.4 and Core Strategy Policy H3 seek to ensure that development proposals achieve the optimum intensity of use compatible with local context, design principles and with public transport capacity, with consideration for the density ranges set out in Table 3.2 of the London Plan. This is supported by Policy DM A2 of the submission DM DPD.

3.12 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 area 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).

3.13 The proposed development site comprises 0.02 hectares and would have approximately 24 habitable rooms which would result in a residential density of 1200 hr/ha, which is above the density range stipulated in the London Plan.

3.14 However, paragraph 3.28 of The London Plan states that 'It is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential - local context, design and transport capacity are particularly important, as well as social infrastructure (Policy 3.16)'. Furthermore paragraph 3.29 of The London Plan further states that higher density provision for smaller households should be focused on areas with good public transport accessibility (measured by Public Transport Accessibility Levels (PTALs)).

3.15 In this case the application site is situated in an area of very good public transport accessibility (PTAL 5), and would be car permit free which would be unlikely to result in any additional material parking pressure or trip generation to and from the site. Furthermore the site benefits from proximity to nearby shops and services in both North End Road and Fulham Town Centre. The proposed scheme has been designed to take account of its local context and character in terms of appropriate scale and massing, the form and character of surrounding development and the historic grain and impact on neighbours, as well as complying with the Council's standards on the size of residential units. For these reasons it is considered that the development would optimise the site's potential and that the proposed density is considered acceptable on this occasion.

3.16 The number of residential units proposed is below the threshold of 10 for which affordable housing is required under London Plan Policy 3.13 and Core Strategy Policy H2. Notwithstanding this there is a requirement to consider whether there is any capacity for 10 or more units, applying the density guidance set out in London Plan Policy 3.4 (maximising the potential of sites) and table 3.2. In view of the proposed density Officers do not consider that it would be appropriate to include further units within the proposed development in order to meet the affordable housing threshold.

### Mass, Scale and Design

3.17 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be 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.

3.18 Core Strategy Policy BE1 'Built Environment' states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

3.19 UDP 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.' UDP Policy EN8 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 DM G1 of the submission DM DPD builds on the abovementioned policies 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.

3.20 The application site is currently occupied by a 2 storey Victorian building covering the full footprint of the site. To the west of the site is 3 storey Victorian terraced houses, the same on both sides of the street, with the exception of the properties located directly opposite the site (2-6 Shorrolds Road), comprising two uniquely designed 3 storey Victorian buildings (one with a recently approved and completed glazed additional floor), and a larger four storey building fronting North End Road to the east. On the southern and eastern boundary, the site borders the adjoining Fulham Town Centre and the Walham Green Conservation Area.

3.21 It is proposed to demolish the existing building, which currently sets itself on the back edge of the footway following the same building alignment as the flank elevation of the neighbouring property (354 North End Road), but set forward of the general established building line of the residential terrace of 3 storey properties fronting Shorrolds Road. The existing building rises two storeys in height with a high ridge roof and is considered subservient in context with both the grander scale of 354 North End Road and the 3 storey residential terrace in Shorrolds Road. In this respect, the building sits comfortably in its context, and successfully fulfils the role of a 'transition building' between the two disparate scales of the neighbouring buildings. The façade of painted brickwork is punctuated by regularly spaced sash windows of a domestic scale. The central entrance bay is crowned by a pediment which breaks through the otherwise consistent eaves line. It is within this central bay that the façade has some architectural decoration, both to the window surrounds and above the entrance. Given the tall floor to ceiling heights of the existing building and high pitched roof it is considered more effective to demolish the existing building rather than extending in order to get the maximum floor area out of the site without the need for a much higher building. There is no objection to the demolition of the building providing the replacement building is of an acceptable design and scale.

3.22 The current proposal is in effect a revision to a scheme which was refused earlier this year by the Planning Committee (2011/04056/FUL). The Committee did not object to the scale of the building, however they did raise concern regarding the design of the front elevation of the building, in particular its relationship with the prevailing pattern and grain of existing development. The envelope of the current proposed building would be the same as that considered earlier this year, the main difference relates to the design of the front elevation. In terms of the scale, such was the case with the previous application the proposed new build would both take on the same alignment of the existing building and retain the transitional character of the existing building so as not to compete with either the commercial scale of North End Road nor the domestic scale of

Shorrolds Road. The parapet line would match the eaves of 3 Shorrolds Road and the top floor would be recessed to a such a degree that it would not significantly add to the bulk in key views along the street. This is very similar in effect to the top floor, modern, setback addition of the opposing building 2-6 Shorrolds Road. The corners of the top floor would also be set in to further minimise its visual impact in oblique views and, ease its relationship to its neighbours.

3.23 In response to the previous refusal, in proposing revised elevation, the architect has carefully analysed the role and context of the site and drawn on the positive elements of the existing building to incorporate into the replacement building design. The revised front elevation breaks the horizontal mass of the refused brick elevation and roofline into a series of terrace like elements, so that the proposed building no longer reads as a single block. The façade has a clear base, middle and top which is further broken down by a clearly expressed core, and other vertical rhythm and scales which pick up on elements on the adjacent Victorian Terrace. In particular the front elevation includes the introduction of projecting bay elements, and timber windows with arches and sashes, brick soldier coursing and stone cills and canopies modelled to give shallow and depth to the façade, thereby enhancing its visual interest and contribution to the streetscene, and further breaking the scale of the elevation to be sympathetic to its neighbours. The front elevation would be clad in stone at ground floor level and to the central core, and London Stock brick to the upper floors. The mansard would be slate cad and London stock. Officers are satisfied that the revised proposal would satisfactorily reinforce the streetscape in this location.

3.24 It is proposed to excavate the full width and depth of the site to provide living accommodation at basement level. The front lightwells would be largely concealed by railings and the overhang of the upper floors. Accordingly, it is not considered that this aspect of the development would be harmful to visual amenity or that it would be likely to have an unacceptable impact on the existing amenities of the occupiers of neighbouring properties.

3.25 In this respect Officers consider that the proposed development is acceptable in terms of design, bulk and appearance and would make a positive contribution to the appearance of the streetscene and adjacent Conservation Area, in accordance with abovementioned London Plan, Core Strategy, UDP and submission DM DPD policies. It is however recommended final details of the materials to be used in the external appearance of the building be conditioned for future approval. (condition )

3.26 London Plan Policy 7.3 and UDP Policy EN10 (Designing Out Crime) requires new development to incorporate crime prevention measures to provide a safe and secure environment. Whilst a number of measures have been suggested full details of how the proposed building will achieve Secured By Design standards will be secured by condition. (condition )

#### Residential amenity

3.27 Policy EN8 states all proposals must be formulated to respect the principles of good neighbourliness. Standards S12 and S13 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.28 The proposed development adjoins two residential properties (3 Shorrolds Road and 354 North End Road). 356 North End Road (a three storey building with commercial at ground floor and ancillary storage/office space above) adjoins the site to the east, and the rear garden of 258 (a three storey building with commercial at ground floor and residential above) and the garden of the Cock and Hen public house (360 North End Road) adjoin the site to the rear. Directly opposite is the block, 2 - 6 Shorrolds Road. As mentioned above the envelope of the building would remain largely as that approved.

3.29 The proposed building would adjoin 3 Shorrolds Road, with the front building line set forward of the building line of No.3 Shorrolds Road. This would match the existing building line. The rear building line would match that existing which is set back from the rear building line of the main building of No.3 Shorrolds Road. Although the proposed building would be higher than the existing eaves line, given that the design of the upper floors being recessed at the corners it is not considered there would be any further impact to No.3 Shorrolds Road, in terms of loss of outlook or increased sense of enclosure.

3.30 The proposed new build would retain the existing gap between the application site and 354 North End Road. Given the proposed new build is only marginally higher than the existing with a recessed top floor it is not considered the proposed development would harm the existing residential amenities of the occupiers of 354 North End Road as a result of loss of outlook and increase sense of enclosure to such a degree that would justify refusing planning permission.

3.31 Both windows and small balconies/terraces are proposed to the front and rear elevations of the building. Standard S13.2 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. 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.

3.32 When considering the opposing windows in 2-6 Shorrolds Road the distance would be less than 18m. Officers however consider that this infringement is unlikely to result in significant loss of privacy given that the views would be across the street and are no closer than the existing office windows. In addition this situation is a characteristic of streets within the Fulham area and is not considered to justify the refusal of planning permission in this case. Due to the orientation of the building the windows in the rear elevation would comply with Standard S13.2 (loss of privacy). Privacy screens are proposed for the sides of the terraces/balconies nearest to the rear gardens of 354 and 358 North End Road and 3 Shorrolds Road (details will be secured by condition ).

3.33 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas, however, on balance, having regard to the modest size of the proposed areas (approximately 6sqm) 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 or overlooking or loss of privacy to a degree that would justify refusing planning permission.

#### Quality of the proposed residential environment

3.34 Policy 3.5 and Table 3.3 of the London Plan, Core Strategy Policy H3, UDP Standard S7A and S13.3 and Policy DM A2 of the submission DM DPD expect all housing development to be of a high quality design and be designed to have adequate internal space. UDP Policy EN23 and Standard S5 requires all new developments to make provision for open space to meet the needs of the occupiers and users (ground floor family and non family dwellings should have at least 36m<sup>2</sup> and 14m<sup>2</sup> of amenity space respectively). Policy DM A2 of the submission DM DPD supports the requirement for amenity space and also requires family housing on upper floors to have access to a balcony and/or terrace, subject to acceptable amenity and design considerations.

3.35 All of the proposed units would be dual aspect and would exceed the minimum dwelling size requirements of both the London Plan and UDP: one-bed (50-53 sqm), two-bed (69-76 sqm) and three bed (115-126 sqm). The duplex units would be set back from the street frontage by full width lightwells thereby offering a degree of privacy and allowing additional sunlight to reach the basement. All 8 residential units would be provided with outdoor amenity space. The duplex flats at basement and ground floor levels would each benefit from a private courtyard to the rear approximately 23sqm. The remaining 6 units above would each benefit from a balcony approximately 6sqm. Although the proposed private amenity space for the duplex flats would fall short of the requirements of Standard S5 and the balconies are small this reflects the physical constraints of the site and the desire to ensure that there is no overlooking/loss of privacy or noise and disturbance to neighbouring properties. In this case the amenity space provided this is considered to be an acceptable arrangement, and it is not considered this would justify a refusal of planning permission. In view of the above the proposed residential units would be of adequate size and layout to provide an acceptable outlook and sunlight and daylight levels, and external space to occupiers of the residential units.

3.36 London Plan Policy 3.8, Core Strategy Policy H4, UDP Policy HO6 and the Council's Supplementary Planning Document 'Access for All' 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. This is supported by Policy DM A4 of the submission DM DPD.

3.37 All 8 flats would have accessibly sized main bathrooms and bedrooms and kitchen areas that meet Lifetime Homes standards. There is lift access to the front doors of all units, and level access from the street through a communal hallway which has an ambulant standard stairway. Details of the location of 'soft spots' at ground floor level of the duplex flats will be secured by condition, to enable a future occupier to be able to insert a trapdoor or 'through-the-floor' lift between the ground and basement floors, if wished. The Council's Access Officer is satisfied with the proposal. (condition )

## Car parking, traffic generation and cycle parking

3.38 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.39 Policy 6.1, 6.3, 6.10, 6.11 and 6.13 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 policies also provide guidance for the establishment of maximum car parking standards.

3.40 Core Strategy Policy T1 supports the London Plan. Policy TN4 of the UDP requires new development to incorporate ease of access by disabled people and people with mobility impairment. 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. 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. Policies DM J2 and DM J3 of the submission DM DPD set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met

3.41 The proposal would result in the formation of 8 separate residential units; this represents a net increase of 8 units. No off-street car parking is provided as part of the scheme, and, given the physical constraints of the site it is not practical to provide any. However, in order to address this matter, the applicant has agreed to enter into a legal agreement to restrict the occupiers of the 8 residential units from being eligible to obtain residents parking permits to park on the highway within the controlled parking zone. Given the location of the site (PTAL5) close to the Fulham Town Centre, which offers good public transport accessibility and easy access to shops and services, this is considered to be an appropriate approach in this case, and, subject to such a legal agreement, 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. In addition the applicant has agreed to fund the cost of repaving of the fronting of the site in Streetsmart approved materials to the junction with North End Road. This will also form part of the S106 Agreement. On this basis, the proposed development is judged to be acceptable in the context of the abovementioned policies.

3.42 London Plan Policy 6.9 provides guidance for the establishment of cycle parking standards. UDP Standard S20 and Table 12.2 seek to ensure that one cycle space per flat is provided, in accordance with Policy TN6. Policy DM J5 of the submission DM DPD also sets out cycle parking standards. Secure storage for 8 bicycles would be provided within the building at ground floor level to the western end of the site in accordance with the above policies. A condition is proposed to ensure the cycle storage is implemented before the use is occupied and is maintained for the life of the development. (condition )

## Refuse storage

3.43 London Plan Policy 5.16 outlines the Mayors approach to waste management. Core Strategy Policy CC3, UDP Policies EN17 and HO14 and the Storage of Refuse and Recyclables SPD sets out the Councils Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

3.44 Refuse storage space would be provided for all refuse generated by the proposed residential use at ground floor level at the eastern end of the site. Officers are satisfied that there is sufficient space within the designated area for the satisfactory storage of refuse, although a condition is proposed to ensure the refuse storage is implemented before the use is occupied and is maintained for the life of the development. (condition )

3.45 Demolition and Construction Management Plan (CMP) and Construction Logistics Plan (CLP) would be required to ensure that there is no harmful impact on neighbours and on the local highways network. The Demolition and CMP shall include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The CLP shall be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. These would be secured by condition in accordance with UDP Policies EN19A, EN20A, EN20B, EN20C and EN21 and London Plan Policy 6.3. (condition )

## Flood risk

3.46 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

3.47 London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.48 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. This is supported by Policy DM H3 of the submission DM DPD.

3.49 A Flood Risk Assessment (FRA) has been submitted with the application. The site is in the Environment Agency's Flood Zone 2, indicating a medium risk of fluvial/tidal flooding, however the site is well protected by flood defences in the form of the Thames Barrier and river wall. Should these defences be breached for any reason, the site is not at risk from rapid inundation by flood waters. In terms of surface water flooding, the site is not in a location known to be at risk.



3.50 Although the site is a low flood risk, EA advice recommends that information is included in the FRA on flood protection measures. The FRA does not contain this at the moment and needs revising. Further details will be secured by a condition. (condition )

3.51 It is recognised in the Sustainability Statement that the site is currently 100% impermeable (either roof or hardstanding), meaning that all surface water is currently directed into the combine sewer system. Although it is true that the redevelopment of the site will not increase surface run-off, London Plan policy 5.13 and Core Strategy policy CC2 require sustainable drainage measures be implemented where practicable to reduce surface water run-off by a minimum of 50%. Further information is therefore required on the sustainable drainage systems (SUDS) to be implemented on site. A condition should be set requiring this information to be submitted for approval.(condition )

#### Sustainability/Energy

3.52 As the development consists of fewer than 10 residential units, it is not necessary for it to meet the sustainability and carbon reduction requirements specified in the London Plan. Notwithstanding this a Sustainability Statement has been submitted with the application which proposes a number of sustainability measures which will be included in the design and construction of this small block of flats. The new block will be designed to be energy efficient, incorporating passive design measures to utilise natural daylight and solar gain without over-heating. High levels of insulation will be specified and the building will meet high air-tightness standards. This will limit heat-loss and reduce energy use. Energy efficient lighting and appliances will also be installed. The development will also be water efficient to help reduce water use and building materials with low environmental impacts will be used where possible. Waste will also be managed during the demolition/construction process by implementing a Site Waste Management Plan and recycling facilities will be provided internally and externally for use by residents once the block is occupied. For a development of this type and size, this approach is acceptable. In this respect the proposal is judged to comply with London Plan Policy 5.3, Core Strategy Policy H3 and Policy DM H2 of the submission DM DPD on sustainable design and construction, and Core Strategy policy CC1 and Policy DM H1 of the submission DM DPD on carbon reduction.

#### Archaeology

3.53 The site is located within one of the designated Archaeological Priority Areas on the Proposals Map. 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. London Plan policy 7.8 advises that development should incorporate measures that appropriately address the sites archaeology. UDP Policy EN7, Core Strategy Policy BE1 and the Policy G7 of the submission DM DPD 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.

3.54 Conditions would be attached to secure a programme of archaeological work in accordance with a written scheme of investigation. (conditions and )

## Contamination

3.55 London Plan Policy 5.21, Core Strategy Policy CC4 and Policy DM H7 of the submission DM DPD 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. This is supported by UDP Policies EN20A and EN21.

3.56 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 conditions would be attached to any permission requiring the assessment of contaminated land to be carried out.

## Planning obligations

3.57 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. CIL Regulations (2010) state 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.

3.58 This development will be subject to a London-wide community infrastructure levy, charged at a rate of £50 per square metre for development in Hammersmith & Fulham. An estimate of £31,700 based on 634 sqm of additional floorspace has been calculated. This will contribute towards the funding of Crossrail, and further details are available via the GLA website [www.london.gov.uk](http://www.london.gov.uk). The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3.

3.59 In addition 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.

3.60 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 following Clauses:

- Developer to pay the cost of repaving of the frontage of site in Streetsmart material to junction with North End Road.
- All the future occupiers (apart from blue badge holders) of the (8) residential units to be prohibited from being eligible for on street residential car parking permits in existing/proposed CPZ's.

## 4.0 RECOMMENDATION

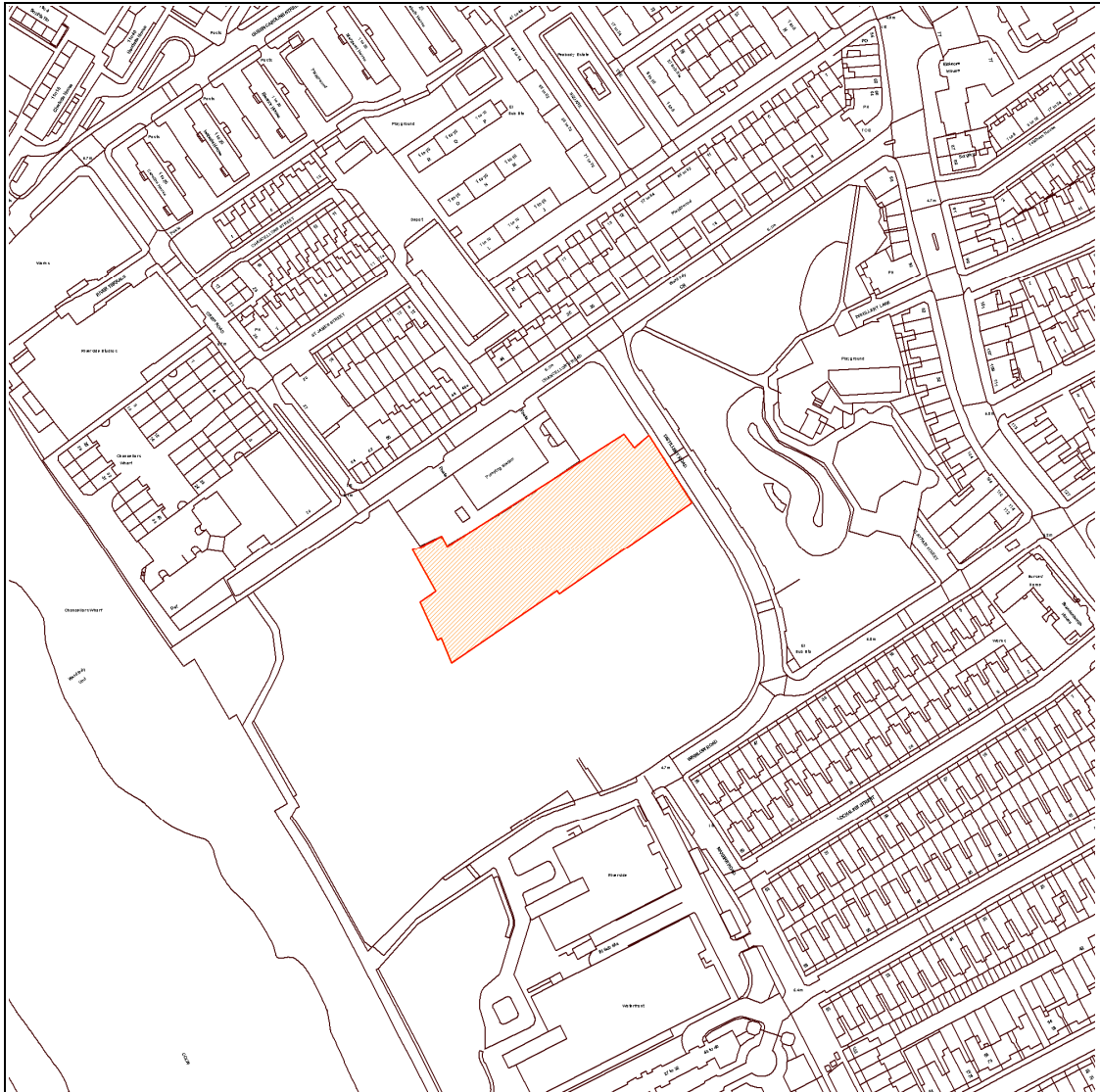
4.1 Grant planning permission subject to conditions and completion of a satisfactory legal agreement as outlined in paragraph 3.60.

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**Ward:** Fulham Reach

**Site Address:**

Hammersmith Embankment Site Known As 'Fulham Reach' Land Bound By Chancellor's Road, Distillery Road And Winslow Road, Including Sections Of Thames Path, Thames River, Frank Banfield Park, And Highway Land London W6



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**Reg. No:**  
2012/01811/RES

**Case Officer:**  
Shelley Watson

**Date Valid:**  
01.06.2012

**Conservation Area:**  
Fulham Reach Conservation Area - Number 39

**Committee Date:** 20.09.2012

**Applicant:**

St George (Central London) Ltd  
C/o Agent

**Description:**

Submission of reserved matters relating to external appearance and landscaping for Building B, pursuant to hybrid planning permission ref: 2011/00407/COMB granted 23rd December 2011, comprising a mixed use development of 167 new homes (938sqm GIA) of ground floor commercial floorspace (use classes A1-A4, D1/D2), landscaped open space and parking provision.

Drg Nos: 00391-0100392B-00100392B-00200392B-00300392B-00400392B-00500392B-00600392B-00700392B-00800392B-20100392B-20200392B-30100392B-30200392B-30300392B-30400392B-40100392D-00200392D-00300392D-00428598-L-BLK B-P-90-020 REV P328598-L-BLK B-P-90-022 REV P1Phase 2 Block B Synopsis Report (ref: GE7821Phase 2 Block B SR JT), June 201200392D\_203

**Application Type:**

Submission of Reserved Matters

**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 condition(s) set out below:

- 1) This development hereby permitted shall be begun either within 3 years from the date of the original permission 2011/00407/COMB approved 23rd December 2011 or following the expiration of 2 years from the date of the final approval of reserved matters, whichever is the later.

To comply with the Town and Country Planning Act 1990 (as amended) and to give additional flexibility in the form of extra time to allow for the relocation to the site and to provide long term certainty to allow the development to proceed without seeking renewals to the permission.

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings:

00391-01 00392B-001 00392B-002 00392B-003 00392B-004 00392B-005  
00392B-006 00392B-007 00392B-008 00392B-201 00392B-202 00392B-  
301 00392B-302 00392B-303 00392B-304 00392B-401 00392D-002  
00392D-003 00392D-004 28598-L-BLK B-P-90-020 REV P3 28598-L-BLK B-  
P-90-022 REV P1 00392D\_203

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, EN3, EN8, EN25 and EN31 of the Unitary Development Plan, as amended 2007 and 2011 and policies BE1 and HTC of the Core Strategy 2011.

- 3) The development hereby permitted shall not commence on Building B 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 details of cladding, fenestration, balconies and entrances, 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 prevent harm to the street scene, in accordance with Policy EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 4) Prior to the commencement of development of Building B above ground level, details of proposed privacy screens to be applied to the balconies to mitigate internal overlooking within Building B, including full plan detail and material samples, shall be submitted to and approved in writing by the Council. Development shall proceed in accordance with the approved measures, and they shall be retained hereafter.

To prevent overlooking within the development in the interests of appropriate living conditions of future occupiers, in accordance with policy 3.5 of the London Plan (2011) and Standard S13.2 of the London Borough of Hammersmith and Fulham UDP (as amended 2011).

- 5) 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.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the building, in accordance with Policy EN2B and EN8 of the Unitary Development Plan as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 6) 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 Policy EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 7) No alterations shall be carried out to the external appearance of the development, 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 Policy EN2B, EN8 and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 8) No plumbing, extract flues or pipes, other than rainwater pipes shall be fixed on the external elevations of the development of Phase 2 hereby approved, unless otherwise agreed in writing by the Council.

To ensure a satisfactory external appearance and to prevent harm to the street scene and the conservation area, in accordance with Policies EN2 and EN8 of the London Borough of Hammersmith and Fulham UDP as amended 2007 \_ 2011, and Policy BE1 of the Core Strategy 2011

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

1. Land use: The principle of a residential led development has been established by the Hybrid planning permission (2011/00407/COMB, granted 23rd December 2011). The overall quantum of development would accord with the policy requirement to optimise the use of the site and the dwelling mix and affordable housing provision would accord with policy guidance and the Hybrid application permission. Similarly, the commercial floorspace would also provide for leisure and services to meet the needs of future occupiers in accordance with the hybrid permission. The proposed development therefore accords with the NPPF (2012), London Plan policy 3.3, Core Strategy policies H1, H2, H3, H4, HTC 3 and the Councils Unitary Development Plan (UDP) Policy H06, and Policies DM A3 and DM B1 of the submission DM DPD.

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 and considered suitable in relation to the sites location and context. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7, Core Strategy Policy BE1 and UDP Policies EN2, EN8 \_ RTC 1, and Policies DM F1, DM F2, DM E4, DM G1, DM G6, \_ DM G7 of the submission DM DPD which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

3. Residential Amenity and Impact on Neighbouring Properties: The internal design and layout of the new residential units are considered satisfactory having

regard to London Plan Policies 3.4, 3.5 and 3.8, Core Strategy Policies H2, H3 and H4 and UDP Policy H06 and Standards S7.A and S13.3 and policy DM A9 of the submission DM DPD. The amenity space provision is also considered satisfactory, judged against Core Strategy Policy OS1, UDP Policies EN23, EN23B and Standard S5.A, and policies DM E1 – DM E2 of submission DM DPD. The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with UDP Policies EN8, EN20A, EN20B, EN20C and EN21 and Standard S13.

4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and UDP Policy EN10. The proposal would provide ease of access for all people, including disabled people, in accordance with London Plan Policy 3.8, Core Strategy Policy H4, UDP Policy H06, Policy DM A4 of the submission DM DPD and the Council's Adopted Supplementary Planning Document (SDP) 'Access for All'.

5. Transport: The development would not result in any significant adverse impacts on traffic generation or congestion of the road network. Satisfactory provision would be made for car and cycle parking, and adequate servicing facilities and provision for storage and collection of refuse and recyclables would also be provided in accordance with conditions and S106 obligations secured by the Hybrid permission 2011/00407/COMB. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan (2011) Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, Core Strategy Policy T1 and CC3, and UDP Policies TN4, TN5, TN6, TN8, TN13, TN15, TN21, EN17 and Standards S18, S19 and S20, and Policies DM H5 DM J1, DM J2, DM J3 and DM J5 of the submission DM DPD.

6. Sustainability: Sustainability measures for an energy efficient development have been secured by conditions pursuant to the Hybrid permission 2011/00407/COMB, resulting in a significant reduction of CO2 emissions. Sustainable urban drainage (SUDS) principles have been incorporated into the design as have ecological enhancements to offset the loss of existing habitat on site. The development would therefore be acceptable in accordance with London Plan Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8 and 5.9, Core Strategy Policies CC1, CC2 and H3 and Policies DM H1, DM H2, and DM H3 of the submission DM DPD.

7. Contamination: Conditions secured by the Hybrid planning permission 2011/00407/COMB will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses throughout the wider application site. The proposed development therefore accords with policy 5.21 of the London Plan, policy CC4 of the Core Strategy and Policy DM H7 of the submission DM DPD.

8. Archaeology: Conditions secured by the Hybrid planning permission 2011/00407/COMB will ensure that archaeological watching briefs are carried out throughout the wider application site throughout relevant construction times. The proposed development therefore accords with policy 7.8 of the London Plan

(2011), Policy BE1 of the Core Strategy, Policy EN7 of the UDP and Policy DM G7 of the submission DM DPD .

9. Planning Obligations: Financial contributions and provision of community facilities have been secured through a S106 legal agreement pursuant to the Hybrid planning permission 2011/00407/COMB. The proposed development would therefore mitigate external impacts as a consequence of the development, and would accord with London Plan Policy 8.2, Core Strategy Policy CF1 and UDP Policy EN23.

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

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

Application form received: 31st May 2012  
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	23.07.12
Thames Water - Development Control	27.07.12
Thames Water - Development Control	18.07.12
Transport For London - Land Use Planning Team	04.07.12
Sport England	27.07.12
Greater London Authority - Planning Decisions Unit	21.08.12
Natural England	10.07.12
London Borough Of Richmond-upon-Thames	29.08.12



## **Neighbour Comments:**

### **Letters from:**

### **Dated:**

71 King Henry's Reach Manbre Road Hammersmith	04.07.12
Nag	05.07.12
22 Chancellors Wharf Crisp Road London	04.07.12
26 Chancellor's Road	04.07.12
17 Upper Mall Hammersmith London	28.06.12
6 St Jame's Street	21.06.12
77 Lily Close St Paul's Court London W14 9YB	21.06.12
17 Upper Mall Hammersmith London	28.06.12
40a Chancellors Road	04.07.12
40a Chancellors Road	04.07.12
26 Chancellor's Road	04.07.12

## **OFFICERS' REPORT**

### **1.0 BACKGROUND**

#### **Site Description and Surrounding Area**

1.1 The wider Fulham Reach site (renamed by applicant) comprises 4 hectares of land principally made up of disused and vacant former industrial land adjacent to the River Thames whilst also including parts of the adjacent public highway, public open space to the east of the main site and river foreshore to the west.

1.2 The main site measures 2.93 hectares and is bound to the north by Chancellors Road, to the south by Winslow Road, to the east by Distillery Road and to the west by the River Thames. In terms of neighbouring land uses, the site is adjacent to a mix of office and residential development to both the north and south, an area of landscaped open space (Frank Banfield Park) to the east and River Thames to the west.

1.3 The north-west (northern) main site boundary is formed by Chancellor's Road, which extends from the Thames River to Fulham Palace Road. Until recently there has been no other development on the southern side of Chancellor's Road other than the Thames Water pumping station, however Phase 1 works have now commenced in the north eastern corner of the site for the basement and Block A in accordance with the Hybrid planning permission 2011/00407/COMB.

1.4 Development on the northern side of Chancellor's Road is characterised by three storey (including lower ground floor level) residential terraces. Three buildings in office use, ranging from three to five storeys, are located at the western end of Chancellor's Road. Crisp Road extends northward from Chancellor's Road towards the western end of the road.

1.5 The north-east (eastern) main site boundary is formed by Distillery Road, which extends from Chancellor's Road to Winslow Road. Frank Banfield Park is located on

the eastern side of this road. In addition to Distillery Road, the Park has frontage to Chancellor's Road and Winslow Road, and extends to the rear of the properties that front onto Fulham Palace Road.

1.6 The south-east (southern) main site boundary is formed by Winslow Road, which extends from the site to Fulham Palace Road. A two storey Victorian residential terrace extends along the southern side of Winslow Road. The western end of Winslow Road forms the northern boundary of the Hammersmith Embankment office development, which is formed of two, five storey buildings with extensive plant room area at roof level. The King Henry's Reach residential development is located beyond the Hammersmith Embankment development. Manbre Road extends southward from the site, to the rear of the existing Hammersmith Embankment office development.

1.7 The south-west (western) main site boundary is formed by a 150m frontage to the Thames Path which fronts the River Thames and beyond.

1.8 It is also noted a part two, part three storey temporary Sales and Marketing suite building is currently located in the south eastern corner of the main application site, with associated landscaping and car parking.

#### Heritage Context and Land-Use Designation

1.9 The site is located within the Fulham Reach Conservation Area and land further to the north of the site is within the Hammersmith Odeon Conservation Area. The Grade II\* Listed Hammersmith Bridge is located 220m from the application site. The land on the southern side of the Thames facing the site is within the Castelnau Conservation Area and the former Harrods Depository building is Grade II listed. The site is located within the Fulham Reach ward which has informed the name of the development.

1.10 The site is not the subject of any land use designation in the Adopted London Borough of Hammersmith and Fulham Unitary Development Plan (as amended 2007), but is within an identified Archaeological Priority Area and the subject of a site specific designation in the adopted Core Strategy (October 2011) - Strategic Policy HTC (Hammersmith Town Centre and Riverside) sets out the intention to encourage the regeneration of the town centre and linked Thames riverside area. The application site is identified as the Hammersmith Embankment former office site within Area 3 of the HTC policy framework.

1.11 The site is also located within the Thames Policy Area, the Blue Ribbon Network and Environment Agency Flood Zone 3a.

#### 1.12 Planning History of Application Site

2011/03596/FUL - The planning applications committee resolved to grant planning permission on the 15th May 2012 for the retention of a part two, part three storey Sales and Marketing suite building, with associated landscaping, access and boundary treatment.

2012/01998/NMAT - Non-material minor amendment to Planning Permission 2011/00407/COMB granted 23rd December 2011. The proposal comprised amendments to the building footprint of Block B which were approved as part of the Hybrid Planning Application (part outline/part detailed) detailed below.

2011/0407/COMB - Planning permission was granted on the 23rd December 2011 following a resolution to grant permission by the Planning Applications Committee on the 14th September 2011. This permission was subject to completion of a S106 legal agreement and referral to the GLA.

The application was submitted as a Hybrid Planning Application (part outline/part detailed) for the mixed use development of the site to provide; 744 residential units, ancillary residents' gym and pool; 3,823 sqm. of commercial floor space (Use Classes A1-A4, B1, D1 and D2); 440 sqm. boat storage facility and ancillary boat club facilities (Use Class B1/A4/D1/B8); comprising 8 blocks (ranging from 3 to 9 storeys in height); basement level parking for 470 cars, 44 motorcycles and 956 bicycles; a pontoon extending into the Thames River; landscaped open space; works to the Thames Path; new site access arrangements; alterations to the public highway and realignment of access routes through Frank Banfield Park and Park boundary treatment; (Approval sought for Access, Layout and Scale, with matters of Landscaping and Appearance reserved for later determination). Plus; Full details (Access, Layout, Scale, Appearance, Landscaping) for Phase 1; comprising 138 residential units; 1,169 sqm. of commercial floor space (Use Classes A1-A4, D1 and D2) and 440 sqm. boat club/storage facility (Use Classes B1/A4/D1/B8) within a 8 storey building, with podium level private amenity space (Block A); Thames Path works; Thames River Pontoon; vehicle access to basement parking level off Chancellor's Road and landscaping.

2011/03596/FUL - Planning permission 2011/01155/FUL was granted on the 2nd November 2011, for the erection of a temporary two storey marketing suite on the site, including separate (permanent) approval for the scheme of Thames Path and river wall improvement works that formed part of the approved Hybrid planning application.

1.13 Following the grant of the Hybrid permission, a number of discharge of condition applications have been submitted (and approved) pursuant to Phase 1 of the permission. These applications satisfy the requirement for further information and details to be provided prior to commencement of development on the site.

Condition No	Nature of Condition
5	Phasing
7	Archaeology
8	Construction Management Plan
9	Contamination
12	Green Roof Details
13	Energy Strategy
19	Materials
20	Secure Cycle Storage
23	Floor/Wall Insulation
27	Commercial/Residential Sound Insulation
36	Emergency Services Signal
39	Play space Strategy
40	Lifetime Homes
41	Landscaping
46	Water Supply Infrastructure
48	Refuse Area Access
49	Pontoon Design & Construction

51	Privacy Screens
52	Typical Bays
58	Ecological Enhancement Scheme
59	Signal Interference

1.14 Other pre commencement conditions pursuant to Phase 1 of the Hybrid permission and currently under consideration include:

10	Remediation and Validation
11	Surface Water Drainage
17	Accessibility
37	Secure by Design
44	Drainage

1.15 Planning history of the site prior to the above has been detailed extensively in the officer's report for the Hybrid planning application 2011/00407/COMB.

1.16 As mentioned above, development has commenced on site for Phase 1 of the development in accordance with the hybrid permission and a temporary sales and marketing suite currently occupies the south eastern corner of the site. Areas of temporary soft landscaping have also been placed along the landward side of the Thames Path (lawn, hedges and shrubs, seating benches).

1.17 Works to the river path have also been carried out, subsequent to the Hybrid permission which includes the widening and resurfacing of the Thames Path, works to the river wall and installation of lighting columns along the river walk. These works formed part of the Hybrid permission but were brought forward by the applicants as part of the temporary sales and marketing suite application. Construction of the pontoon has also commenced.

#### Application Description

1.18 The applicant seeks reserved matters approval for Building B which forms part of the Hybrid planning permission 2011/00407/COMB and the Fulham Reach site.

1.19 Details of Access, Layout and Scale as they relate to Building B have already been established through the Hybrid Planning permission (23rd December 2011) and associated S106 legal agreement. This application therefore relates to the approval of matters of External Appearance and Landscaping only, in accordance with Condition 2 of the Hybrid permission which states:

"No phase of the development, other than Phase 1 as defined by the application hereby approved, shall commence until all of the following reserved matters, which were not specified in the outline application, have been submitted to and approved in writing by the Council for that phase:

- (a) Appearance of the development
- (b) Landscaping of the development."

1.20 The building will comprise a mixed use development of 167 residential units, 937.5. sqm (GIA) of ground floor commercial floor space (Use Classes A1-A4/B1/D1/D2) landscaped open space and parking provision.

1.21 The proposed building (Block B) will range from seven up to nine storeys in height, plus a basement level; and will extend along the northern site boundary adjacent to the Thames Water Pumping station from the rear of Building A (under construction) to the eastern site boundary. The east side of the building will face Frank Banfield Park, and will act as a gateway to the site.

1.22 Of the 167 residential units provided, 111 will comprise private housing providing a mixture of 1, 2 and 3 bed units. The remaining 56 will comprise affordable homes for Discount Market Sale (DMS). This will include a mix of Manhattan and 2 beds units located at ground floor level up to 5th floor level, comprising a mixture of unit types on each floor.

1.23 The proposed dwelling mix for Building B is set out below:

Unit Type	Market Housing		Affordable Housing (DMS)	
	No of Units	%	No of Units	%
Manhattan	0	0%	39	70%
1 bed	17	15%	0	0%
2 bed	78	70%	17	30%
3 bed	13	12%	0	0%
4 bed	0	3%	0	0%
Total	111		56	

1.24 The proposed 938sqm of ground floor commercial floor space will comprise mixed use floor space such as office, retail, restaurant and other appropriate uses falling within Use Classes A1-A4, D1 and D2 (as established by the Hybrid planning permission). These proposed uses will be located to the front of Building B (to the boulevard) with the intention of creating an active frontage and link through the site from the park to the riverside.

1.25 The underground car park approved as part of the Hybrid application will provide parking spaces for vehicles, motor bikes and bicycles for residents of Building B comprising 68 car parking spaces, 320 spaces for bicycles and 5 spaces for motorbikes. The car park will be accessed from Chancellors Road with pedestrian access from the car park to the dwellings above via communal lifts and staircases within three proposed access cores.

1.26 The applicants state the detailed proposal for Building B has been designed to be in accordance with those parameters established by the Hybrid permission (2011) and the subsequent s96a non material amendment permission (2012).

## Summary of Application Submission

1.27 The applicants have provided the following documents in support of the application:

Planning Statement  
Design & Access Statement  
Discount Market Sale Scheme  
Application Plans

1.28 The supporting information for the Hybrid planning application included an Environmental Statement (ES) which assessed all environmental impacts of the Fulham Reach development.

The ES included the following environmental matters:

Socio economics  
Townscape and views  
Ecology  
Transport  
Air quality  
Noise and vibration  
Flood risk  
Archaeology  
Heritage  
Daylight, sunlight and overshadowing  
Wind  
Ground conditions and contamination.

1.29 It was determined that the development would be appropriate in development terms of the environmental impacts that would rise subject to a suitable range of mitigation measures secured by planning condition or planning obligations attached to the Hybrid planning permission.

1.30 On this basis, the applicants have not provided a further ES stating the current proposal has been designed to fall within the approved scheme parameters already assessed as part of the Hybrid application and required by condition 6 of its permission.

1.31 A master plan for the wider Fulham Reach site was established and formed part of the Hybrid application. This illustrates the approved scale, layout and siting of the development. Building B and each subsequent phase of the development site are to be consistent with this plan, in addition to any other approved documents which form part of the Hybrid permission (including any s96A submissions).

1.32 In association with the adjacent pumping station, part of the site has been identified for use by Thames Water as part of the Thames Tunnel proposals. Building B falls within the affected area by the these works but the applicant has confirmed adequate provisions have been incorporated into the design of the proposed site layout and basement level at the Hybrid application stage and this has been maintained through to this reserved matters application.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by the posting of site notices around and in the vicinity of the site, an advertisement by notice in the local press and approximately 1200 consultation letters sent to neighbouring properties.

2.2 A total of 8 responses were received to this consultation, 7 objecting to the proposed development and 1 letter in support.

2.3 Objections were made to the application on the following grounds:

Excessive scale of building

Incompatibility with the surrounding Conservation Area and potential to compromise riverside views,

Additional traffic congestion in the surrounding area,

Concern that the development would compromise nature conservation values,

Concern regarding potential conflicts with the Thames Tideway Tunnel project,

Concern regarding construction disturbance and other concerns regarding long term disturbance to the area,

2.4 The letter of support was subject to sufficient provision of on-site car parking and the continuation of the one way system on Crisp Road.

2.5 The applicants have consulted with LBHF officers in the development of design for Building B, prior to submission. This was a continuation of consultation with officers throughout the Hybrid application. It is further noted a Community Engagement Strategy in accordance with the Council's Statement of Community Involvement (September 2006) was undertaken prior to submission of the Hybrid scheme.

#### Statutory and Specialist Agency Consultation Responses

2.6 Greater London Authority: No comments to make on the application.

English Heritage (Archaeology): No objection, or comments to make on this application.

Environment Agency: No objection.

Port of London Authority: No objection.

Transport for London (TfL): No objection.

Thames Water: No objection to the application but have provided informative comments within their response which relate to the construction and maintenance of the proposed Thames Tideway Tunnel, the need for the phasing of building block B to accommodate the construction works, and for the landscaping to accommodate requirements for ongoing maintenance.

#### Responses from Resident Groups

Hammersmith Embankment Residents Association: No response at time of writing report.

The Hammersmith Mall Residents Association: No response at time of writing report.

Hammersmith and Fulham Historic Buildings Group: No response at time of writing report.

### 3.0 PLANNING CONSIDERATIONS

3.1 As stated above this is a reserved matters application, of which the scale, layout and access parameters of the proposed Building B have been established by the Hybrid planning permission (2011). Accordingly, this application relates to the approval of matters of landscaping and appearance only.

3.2 The main planning considerations in light of the NPPF, London Plan and the Council's adopted Core Strategy and Unitary Development Plan policies and standards include;

The proposed detailed design and landscaping of Building B, and its consistency with the site wide Master plan pursuant to the Hybrid planning permission,  
The mix of housing, including affordable housing,  
The quality of living conditions for future occupiers,  
The impact of the development on surrounding properties.

3.3 As detailed in paras 1.33-1.35 above, an Environmental Statement was submitted previously at the Hybrid application stage. The Environmental Impacts for development of the wider Fulham Reach site, including Building B were assessed at this time. Further information requirements on any matters have been secured by condition.

3.4 In addition consideration should be given to the Development Management Development Planning Document ('The DM DPD'), which is now submitted to the Inspectorate for Examination. The DM DPD, when adopted, will form part of the London Borough of Hammersmith and Fulham's Local Development Framework (LDF). The document sets out the proposed development management policies to be used by the council in helping to determine individual planning applications and must be read alongside the Core Strategy. When adopted, the LDF DM DPD will replace the remaining policies in the boroughs adopted Unitary Development Plan and will be used, together with the Core Strategy and London Plan. The applicants acknowledge the aforementioned changes to planning policy that have taken place subsequent to the Hybrid application approval (December 2011) and state that these have been taken into account in the detailed design of Building B.

#### Principle of Development

3.5 In accordance with Section 38(6) of the Planning and Compulsory purchase Act (2004), planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the borough is the Unitary Development Plan (UDP adopted 2003, saved policies 2007), the Core Strategy (adopted October 2011) and the London Plan (published July 2011).

3.6 In considering the development proposal, other key documents which will form material considerations in the determination of the planning application include national planning guidance outlined in National Planning Policy Framework (NPPF, March 2012) and regional and local supplementary planning documents and guidance. The publication of the NPPF represents the most significant change in planning guidance since the Hybrid application was granted permission in December 2011.

3.7 The NPPF sets out the Governments planning policies for England and how they are expected to be applied. It is the framework beneath which local and neighbourhood plans will sit and respond to the needs and priorities of local communities. The NPPF requires that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Amongst its core planning principles the NPPF encourages the effective use of land by reusing land that has been previously developed (brown field land), provided that it is not of high environmental value, and promotes mixed use developments.



3.8 Following the adoption of the Core Strategy in October 2011, the Council consulted on its Proposed Submission Development Management DPD in November 2011. Whilst not yet adopted, this document forms a material consideration in the assessment of development proposals.

3.9 The application site is the subject of a strategic site policy in the adopted Hammersmith and Fulham Core Strategy.

3.10 The principle of a residential led development of the site to include the provision of ground floor flexible floor space was considered to generally accord with guidance set out in the Core Strategy and to provide an acceptable form of development in relation to the sites location and context.

3.11 The residential units and commercial floors space proposed within Building B form part of the wider redevelopment of the Fulham Reach site which will deliver a total of 744 residential units, ancillary residents gym and pool; 3,823 sqm of commercial floor space (Use Classes A1-A4, B1, D1 and D2), and 440 sqm. Boat club/storage facility (Use Classes B1/A4/D1/B8).

#### Housing Provision

3.12 The NPPF seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. London Plan Policy 3.3 B states that an annual average of 32,210 net additional homes should be delivered. Table 3.1 sets an annual target of 615 net additional dwellings for Hammersmith and Fulham. Core Strategy Policy H1 reiterates the London Plan's annual target of 615 net additional dwellings for the borough. Policy DM A1 of the submission DM DPD states the council will seek to exceed the London Plan housing target by seeking housing on both identified and windfall sites and as a result of change of use. The provision of 167 units would contribute towards these targets.

3.13 Furthermore Core Strategy Policy H4, UDP Policy H06 and Policy DM A3 of the submission DM DPD requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. In particular there should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.

3.14 The proposed dwelling mix of 39 x Manhattan, 17 x 1 bedroom, 95 x 2 bedroom and 13 x 3 bedroom and 3 x 4 bedroom units represents a range of unit sizes, including 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 in accordance with UDP policy H06 and Core Strategy Policy H4.

#### Commercial (Retail) Uses

3.15 The NPPF (Ensuring the vitality of town centres) seeks to promote competitive town centre environments and management and growth of centres.

3.16 The Core Strategy allocation for the site encourages the provision of commercial floor space on the site; however it does not provide guidance on the acceptable quantum of floor space other than specifying that these should be local facilities.

3.17 Strategic policies C and HTC 3 of the Core Strategy seeks to encourage sustain the vitality and viability of town centres and on the application site particularly, encourages housing together with small scale leisure uses e.g. riverside restaurants and local facilities for residents.

3.18 Policy SH11 of the London Borough of Hammersmith and Fulham UDP (as amended 2007) advises that permission for food and drink establishments will be subject to controls to prevent unacceptable disturbance of surrounding properties.

3.19 Building B proposes 939 sqm (GIA) of ground floor commercial floor space (Use classes A1-A4/D1/D2). The floor space has not been assigned to a particular Use Class in order to maintain flexibility over its future use as demand requires, which is in accordance with the Hybrid permission. It is therefore proposed to retain the potential for this floor space to be used for office, retail, restaurant and all other appropriate uses falling within Use Classes A1-A4, D1 and D2.

3.20 Condition 47 of the Hybrid permission requires details of the proposed use of this space to be provided and agreed by the Council prior to its first occupation, to prevent the retail offer on the site competing directly with retail units in Hammersmith Town centre and neighbouring local centres; and to accord with the Core Strategy Strategic Site Policy which requires that commercial floor space should only be considered to meet a local need.

3.21 The Hybrid application was supported by a Retail Assessment which concluded there is sufficient capacity, in consumer expenditure terms, to accommodate all of the proposed commercial floor space within Use Classes A1-A4 across the site. Whilst the NPPF provides updated guidance in relation to planning applications for main town centre uses including office and retail floor space, this does not materially change the planning policy position against which the retail impact assessment submitted with the Hybrid application was undertaken and is still considered by officers to be robust in the consideration of the quantum of proposed commercial floor space within Building B. Hours of operation prior to first occupation of any non-residential unit on site are secured by condition 26 of the Hybrid permission.

3.22 The quantum of commercial floor space to be provided in Building B is therefore considered to be appropriate in the context of the approved overall provision of commercial floor space across the site and policy, ensuring the vitality and viability of the Hammersmith town centre and local retail centres would not be comprised.

### Affordable Housing

3.23 The NPPF has been published subsequent to the Hybrid permission and this provides continued Government support for the delivery of a wide choice of high quality homes across all tenures and sizes, including the provision of affordable homes. This is consistent with the approach to affordable housing provision set out in previous national guidance and under which the Hybrid application was assessed.

3.24 Relevant London Plan (2011) policies include 3.10, 3.11, 3.12 & 3.13 which define affordable housing, the affordability requirements and London wide targets of at least 13,200 affordable homes per year. Further, the policies seek to secure the maximum reasonable amount of affordable housing within new development and require

affordable housing on any site which has the capacity to provide 10 or more homes, taking into account development viability.

3.25 Core Strategy policy H2 sets a Borough wide target that 40% of all additional dwellings should be affordable, and states a preference for the provision of intermediate and affordable rented housing over social rented housing and identifies a range of relevant considerations, including scheme financial viability in negotiations on individual sites. Policy DM A3 of the DM DPD submission requires that all new housing as part of a new major development should provide a mix of housing, including family housing.

### 3.26 Number and mix of the DMS units - Building B:

Unit Type:

DMS Units	Number of Units	Value of Units
Discounted DMS Manhattan	21	£175,000.00
Standard DMS Manhattan	18	£224,000.00
DMS 2 Beds	17	£224,000.00
Total	56	

\* All DMS units are to be Index Linked

3.27 The level of proposed affordable housing provision was subject to a detailed viability assessment at the Hybrid application stage, and considered appropriate when assessed against the relevant national, regional and local planning policies at that time. This equated to a site wide quantum of 186 affordable units to be provided as intermediate, discount market sale (DMS) homes.

### 3.28 Summary of DMS Units to date and balance for future phases:

Unit Type	Hybrid Permission	Block A	Block B	Residue for Future Phases
Discounted DMS Manhattan	75	11	21	43
Standard DMS Manhattan	74	11	18	45
DMS 2 Beds	37	0	17	20
Total:	186	22	56	108

3.29 The applicants have submitted a Discount Market Sale Scheme in accordance with Schedule 2 (Discount Market Sale Housing) paragraph 2.1 of the Fulham Reach Section 106 legal agreement dated 23rd December 2011, in support of the application for Building B. Building B would provide 56 of the 167 proposed residential units as affordable housing. These are to be provided as intermediate, discount market sale (DMS) units, which equates to 33.5% for this phase of the development. This contributes to the overall affordable provision of 186 units for the entire site, in addition to the 22 affordable units provided in Phase 1 of the development. The balance of

affordable housing is to be provided in subsequent phases as set out in the S106 legal agreement.

3.30 The proposed housing mix will also accord with the overall provision of housing types throughout the development which includes two bedroom units suitable for small families. Accordingly the proposed affordable housing provision is considered to be acceptable and in accordance with the Hybrid application and relevant policy.

#### Design, Layout, Scale, Detailed Design

3.31 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

3.32 London Plan Policies 7.1, 7.2, 7.4, 7.5, 7.6 and 7.7 require all new development to be 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, whilst being sympathetic to heritage assets and their form, scale, materials and architectural detail.

3.33 Core Strategy Policy BE1 'Built Environment' states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

3.34 UDP Policy EN2 requires that new development preserves or enhances conservation areas. Policy EN8 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.

3.35 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 EN31 recognises the importance of the views from Hammersmith Bridge and Policy RTC1 requires high standards of design on both riverside and canal side sites, with improved linkages to the river and riverside walk.

3.36 Strategic Policy HTC (Hammersmith Town Centre and Riverside) states that development should be designed to:

Take account of the local context and setting;

Enable access to the riverside from the surrounding area, and from the town centre; and

Provide a mix of largely street based housing consisting of single houses with gardens, and maisonettes and flats in mansion blocks with gardens or shared amenity space.

3.37 Policies DM F1, DM F2 and DM G1 of the submission DM DPD build on the abovementioned policies 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, including heritage assets and the foreshore and especially within the Thames policy area. Accessible and public access to the riverside and foreshore must also be provided. Policies DM G6 & DM G7 relate to protection of views and landmarks of local importance and the protection, restoration or enhancement of conservation areas and the historic environment.

3.38 The Thames Strategy (2002) explains that this part of the Fulham Reach and Barn Elms Character Reach has a 'lack of visual interest, and states that the development of the Fulham Reach site should 'create a direct visual and physical link between Fulham Palace Road and the River.'

### Design Context

3.39 The surrounding area is varied in scale and nature comprising small scale residential terraces to south and east, and low to medium rise mansion blocks to the north. The scale of buildings, both in terms of footprint and height and massing, tends to rise towards the riverside, which reflects the historical pattern of larger industrial buildings occupying the riverfront.

3.40 The site lies within the Fulham Reach conservation area and Thames Policy area and occupies a highly prominent location on the riverside. The relationship of the proposed development on this site to its context, and the listed Grade II\* Hammersmith Bridge is of particular consideration.

3.41 The applicants have adopted and established (through the Hybrid permission), a range of building typologies to be used across the development, to reflect their location on site their use and immediate context. These include a warehouse type, urban block, terrace, crescent block and contemporary typology and are detailed with the submitted Design and Access Statement. The applicants state that Building B would form part of the urban block responding to the adjacent park setting and creating an entrance to the site through to the riverside. Given its prominent location Building B it is intended would act as a gateway to the site. This approach avoids a monolithic form of development and provide variation and interest across the site.

3.42 Building B would be located in the north eastern corner of the site and will sit immediately adjacent to the existing Thames Water Pumping Station which is located to the north fronting Chancellors Road and outside of the Hybrid application site boundary. Building B is also bound to the north west by an access route to the basement which will provide car parking and access to the site refuse centre, and to the north east by the proposed Building C which formed part of the Hybrid permission and will be designed in detail as part of a subsequent reserved matters application.

3.43 To the south, Building B will be bound by the main 'Boulevard' (as named by the applicant) which will run through the site from Frank Banfield Park to the riverfront. Landscaping of this area as it relates to Building B will be detailed below as part of the reserved matters for consideration as part of this application. To the east, Building B will be bound by Distillery Road and Frank Banfield Park and to the west, Building A and pedestrian path as approved by the Hybrid permission.

3.44 A number of design principles for Building B were established by the Hybrid permission which included:

- 4 buildings linked together
- A bottom, middle and top to the building
- Building B4 to face Frank Banfield Park
- Building B2 as focal building
- Layering of building profile and materials
- Height and massing
- Mixed uses to the ground floor
- Breaking up of the building
- Private space to the rear of building
- Public space to the front of building

3.45 Building B will sit along the main boulevard which runs from Frank Banfield Park to the river walk. The proportion of this space will be taller than it is wide, giving an urban street feel to define it as the primary route through the site. The boulevard will be fronted by mixed uses at ground floor level, along with entrances to the residential cores of the buildings to encourage active frontages and ensure a safe environment.

3.46 Building B will be 7 storeys at its lowest point and 9 storeys at its highest. The 9 storey elements would be set back from the parapet edge of the building and variable articulation at roof level incorporated into the design to generate visual interest and to allow for roof space amenity areas. The Brise Soleil will project 850mm to both upper levels of the building. The maximum building height remains in accordance with the approved maximum parameter height of 33.6m AOD.

3.47 Proportionally, Building B retains a simple form, using stone-clad vertically sections with emphasised stone cornices and fenestrated brick structures creating link sections. Stone will be used to emphasise the vertical elements and will be seen mainly as a frontal feature. The stone will be split with various subdivisions and repeated symmetrical proportions.

3.48 Brick will be used as a linear linking element with a strong horizontal emphasis. Openings will be punched into the continuous wall planes, and cladding will be used in conjunction with the window openings creating a framing aesthetic. The proposed brick will be similar to the Buff brick used on Building A to 'tie' these buildings together. The applicants have confirmed a substantial setback of at least 200mm (1 brick) within the brick elements of the elevations.

3.49 Glazing will be used primarily on the upper floors to create a light weight aesthetic, and used as a continuous framing system with cladding infill panels. Other materials include aluminium window frames with stone coping, powder coated balconies with toughened glazed balustrades and stainless steel handrails, metal roofs and cladding materials (brass/bronze). The glazed balconies will be supported with tension rods and exposed structural elements.

3.50 The proposed scale, massing and orientation of the buildings along the boulevard have been designed with the intention of creating a sequence of spaces, defined by different characters of landscaping within. These include the gateway defined by Buildings B and D (to be located south of Building B) when viewed from the Park; the central space within the site (Boulevard) and the riverfront.

3.51 Officers consider that the proposed development is acceptable in terms of design, bulk and appearance and would make a positive contribution to the appearance of the site wide development, street scene, riverside setting and adjacent Conservation Area, in accordance with abovementioned London Plan, Core Strategy, UDP and submission DM DPD policies. It is however recommended final details of the typical bays at a scale of 1:20 be conditioned for future approval. (condition 3)

## Landscaping

3.52 The NPPF requires developments to be visually attractive as a result of good architecture. Policy DM E4 of the emerging DPD also outlines that the Borough will seek to enhance biodiversity and green infrastructure by maximising the provision of soft landscaping and seeking planting as part of a new development.

3.53 At the Hybrid application stage it was considered the proposed layout of the site wide development provided sufficient opportunity for suitable landscaping to be incorporated into the scheme and that further details would be required in relation to the hard landscaping in the public realm and proposed planting .

3.54 The principles of the landscaping for Building B stem from the wider master plan concepts set out in the Hybrid application, which aims to connect Hammersmith through the Fulham Reach development through to the River Thames and a high quality public realm.

3.55 A mixture of both private and public amenity spaces will make up the landscape design for Building B, with an emphasis on the new public streetscape which will connect into Phase 1 carrying on the landscape rationale of Building A, whilst maintaining views and free pedestrian flow along the street.

3.56 The applicants state the key public realm landscape objectives are to:

- `Create a gateway to the Fulham Reach development
- Allow and encourage pedestrian permeability to draw people into the site
- Establish a unique sense of place suitable to the size and setting of the buildings
- Provide a variety of adaptable spaces and introduce soft landscape within a dense urban context
- Introduce playable elements within the streetscape to broaden the variety of experiences for users for both formal and informal play
- Address the need of ground floor commercial frontages and the potential for outside dining and shop interfaces.'

3.57 The boulevard will form the main pedestrian linkage through the site from Frank Banfield Park through to the riverfront. This will connect with the riverside walk to create a formal edge to the public open space surround Buildings G & H (to be located on the riverfront). Along the boulevard this will include large street tree planting, feature shrub planting and shrub and ground cover planting. This pattern of planting will be repeated in the private garden area to the north of Building B and complemented by a number of timber benches. The areas above the underground car park entrance will be treated with green roof planting and hedging will line the sites eastern boundary with Distillery Road.

3.58 To maintain simplicity and of the Boulevard, furniture will be limited to areas of seating (some possibly taking a sculptural form), robust bollards to define areas, signage pillars and low level lighting. The applicants state that furniture types will be cotemporary but use traditional materials to provide a robust environment over time and allow ease of access and maintenance. York stone and granite setts and slabs will be slip resistant for safe pedestrian use.

3.59 Private balconies and terraces will form part of the amenity space for all residents in Building B. Semi private courtyards and gardens will be located behind Building B and green spaces behind the building will be used as amenity space creating a buffer zone between the new blocks and existing Thames Water Pumping Station.

3.60 Throughout the scheme in both private and public areas, high quality materials and furniture will be used to complement the colours and texture of the building architecture. Areas of soft landscape and street trees will be effective in enhancing biodiversity and to break up the hard landscaping.

3.61 Access to public amenity space can be reached from all sides of the wider scheme, north, south, east and west. Clear routes will be provided throughout the scheme to line up with building entrances, and wide routed used between planters to allow pedestrian, cyclist and wheelchair uses ease of access.

3.62 Full details of the proposed hard and soft landscaping throughout the wider site are secured by Condition 41 of the Hybrid application. This includes details of the planting schedules and species, height and maturity of any shrubs and trees and proposed landscape maintenance.

3.63 Officers therefore consider the proposed landscaping associated with Building B to comply with planning policy requirements and are satisfied that a high quality public realm and quality living environment will be provided.

3.64 It is also noted that subsequent to submission of this reserved matters application, the applicants met with Thames Water to discuss proposals for the Thames Tunnel CSO Shaft which is proposed for the Fulham Reach site and referred to and identified in Schedule 16 of the S106 legal agreement. Due to conflicts with the location of planters and area required by Thames Water for future maintenance of the tunnel, the landscaping plans have since been revised to accommodate access as required. These revised plans form part of this application accordingly.

#### Residential Density

3.65 With regard to the proposed density, London Plan Policy 3.4 and Core Strategy Policy H3 seek to ensure that development proposals achieve the optimum intensity of use compatible with local context, design principles and with public transport capacity, with consideration for the density ranges set out in Table 3.2 of the London Plan. This is supported by Policy DM A2 of the submission DM DPD.

3.66 The site is located in Public Transport Accessibility Level (PTAL) 6A using Transport for London's methodology, indicating that it is highly accessible by public transport. At the Hybrid application stage, the site was considered to be located in a mixed central/urban setting given its proximity to a major town centre and a mixture of both large multi storey buildings and finer urban grain of two storey housing. For an



urban site this would support a density of between 200 and 700 habitable rooms per hectare (Hrh) and 70-260 units per hectare. For a central site this increases to 65-1100 (Hrh) and 215-405 units per hectare.

3.67 The Hybrid application was approved with 744 residential units and an overall density of 754 habitable rooms per hectare and 254 units per hectare. Building B will provide 167 of the approved 744 residential units, in accordance with the dwelling mix approved as part of the Hybrid permission. The density of Building B in relation to the site area covered by this application (approximately 0.49 hectares) would result in a residential density of 340 units per hectare. This would be higher than the site wide density but should be considered in the context of the site as a whole. Further, it remains consistent with the London Plan density guidance for a central setting.

3.68 The building has also been designed to take account of its local context and character in terms of appropriate scale and massing, the form and character of surrounding development and the historic grain and impact on neighbours, as well as complying with the Council's standards which specify size requirements for residential units. For these reasons officers consider the overall density to be acceptable.

#### Standard and Quality of Accommodation

3.69 Policy 3.5 and Table 3.3 of the London Plan, Core Strategy Policy H3, UDP Standard S7A and S13.3 and Policy DM A2 of the submission DM DPD expect all housing developments to be of a high quality design and be designed to have adequate internal space. UDP Policy EN23 and Standard S5 requires all new developments to make provision for open space to meet the needs of the occupiers and users (ground floor family and non family dwellings should have at least 36m<sup>2</sup> and 14m<sup>2</sup> of amenity space respectively). Policy DM A2 of the submission DM DPD supports the requirement for amenity space and also requires family housing on upper floors to have access to a balcony and/or terrace, subject to acceptable amenity and design considerations.

3.70 London Plan Policy 3.8, Core Strategy Policy H4, UDP Policy HO6 and the Council's Supplementary Planning Document 'Access for All' 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. This is supported by Policy DM A4 of the submission DM DPD.

3.71 All of the proposed units have been designed to exceed the minimum dwelling size requirements outline in Standard S7a of the UDP and comply with the London Plan minimum space standards for new development set out in Table 3.3.

3.72 The submitted plans demonstrate that all of the units will benefit from suitable living conditions in terms of privacy, outlook, and daylight/sunlight. Measures to ensure this include:

- Corner apartments with overlooking distances less than 18 metres to have the benefit of dual aspect to allow for opportunities for views away from the nearest building.

- Privacy screens (1.8m high) proposed to prevent overlooking between units. Further detail of these screens is necessary to ensure that these are effective without enclosing units and acceptable in appearance, and this will be sought by condition.

- Windows offset when directly facing units to prevent overlooking.

Grouping of windows e.g. living room-living room and bedroom - bedroom to facing units to limit overlooking.

3.73 Windows throughout the development are generally full height and significant in size to maximise the potential for natural daylight, to increase views to open spaces and river, while also promoting informal surveillance of the site.

3.74 Prior to commencement of each phase, conditions 23, 24 & 27 of the Hybrid permission require details of sound insulation measures to be incorporated between residential units and commercial/residential units. This is to ensure the amenity of occupiers of the site/adjacent dwellings/noise sensitive premises are not unduly affected by noise.

3.75 All proposed units have also been designed to meet Lifetime Home standards, and 10% of the dwellings would be designed to wheelchair housing standard in compliance with London Plan requirements. Condition 40 of the Hybrid permission secures details on how the development will achieve this prior to commencement of Building B.

3.76 The overall amenity space provision for Building B will comprise:

Private gardens	145 sqm
Private balconies and terraces	2113 sqm
Communal amenity area	635 sqm
Total:	2893 sqm

3.77 Ground floor units which will benefit from private gardens separated by 1.8m high translucent glass privacy screens, 2.5m in depth. Private balconies and terraces will be provided to all units on upper floors, which will be aligned on the same façade, but with privacy screens where balconies face each other diagonally across perpendicular facades. Top floor units will have roof terraces.

3.78 Semi-private courtyards and gardens will be located behind Building B. The green areas behind Building B will be used as communal amenity space as well as creating a buffer zone between the new buildings and existing Thames Water Pumping Station.

3.79 The boulevard located south of building B, will also contribute to the amenity space provision for the development serving as a main link through the site from Frank Banfield Park through to the riverside walk. The boulevard will also provide opportunities for amenity and recreation through the provision of street furniture and seating within a landscaped environment.

3.80 The proposed amenity space provision for Building B accords with the site wide master plan details established at the Hybrid application stage, which was considered acceptable at that time in the context of national, regional and local policy and to sufficiently meet the day to day needs of future occupiers for external space. This comprised an overall external space provision of 23,962 sqm broken down into private balconies and roof terraces, communal amenity areas, publicly accessible soft and hard landscaped areas. Having regard to the recent publication of the emerging DPD, officers are satisfied the proposed open space and amenity space provision secured at the Hybrid stage in relation to Building B is still considered to appropriately meet the requirements of future occupiers.

3.81 It is further noted that S106 contributions secured through the Hybrid permission to address the additional impact of the development on surrounding open space facilities and to extend the funding of the maintenance of Frank Banfield Park will provide an important amenity space function for the proposed development and wider area.

3.82 Accordingly, the proposed plans for Block B are considered to provide sufficient opportunity for the provision of suitable internal living conditions and amenity space provision for future occupiers.

#### Provision of Children's Play Space

3.83 Policy 3.6 of the London Plan (2011) requires the provision of play space for children within new residential development commensurate with the child yield of the development. Policy EN23B similarly requires the provision of suitable play space in development that provides family housing.

3.84 Policy E1 of the emerging DPD reiterates the boroughs requirement for any major new development to reduce open space deficiency by requiring accessible and inclusive new open space in any major development.

3.85 In consideration of the Hybrid application, it was agreed that the play space provision for children would be met at Frank Banfield Park, the details of which have been secured through the S106 legal agreement. This was considered appropriate and acceptable given the direct access to the park from the application site. Notwithstanding this, it was considered necessary by officers that 'incidental' children's play space be provided throughout the site (within the public realm) where possible. This was secured by condition 39 of the Hybrid permission requiring details of a play space strategy for the whole site. Building B and subsequent phases are to be consistent with this strategy accordingly.

3.86 Informal play space measures proposed include both hard surface and open space areas and include a maze, climbable features, playable water features and earth mounds. The location of these landscaping elements are also illustrated on the site wide master plan. The proposed provision of children's play space for Building B is considered by officers to be consistent with this plan and therefore acceptable.

#### Impact on Neighbouring Properties

3.87 Policy 7.6 of the London Plan (2011) requires that new development does not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to privacy, overshadowing, wind and microclimate. UDP Policy EN8 states all proposals must be formulated to respect the principles of good neighbourliness. Standards S12 and S13 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.88 The Hybrid application was supported with a detailed daylight and sunlight assessment undertaken in accordance with the current guidance at that time, 'The Building Research Establishment (BRE) Handbook - 'Site Layout Planning for Daylight and Sunlight' (1991). An assessment of the proposal concluded that where the development results in the overshadowing of neighbouring residential properties, the impact of this on living conditions would be minor.

3.89 Since determination of the Hybrid application, the BRE has published updated guidance (Oct 2011) however this is based on a similar set of guiding principles for the assessment of daylight and sunlight considerations in schemes. Having regard to this and on the basis that Building B is built in accordance with the approved parameters of the Hybrid permission; it is not considered by officers that an updated assessment is required.

3.90 Similarly, with regard to other amenity impacts and surrounding residential properties, an assessment of the development under the Hybrid permission concluded that the proposed development would not result in an unacceptable detriment to existing levels of privacy or outlook, or result in an overbearing presence to neighbouring properties.

#### Secure by Design

3.91 Policy 7.3 of the London Plan (2011) and UDP Policy EN10 requires that new development should seek to create safe, secure and appropriately accessible environments.

3.92 The submitted Design and Access statement for Building B details how the design evolution of Building B and the wider Fulham Reach development has been guided by Secure by design principles to promote a safe and secure environment. This includes, but is not limited to, measures such as control of access and activity at basement level, access to residential areas, CCTV throughout and lighting strategy to allow safe pedestrian passage through the site. Full details of how the development, across the wider site, would seek to achieve Secure by Design status is secured by condition 37 of the Hybrid permission.

#### Car parking, traffic generation and cycle parking

3.93 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.94 Policies 6.1, 6.3, 6.10, 6.11 and 6.13 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 policies also provide guidance for the establishment of maximum car parking standards.

3.95 Core Strategy Policy T1 supports the London Plan. 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 of the London Borough of Hammersmith and Fulham UDP (as amended 2007) require that the design and layout of development provides for the needs of pedestrians and cyclists respectively. 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.

3.96 Policy TN21 of the London Borough of Hammersmith and Fulham UDP (as amended 2007) advises that development will be required to contribute to public transport where necessary due to resulting impact on services. Policy TN28 of the London Borough of Hammersmith and Fulham UDP (as amended 2007) requires the provision of adequate servicing arrangements within new commercial development.

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 S21 details the requirements for the provision of servicing of non-residential development.

3.98 Policy H5 of the DM DPD submission requires new development to provide suitable waste management facilities including collection and storage. Policy DM J1 relates to requirement for transport assessments and travel plans where a high trip generation is anticipated. Policies DM J2 and DM J3 set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met. Policy DM J5 seeks the provision of convenient and safe cycle parking.

3.99 Access to the underground car park is provided from Chancellors road in between Building A and Building B. The underground space provides parking spaces for vehicles, motorbikes and bicycles for residents of Building B. Pedestrian access from the car park to the units is gained by a communal lift and staircase in Building A. Provision has also been made to include parking suitable for disabled users located either adjacent to the lifts with access to the residential courtyard or a means of access.

3.100 The Council's maximum residential car parking standards allow for 0.8 spaces per one bedroom unit, 1 space per two bedroom unit, 1.2 spaces per three bedroom unit and 1.4 spaces per four bedroom unit.

3.101 The maximum residential car parking standards specified in the London Plan allow for less than 1 space per one-two bedroom unit, 1-1.5 spaces per three bedroom unit and 1.5-2 spaces per four bedroom unit, in this case a total of circa 774 residential spaces. However, a caveat accompanies the standards stating that all development in areas of good public transport accessibility should aim for significantly less than 1 space per unit. As the site benefits from a PTAL level of 6A the proposed development should therefore aim for less than one car parking space per unit.

#### Car, cycle and motorcycle parking

3.102 A total of 68 car parking spaces would be provided for the residential units of Building B, 5 of which would be designated for wheelchair users. 16 car parking spaces would be provided for visitors to the site and 14 car parking spaces would be provided with active charging points for electric vehicles. In addition to this a total of 5 motorcycle parking spaces are also proposed at basement level. While there is no policy requirement for these, the provision is welcomed and reflects motorcycle and scooter use.

3.103 The proposed provision contributes to the overall number of basement level car parking spaces (466) secured by the Hybrid permission. This represents a residential car parking ratio of 0.4 spaces per unit, which is well within the site wide provision of 0.6

residential spaces per unit and secured at the Hybrid application stage. This is also in accordance with the maximum parking standards as specified in both the London Plan and UDP, including the requirement for lower parking provision in areas of high public accessibility. The overall provision of parking on site for Building B is therefore considered to be acceptable. A car parking management plan has been secured by

3.104 The London Plan and Hammersmith Unitary Development Plan cycle parking standards require a minimum of 908 cycle parking spaces to be provided for the residential use across the whole site. A total cycle parking provision of 320 cycle parking spaces for the non-residential units is proposed to be provided at basement level as part of Building B, within secure storage racks. The cycle storage details have been submitted to, and approved by the officers pursuant to pre-commencement condition 20 of the Hybrid permission (2012/00518/DET).

#### Traffic generation and Highway Impact

3.105 At the Hybrid application stage it was determined that the vehicle trip generation would not result in the congestion of nearby road junctions. This was based on the detail capacity testing and modelling undertaken as part of the submitted Transport Assessment (TA). A construction management plan and travel plan (conditions 8 & 22) have both been secured by the Hybrid permission.

#### Pedestrian Network

3.106 Pedestrian access to the site can be gained from every street surrounding the site, with vehicle access deliberately restricted given the provision of an underground car park and vehicular drop off areas. Further details on pedestrian access and safety have been secured by Condition 21 of the Hybrid permission.

#### Site servicing

3.107 In terms of site servicing, and in accordance with the details agreed at the Hybrid stage, it is proposed that the servicing of the ground floor commercial units in Building B by larger vehicles will be undertaken at surface level, with smaller vehicles also able to enter the basement level car park and make deliveries to the residential units using the lift cores and concierge facilities. A refuse chute will be located at each residential core, within 30 metres of each unit with a general or recyclable waste option. A skip lorry will collect waste twice a week from underground car park. The requirement to submit a detailed site servicing strategy has been secured by Condition 16 of the Hybrid permission.

3.108 Emergency vehicles will have access to the main pedestrian boulevard and all shared surfaces within the site. These can be reached via Crisp road, Chancellors Road, Distillery Road, Winslow Road and Manbre Road.

3.109 Having regard to the above, officers are satisfied that Building B remains satisfactory in the current policy context, with provision of further details secured by the Hybrid permission.

#### Environmental considerations

3.110 As discussed earlier in this report, the Hybrid application was accompanied by an Environmental Statement (ES) that presented the findings of assessments undertaken as part of the Environmental Impact Assessment (EIA). The ES included a detailed assessment on contamination, archaeology, noise, flood risk, daylight/sunlight &

overshadowing, wind, air quality, ecology, transport, townscape and views and socio economics. These were assessed thoroughly at the Hybrid application stage, and on balance, it was determined the proposed development would be appropriate in terms of the environmental impacts that would arise, subject to a range of suitable mitigation measures secured by either condition or planning obligations attached to the permission. On the basis that the detailed design of Building B will be delivered in accordance with the approved scheme parameters, conditions and planning obligations, it is considered no further assessment of the environmental impacts is required at this stage.

## Sustainability and Energy

3.111 A detailed energy and sustainability statement was prepared in support of the Hybrid planning application. Key environmental sustainability features of the development included, but are not limited to:

- Residential element and overall site will achieve a 31% and 28% total CO2 emissions reduction respectively over a 2010 Building Regulations baseline.

- Reductions achieved through energy efficiency measures including CHP, PV Panels and Air Source Heat Pumps.

- Code for Sustainable Homes Level 3 will be achieved for all dwellings and BREEAM very good for all commercial spaces.

- Use of water efficient devices to reduce internal water consumption.

- Sustainable urban drainage and green roof throughout the development.

3.112 Compliance with the energy and sustainability measures outlined at the Hybrid stage is secured by conditions (12, 13 & 14). In this respect the proposal is judged to comply with London Plan Policy 5.3, Core Strategy Policy CC1 and Policies DM H1, DM H2 and DM H3 of the submission DM DPD for reducing carbon dioxide emissions, sustainable design and construction, and reducing water use and risk of flooding.

## Archaeology

3.113 The site has been the subject of extensive archaeological investigations over the past ten years, which have identified remains and potentially significant debris. Condition 7 of the Hybrid permission secures the implementation of an approved programme of archaeological work across the site (including any parts of the foreshore of the River Thames affected by the proposed pontoon) in accordance with a written scheme of investigation to be approved by the Council. The applicants have provided all necessary information required by, and to the satisfaction of English Heritage and Council officers to date. This includes a watching brief throughout relevant construction times. The condition will continue to be discharged in part until all phases of archaeological fieldwork & post-excavation work are complete and the results assessed.

## Contamination

3.114 A report titled 'A Review of Investigations and Proposed Strategy Report' (ref: GE7821 Fulham Reach previous SI Review JT8 230512) has been approved pursuant to Condition 9 of the Hybrid permission. The report detailed previous investigations conducted on site, potential contamination sources, risk assessment, remedial measures, results of the ground investigations for Phase 1 and recommendations for

the further investigation requirements for each subsequent phase prior to their commencement. Details related to Phase 1 have been discharged (2012/02230/DET).

3.115 Following consideration of this report it has been agreed with Council officers that condition 9 could be discharged in part, with additional reports to be submitted for each subsequent phase, detailing the results of the further investigations conducted. In accordance with this a report entitled 'Phase 2 Block B Synopsis Report' (ref: GE7821 Phase 2 Block B SR JT) has been submitted for Phase 2 (with reference to Building B only) which has been reviewed by and considered acceptable to Councils Contamination officers.

3.116 Upon completion of the required remediation works for Phase 2, and the import of soil for the finished landscape design, a validation report will be required pursuant to condition 10 of the Hybrid permission. This approach was followed for Phase 1 as agreed with officers, and will apply for each subsequent phase. Both conditions will then be fully discharged upon completion of the development.

3.117 On this basis, officers consider the development will accord with policy 5.21 of The London Plan 2011, policy CC4 of the Core Strategy 2011, policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, and policy DM H7 of the DM DPD submission.

## Conclusion

3.118 The proposed reserved matters submission for external appearance and landscaping are considered to provide a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The proposed development is considered to have addressed its varying development context which provides a mix of building scales, along with the riverside and park setting, and would provide a highly sustainable form of mixed use development that optimises the use of the site, while not causing detriment to the character of the surrounding area with satisfactory provision of private and public amenity space.

3.119 The proposed development would contribute to addressing the overall borough housing demand, and the affordable housing provision would ensure contribution towards the Council's identified need and housing targets in accordance with the S106 legal agreement attached to the Hybrid planning permission.

3.120 In addition to the residential uses proposed, the flexible commercial space offers an opportunity to add further activity to the public realm area of the site and to provide services and facilities to meet the needs of future occupiers, in accordance with the Hybrid permission.

3.121 Overall, the application is considered to provide an interesting and high quality development as part of the wider Fulham Reach site which is in accordance with the approved Hybrid planning permission 2011/00407/COMB and attached S106 legal agreement. The development is recommended for approval, subject to conditions.

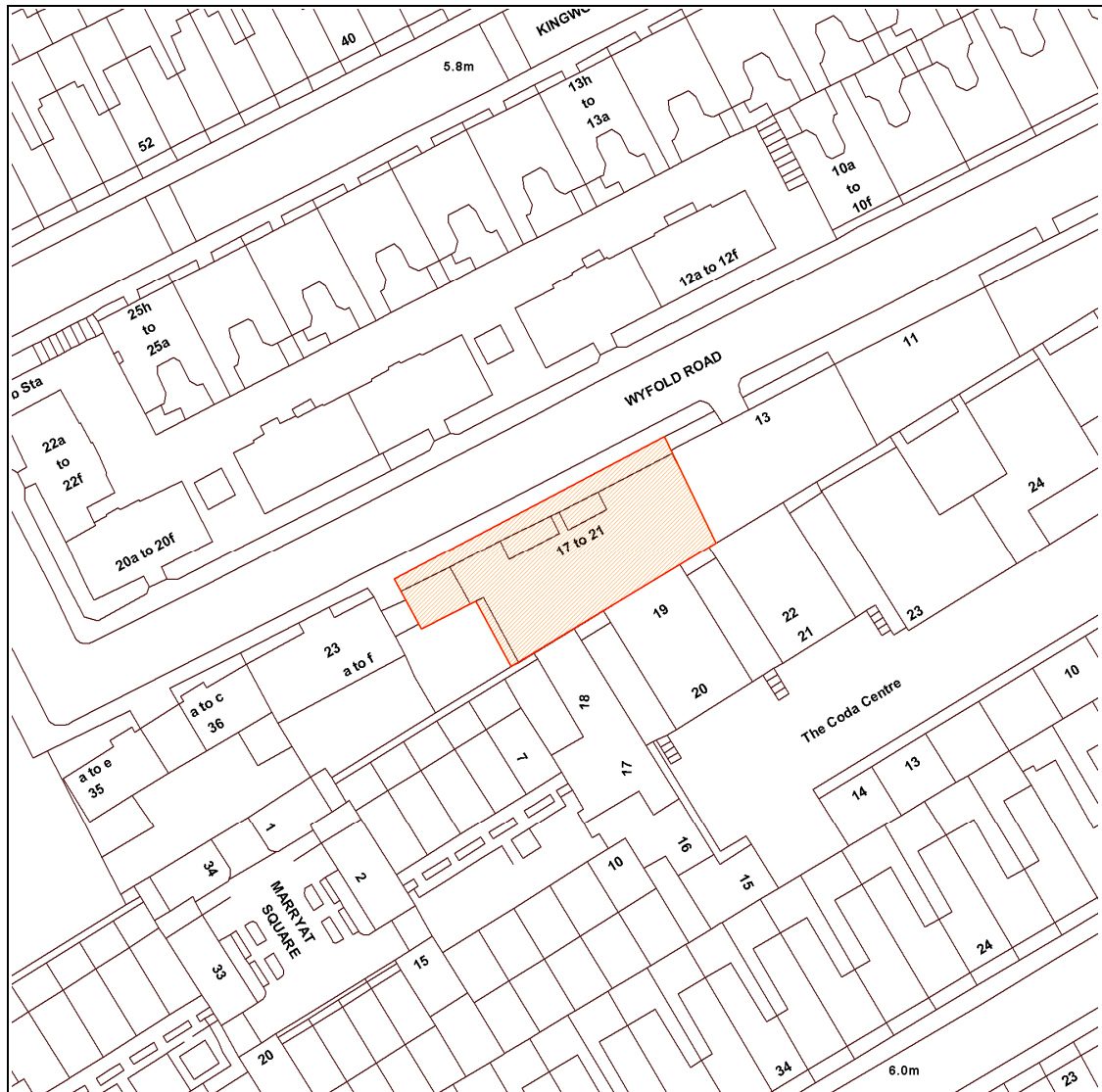


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**Ward:** Munster

**Site Address:**

17 - 21 Wyfold Road London SW6 6SE



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

**Reg. No:**  
2012/01058/FUL

**Case Officer:**  
Graham Simpson

**Date Valid:**  
11.04.2012

**Conservation Area:**

**Committee Date:**  
20.09.2012

**Applicant:**

Alpha UK Real Estate Fund Plc, Fund No "1"  
C/O Agent

**Description:**

Demolition of existing building and redevelopment of site with 7 x 4 storey 4 bedroom townhouses, with integral garages.

Drg Nos: 104C; 105C; 106B; 107C; 109B; Daylight and Sunlight Report dated 26th March 2012; Design and Access Statement dated March 2012; Planning Statement dated April 2012

**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 condition(s) set out below:

- 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 not be erected otherwise than in accordance with the following approved drawings: 104C; 105C; 106B; 107C; 109B; and the Design and Access Statement dated March 2012

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 EN8B of the Unitary Development Plan, as amended 2007 and 2011 and Core Strategy 2011 Policy BE1.

- 3) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details and samples of all materials to be used on the external faces of the new building and all surface treatments and no part of the development shall be used or occupied prior to the completion 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 and EN8 of the Unitary Development Plan as amended 2007 and 2011, and Policy BE1 of the Core Strategy 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) typical bays of the elevations of the building,
- b) typical windows.

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

- 5) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the Wyfold Road elevations of the building hereby approved.

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

- 6) 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.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the building, in accordance with Policies EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 7) 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 Policies EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 8) Pursuant to Article 3(1) and the provision of Article 3(2) of the Town and Country Planning (General Permitted Development) Order 1995, Part 1 of Schedule 2 of the said Order (being development within the curtilage of the dwelling house) (or any Order revoking or re-enacting that Order with or without modification) shall not apply to the dwelling houses to which this planning permission relates, and no

such development within the curtilage of the dwelling houses shall take place without planning permission first being obtained.

To enable the Council to retain control over any future development in view of the overall design and integrated appearance of the scheme and the effect of any such development on the residential amenities of the surrounding properties, in accordance with policies EN2B and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and BE1 of the Core Strategy 2011.

- 9) No alterations shall be carried out to the external appearance of the development, 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 EN2B, EN8B and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 11) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the noise and vibration levels of existing and/or proposed industrial/ commercial noise sources, building services plant including appropriate noise mitigation measures to ensure that the external noise level at the development site nearest and the most affected noise sensitive premises is 10dBA Leq below background LA90, as assessed according to BS4142:1997, with all machinery operating together and internal room and external amenity noise standards will be achieved in accordance with BS 8233:1999. 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/ surrounding premises is not adversely affected by noise/ vibration from industrial/ commercial noise sources, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 12) 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 DnT,w for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings. Approved details shall be implemented prior to occupation of the development and 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.

- 13) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enclosure or sound barrier along the perimeter of the external terraces on the third floor and roof areas. 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, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 14) With exception to the private roof terrace areas shown on approved drawings, no part of the remainder of the flat roof areas provided by the development hereby approved shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss of privacy and noise and disturbance, in accordance with EN8B, EN20A, EN20B, EN21 and standards S13.2, and S13.2A of the Unitary Development Plan as amended 2007 and 2011.

- 15) The windows at first, second and third floor level in the rear elevation of Unit 7 of the proposed development facing both the south boundary of the site, as shown on drawing 104A, shall be designed and installed so as to be non-openable, and shall be glazed in obscure glass. A sample of the obscure glazing shall first be submitted and approved in writing by the Council, and no part of the development shall be used or occupied prior to the installation of the obscure glazing in accordance with the approved details. The windows shall thereafter be retained in this non-openable and obscure glazed form.

So that the Council can be satisfied as to the details of the proposals, and to safeguard the existing amenities of the occupiers of neighbouring residential properties, in accordance with Standard S13.2 of the Unitary Development Plan, as amended 2007 and 2011.

- 16) Prior to commencement of the development, details of external artificial lighting shall be submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that vertical illumination of neighbouring premises is a maximum of 10lux at ground floor and 5lux at first and higher floor levels. The recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2005' shall be met and details should also be submitted for approval of measures to prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. 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.

- 17) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawings. 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.

- 18) The houses hereby approved must be built to Lifetime Homes standards taking account of general guidance in the Council's adopted Supplementary Planning Guidance (Access for All) and, as relevant to this development, the Mayor's Interim Edition Housing Design Guide 2010, have first been submitted to and approved in writing by the Council. The development shall thereafter be implemented in accordance with the approved details.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Council's 'Access for All' Supplementary Planning Document and London Plan 2011 Policy 7.2.

- 19) No demolition or construction works shall commence prior to the submission and approval in writing by the Council of a demolition method statement, a construction management plan and a construction logistics plan for each operational phase of development (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 use rail transport for bulk materials, particularly during demolition and construction phases. All construction works shall be carried out in accordance with the approved details.

To ensure 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 5.18 and 7.14 of the London Plan 2011 and policies EN2B, EN8, EN19A, EN20A, EN20B, EN20C and EN21 and of the Unitary Development Plan, as amended 2007 and 2011.

- 20) The development hereby permitted shall not commence until details of a sustainable urban drainage system (SUDS) 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 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 CC2 of the Core Strategy 2011, Policy 5.13 of The London Plan 2011.

- 21) 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 22) 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 23) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 24) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 25) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 26) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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 conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011.

- 27) 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.

- 28) The seven garages shall be provided prior to first use of the houses to which they relate. The seven garages shall be provided in connection with the residential development and shall not be used other than for the parking of private motor vehicles and the garages shall not be used in connection with any trade or business.

To ensure the permanent retention of the parking space for parking purposes, in accordance with Standard S18 of the Unitary Development Plan, as amended 2007 and 2011.

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

1. Land use: The development would be in accordance with Policies B and LE1 of the Core Strategy and Policy 4.2 and 4.4 of the London Plan 2011. The redevelopment of the site for residential is considered acceptable, in accordance with NPPF, London Plan 3.3 and Core Strategy Policies H1 and H4 and UDP Policy H06. The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to London Plan Policies 3.4, 3.5 and 3.8, Core Strategy Policies H2, H3 and H4 and UDP Policy H06 and Standards S7.A and S13.3, and the amenity space provision is also considered satisfactory, having regard to the physical constraints of the site, judged against UDP Policy EN23 and Standard S5.A.

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 EN2B and EN8 of the Unitary Development Plan as amended 2007 and 2011, policy BE1 of the Core Strategy 2011, and Policy DM G1 of the submission DM DPD, which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

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, EN8B, 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. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and UDP Policy EN10. The proposal would provide ease of access for all people, including disabled people, in accordance with London Plan Policy 3.8, Core Strategy Policy H4, UDP Policy H06 and the Council's Adopted Supplementary Planning Document (SDP) 'Access for All'.

6. Sustainability: Despite it not being necessary to meet the sustainability and carbon reduction requirements a Sustainability Statement has been submitted confirming that sustainability measures will be integrated beyond the minimum requirements of Building Regulations and planning requirements. The development would therefore be acceptable in accordance with London Plan Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8 and 5.9 and Core Strategy Policy CC1 and H3.

7. Flood Risk: The development would be acceptable in accordance with NPPF and associated technical guidance, and policy 5.13 of the London Plan 2011.

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

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: 3rd April 2012  
Drawing Nos: see above

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

## **Consultation Comments:**

### **Comments from:**

### **Dated:**

Crime Prevention Design Advisor - Hammersmith

14.06.12

Thames Water - Development Control

09.05.12

## **Neighbour Comments:**

### **Letters from:**

### **Dated:**

Suite 235 Temple Chamber 3/7 Temple Avenue London  
EC4Y 0DA

14.05.12

Suite 235 Temple Chamber 3/7 Temple Avenue London  
EC4Y 0DA

18.06.12

Unit 23 17 - 21 Wyfold Road London SW6 6SE

24.07.12

Dr Charlotte di Vita c/o Personal Property Management Ltd  
235 Temple Chambers 3-7 Temple Avenue London

10.05.12

7 Brandon House 13 Wyfold Road London

04.05.12

Coda Centre 189 Munster Road London SW6 6AW

29.06.12

Red Giant Projects Ltd 20A The Coda Centre

189 Munster Road London SW6 6AW

02.07.12

Commercial Estates Group Sloane Square House

1 Holbein Place London SW1W 8NS

02.07.12

The Coda Centre 189 Munster Road London SW6 6AW

02.07.12

The Coda Centre 189 Munster Road London SW6 6AW

29.06.12

The Coda Centre 189 Munster Road London SW6 6AW

29.06.12

Unit 22B Coda Centre 189 Munster Road London SW6 6AW

29.06.12

Unit 23 17 - 21 Wyfold Road London SW6 6SE

20.07.12

## **1.0 BACKGROUND**

1.1 The application site is located on the south side of Wyfold Road. The subject site is a 4 storey building in use as approximately 40 individual office rooms/suites of varying sizes that are available for rent. The floor area of the building is approximately 1000 sq m and it is in office (Class B1) use. The site is not situated within a conservation area, nor visible from within one. The property is located partially within Flood Zone 1.

1.2 The existing building dates from the 1960's, is four storeys in height over the entire footprint of the site, and is of little architectural merit. There is a large crossover and roller shutter (for service access) along much of the front elevation of the ground floor. The information submitted indicates that the site has had a poor level of occupancy on the upper floors over a number of years. These floors are currently let to a flexible office provider at low rents to achieve an income.

1.3 Wyfold Road is a predominantly residential street with a mixture of two and three storey high Victorian terraced houses.

#### 1.4 Relevant planning history:

In 1989 planning permission was granted for the erection of a part three part four storey building to contain 3No. two bedroom and 5No. one bedroom self- contained flats with eight off-street parking spaces at the rear (1989/01262/FUL).

In 1998 planning permission was granted for the insertion of windows at first and second floor level (1998/02577/FUL).

In 2001 Planning permission was granted for the installation of nine new uPVC windows to Wyfold Road elevation at ground and first floor level (2001/01385/FUL).

In 2001 planning permission was granted for the retention of 5 no. Daikin air cooled condensing units and the erection of associated screening (2001/02182/FUL).

In 2002 planning permission was granted for the installation of new shopfront on front elevation of building (2002/00665/FUL).

In 2003 planning permission was granted for the relocation of four existing air-conditioning units on the west elevation at ground floor level to the roof area (2003/00601/FUL).

In 2005 planning permission was granted for the use of room 208 (part of the second floor) by a private car hire company (2005/02334/FUL)

In 2006 a certificate of lawfulness was granted for the use as an office for the administration of a private car hire business with bookings taken over the phone/internet, no customers or drivers visiting the office for any purpose and no cars kept at the premises in connection with the use (2006/02530/CLP).

1.5 The current application is for demolition of existing building and redevelopment of site with 7 x 4 storey 4 bedroom townhouses, with integral garages. The replacement building at four storeys would be no greater in height than the existing building, and would be a storey lower than the existing neighbouring residential property, Brandon House. The seven townhouses would all include integral garages, all accessed off Wyfold Road and basement levels. Each townhouse would include amenity space in the form of terraces split over three levels and first, third and roof levels.

## 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 Eight objections were received in response to the consultation. These objections can be summarised as follows:

- Loss of affordable office space, and adverse impact on local economy

- The terraces at roof level would result in a loss of privacy and increased overlooking to the fifth floor roof terrace next door at Brandon House, as well as to the windows to Brandon House in the western elevation at third and fourth floor level.
- The proposal would have an adverse impact on the value of the neighbouring properties in Brandon House
- The terraces and associated screens would have an adverse on the adjacent window sin the side elevation of Brandon House in terms of loss of outlook and sense of enclosure.
- The terraces and new windows on the rear elevation would lead to overlooking and noise and disturbance to the offices to the south in the Coda centre.

2.3 The Environment Agency raise no objections to the proposed development on Flood Risk grounds.

2.4 Thames Water raise no objections to the proposal.

2.5 Crime Prevention Design Advisor - raises no objections to the proposed scheme, subject to conditions on Secure by Design.

### 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations to be considered in light of the London Plan and the Council's adopted Core Strategy and Unitary Development Plan policies and standards include; the principle of the residential use in land use terms, quantum and intensity of development in terms of the height, scale and massing; impact on surrounding uses particularly on the existing amenities of occupiers of neighbouring residential properties in terms of noise, outlook, light and privacy and potential for traffic generation, and the impact on the highway network. In addition consideration should be given to the Development Management Development Planning Document ('The DM DPD'), which is now submitted to the Inspectorate for Examination. The DM DPD, when adopted, will form part of the London Borough of Hammersmith and Fulham's Local Development Framework (LDF). The document sets out the proposed development management policies to be used by the council in helping to determine individual planning applications and must be read alongside the Core Strategy. When adopted, the LDF DM DPD will replace the remaining policies in the borough's adopted Unitary Development Plan and will be used, together with the Core Strategy and London Plan.

### LAND USE

Loss of employment use:

3.2 The overriding emphasis in both national and regional policy is to enable increased provision for new housing, albeit not at the expense of requirements for economic activity. National and regional policy specify that employment land and premises should be retained where needed and intensified where appropriate, but unwanted or inappropriately located under-utilised land or premises should be released to provide for increased housing, either as single use or as a mixed use scheme (NPPF and London Plan Policy 4.2).

3.3 This approach underlines the Core Strategy. 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". More clarification on this is included in Borough wide policy LE1 which sets out criteria on which the future use of employment sites can be assessed. The most relevant consideration to this application is: (ii) "it can be satisfactorily demonstrated that the property is no longer required for employment purposes." This is supported by Policy B1 of the Submission DM DPD supports the London Plan.

3.4 This application proposes redevelopment of the site to residential. The information submitted with the application indicates that the site has had a poor level of occupancy on the upper floors over a number of years. These floors are currently let to a flexible office provider at low rents to achieve an income. The 40 suites have a low level of occupancy estimated at below 50%. The ground floor was vacated about 10 months ago and has been actively marketed at very reasonable rates with a low level of interest and no current potential occupier. Evidence of this marketing has been submitted. One of the reasons for the low level of interest is the poor state of the accommodation that is in need of upgrading. Redevelopment for offices has been considered but in view of the current level of availability and the location of the property and site characteristics, this is not considered to be a practical or viable proposition. The evidence submitted supports the conclusion that this site is not used to its full potential especially since the ground floor was vacated. It is therefore considered that the property has been advertised satisfactorily at reasonable rents and that no long term viable employment use has been forthcoming. In this respect the change of use to residential can be considered acceptable in principle, in accordance with London Plan Policies 4.2 and 4.4, Core Strategy Policies LE1 and B, and Policy B1 of the Draft DM DPD.

3.5 From the evidence submitted it is clear that the relative merits of continued employment use must be weighed against the potential gain of residential units. The site is located in central Fulham within a mixed residential/commercial area. It is not well located for new office floorspace nor could redevelopment offer a modern small business complex of the type available elsewhere in Fulham due to the physical constraints of the site. On balance, the available evidence when assessed against the various relevant policies would indicate that the change of use to residential can be considered acceptable in principle. Although the change of use would result in a loss office space, 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.

#### Housing:

3.9 National Planning Policy Statement 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 NPPF includes twelve core planning principles, several of which are particularly relevant to housing and these include the following:

- enhancing and improving the places in which people live;
- support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places;
- effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas

3.10 In particular, the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

3.11 London Plan Policy 3.3 B states that an annual average of 32,210 net additional homes should be delivered. Table 3.1 sets an annual target of 615 net additional dwellings for Hammersmith and Fulham. Core Strategy 2011 Policy H1 reiterates the London Plan's annual target of 615 net additional dwellings for the borough. Policy DM A1 of the submission DM DPD states the council will seek to exceed the London Plan housing target by seeking housing on both identified and windfall sites and as a result of change of use. The provision of 7 units would contribute towards these targets.

3.12 Furthermore Core Strategy Policy H4, UDP Policy H06 and Policy DM A3 of the submission DM DPD requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. In particular there should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.

3.13 The proposed dwellings would include 100% market family sized units 4-bedroom units. Although Core Strategy policy H4 seeks a mix of unit sizes, in this instance the proposed 7 town houses would provide accommodation that is considered to be an appropriate infill scheme for much needed larger family accommodation.

3.14 The number of residential units proposed is below the threshold of 10 for which affordable housing is required under London Plan Policy 3.13. 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 3.2, of the London Plan 2011.

3.15 Policy H3 (Housing Quality and Density) of the Core Strategy 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.

3.16 Policy 3.4 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. This is supported by Policy DM A2 of the submission DM DPD.



3.17 The site is located in Public Transport Accessibility Level (PTAL) 2 using Transport for London's methodology, indicating that it has a moderate level of accessibility by public transport. This location would normally support a density of between 200 and 450 habitable rooms per hectare (Hrh).

3.18 The proposed development site comprises 0.056 hectares and would have a total of 41 habitable rooms which would result in a residential density of 732 hr/ha, which is in excess of the normal limits for this type of location. It is therefore considered that it would not be appropriate to include further units within the proposed development as this would further increase the density level for the site. On this basis it is considered that it would be unreasonable to require the provision of affordable housing in this case.

3.19 At 732 hrh the proposed density is above the guideline in The London Plan. However, the London Plan says 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. Assessed under these criteria, officers judge that the proposed density is acceptable. These criteria are considered in more detail in the paragraphs below.

## DESIGN and ACCESSIBILITY

3.20 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be 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.

3.21 Core Strategy Policy BE1 'Built Environment' states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

3.22 UDP policy EN8, which requires that new development is of a high standard of design that is compatible with the scale and character of existing surrounding development, is relevant.

3.23 Policy G1 of the Draft Development Management Development Plan Document (DM DPD) 2011 builds on UDP policy EN8 and other design 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. Core Strategy policy

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

3.24 The application site currently presents a poor visual aspect to the street. The existing building has no architectural merit presenting a bland, utilitarian appearance within the predominantly Victorian streetscene. The building is of no distinct architectural quality and is not particularly characteristic of the rest of the street; it does not make a positive contribution to the character or appearance of the street scene.

3.25 The proposed development would be four storeys high. The surroundings include a mix of development ranging between 3 and 5 storeys. The proposed building would be adjacent to the 5 storey Brandon House building. Whilst three storey properties are the predominate building typology within the street, there are range of property heights within the streetscene. The proposed scheme is contemporary in appearance, and four storeys high, it would replace an unremarkable commercial style building of a similar height. It is judged that the four storeys proposed, when assessed in the context of the adjoining five storey building would not be unreasonable or out of keeping with the streetscene at this point. The development would introduce, unlike the existing building, a good quality modern façade to the frontage on Wyfold Road, improving the character and appearance of the streetscene, using traditional materials such as stock brick, stone window heads and cills, timber framed sash windows, and lead cladding for the mansard roof. The new houses are set back from the back edge of the pavement and includes planters between each property. Officers consider that the proposed development introduces a residential terrace on this site, which has the rhythm and scale of a traditional terrace but with a contemporary interpretation to the detailed design of the elevations. It is considered that the replacement building has been sensitively designed in terms of the form, height and proportions.

3.26 All seven of the houses would incorporate integral garages at ground floor level, but officers consider that the front planters and the extent of fenestration to the upper floors on the front elevation of the terrace, would provide an active frontage to the street and the opportunity for natural surveillance. In this regard the scheme would have a more pleasing relationship with the streetscene; whilst introducing green areas in the interest of the amenity of future residents, biodiversity and surface water disposal.

3.27 In this respect Officers consider that the proposed development is acceptable in terms of design, bulk and appearance and would make a positive contribution to the appearance of the streetscene and adjacent Conservation Area, in accordance with UDP Policies EN8 and Core Strategy Policy BE1. A condition would be attached to any permission requiring details of materials to safeguard the appearance of the building (Condition 3).

## ENVIRONMENTAL QUALITY, SPACE AND AMENITY

3.28 Standard S7A specifies minimum internal floorspace standards for new residential units. Policy 3.5 and Table 3.3 of the London Plan, Core Strategy Policy H3, UDP Standard S7A and S13.3 and Policy DM A2 of the submission DM DPD expect all housing development to be of a high quality design and be designed to have adequate internal space. UDP Policy EN23 and Standard S5 requires all new developments to make provision for open space to meet the needs of the occupiers and users (ground floor family and non family dwellings should have at least 36m<sup>2</sup> and 14m<sup>2</sup> of amenity space respectively). Policy DM A2 of the submission DM DPD supports the requirement

for amenity space and also requires family housing on upper floors to have access to a balcony and/or terrace, subject to acceptable amenity and design considerations.

3.29 Policy 3.8 of the London Plan, Core Strategy Policy H4 (Meeting Housing Needs), UDP Policy HO6 and the Council's Supplementary Planning Document 'Access for All' 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. This is supported by Policy DM A4 of the submission DM DPD. The applicant has confirmed that the proposed residential development will be built in accordance with these requirements, and appropriate conditions are attached in this respect.

3.30 London Plan policy 7.3 advises that new development should seek to create safe, secure and appropriately accessible environments. UDP Policy EN10 requires new development to create a safe and secure environment. The Crime Prevention Design officer did not raise any objections to the development. Notwithstanding this, a condition has been attached requiring the submission of a statement as to how the development will comply with SBD requirements.

3.31 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 S5 states that family dwellings with ground floor accommodation should have at least 36m<sup>2</sup> of private amenity space.

3.32 All of the proposed units have been designed to exceed the minimum dwelling size requirements outlined in Standard S7A of the UDP and to exceed the minimum dwelling size requirements of Table 3.3 of The London Plan. Although the bedrooms in the ground floor level would not have windows in the traditional sense, the floors of the first floor terraces above these rooms are proposed to be built of structural glass, which would allow adequate light into the bedrooms below. Private amenity space would be provided for each dwelling in the form of split terraces ranging from 12.6sq m to 38.7sq m.

3.33 Four of the seven units comply with the outdoor space requirements (albeit Unit 3 falls below the target by 0.5sq m). Units 1, 2 and 7 fall short of the target, it is considered that the rest of the internal space within these units provide generous internal areas well above the minimum requirements. Furthermore the townhouses would be at a short distance from Bishops Park and the river walk which provides further amenity space for local residents and as such it is considered on balance that it would be unreasonable in this case to refuse permission for the whole scheme on these grounds.

3.34 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 houses are orientated north/south and would therefore have an acceptable aspect arrangement.

3.35 Overall, it is considered that the standard of accommodation would give rise to a high quality internal living environment that would 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

3.36 Policy EN8 of the UDP states 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 S13.2a provide guidance on loss of outlook, loss of privacy to neighbouring properties and noise and disturbance.

3.37 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, existing building already breaches this Standard (with total site coverage). The proposed building would be stepped on the rear elevation, reducing the bulk and scale of the building on the south side, which is an improvement over the current situation. In this respect the development is judged to comply with the aim of this standard.

3.38 Similarly, the proposed development would not result in harm to the amenity of the neighbouring properties as a result of loss of daylight/sunlight, as the proposed building would be scaled back on the rear elevation in comparison to the existing building.

3.39 With regard to overlooking and loss of privacy, to the rear the proposed houses would have terraces at first and third floor level and windows at second floor level, which would look onto the flank elevations of a number of office units within the Coda Centre to the rear and the rear elevations of some flats to the south west in Marryat Square. The windows facing the habitable room windows to the flats in Marryat Square are proposed to be obscure glazed and fixed shut. The other windows in the rear elevation and the terraces at third floor level of the proposed building would not face any habitable room windows. In this form, it is considered that the proposal would not result in a loss of privacy or overlooking. Similarly the terraces at first floor level and roof level would have 1.8m high obscure glass privacy screens in order to overcome overlooking and loss of privacy. During consultation, concerns have been raised over the terraces proposed at roof level and possible impact in terms of overlooking to the property to the east at Brandon House. Brandon House is predominantly in residential use. To mitigate any potential impact, the proposal has been amended and the roof terraces for the units nearest to that property (Units 1 and 2) have been removed. In view of this it is not considered that the roof terraces would have any significant impact on Brandon House.

3.40 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.

3.41 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas. However, on balance, having regard to the split level nature of the terraces (which include maximum areas up to 5.7sqm at first floor, 13.4m at third floor, and 19.6sq m at roof level) modest size of the proposed areas 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.

3.42 The development is set in a predominantly residential side street. As such officers consider that, subject to conditions, the proposal would not have an undue noise impact on the amenities of adjoining neighbours. The proposal is therefore considered to be consistent with Policy EN21 of the UDP.

3.43 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 EN21 and Standard S13 of the UDP.

#### PARKING, SERVICING, TRAFFIC GENERATION, REFUSE

3.44 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.45 Policy 6.1, 6.3, 6.10, 6.11 and 6.13 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 policies also provide guidance for the establishment of maximum car parking standards.

3.46 Core Strategy Policy T1 supports the London Plan. Policy TN4 of the UDP requires new development to incorporate ease of access by disabled people and people with mobility impairment. 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. UDP Standard S18 requires compliance with the Council's car parking standard except in exceptional circumstances. Policies DM J2 and DM J3 of the submission DM DPD set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met.

3.47 The proposal is considered a 'new build' and as such TN15 requires it to conform to the parking standards, as listed in S18 to S19, and Table 12.1 of the UDP. Thirteen off-street car parking spaces are proposed as part of the application. It is proposed that each townhouse will include an integral garage, with six garages accommodating two vehicles and one accommodating one vehicle. This will require one crossover serving all the garages over a length of approximately 35 metres.

3.48 There are currently three crossovers serving seven integral garages on the site. The length of these crossovers totals 25 metres. It is also apparent that a number of vehicles also park in the private forecourt area of the site. It is considered that the

existing arrangement in this regard is poor, and that the proposal would be an improvement on the existing situation.

3.49 The proposal will result in the loss of approximately 13 metres of parking bay. The average (2008-2010) overnight on-street car parking stress on Wyfold Road is 77%. The removal of parking bay that three cars could utilise will see an increase to 82%. It is considered, to offset the loss of parking bay, that the applicant should fund the lengthening of the parking bays at the eastern end of Wyfold Road by 4 metres on the northern side and 5 metres on the southern side. The applicant has agreed to enter into a Section 106 agreement to fund necessary remedial works to the footway and crossover.

3.50 The applicant needs to provide at least seven accessible, safe and secure cycle parking spaces in line with Table 12.2 of the UDP. These are being provided in the form of garages, which is considered acceptable.

3.51 It is recommended, in the interests of protecting the amenities of residents and minimising impact on the highways, that details of a satisfactory Construction Management Plan would be secured by condition. This would be secured by condition in accordance with UDP Policies EN19A, EN20A, EN20B, EN20C and EN21 and London Plan Policy 6.3.

3.52 London Plan Policy 5.16 outlines the Mayors approach to waste management. Core Strategy Policy CC3, UDP Policies EN17 and HO14 and the Storage of Refuse and Recyclables SPD sets out the Councils Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste. The submitted plans indicate that the location of the refuse storage area for the houses would be within the ground floors of each individual house. Notwithstanding this, further details of this provision are reserved by condition (Condition 17).

## OTHER MATTERS

### Land Contamination

3.53 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).

3.54 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 as amended 2007 and 2011, policy CC4 of the Core Strategy 2011, and policy 5.21 of The London Plan 2011 conditions are recommended to be attached to the planning permission requiring the assessment of contaminated land to be carried out and remediation to be identified/carried out if necessary (Conditions 25 to 30).

### Flood Risk

3.55 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

3.56 London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.57 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. This is supported by Policy DM H3 of the submission DM DPD.

3.58 As a minor development, there is no requirement to meet the sustainable energy and carbon reduction policies in the Core Strategy/London Plan. However, a commitment is given in the Design and Access Statement to meeting level 3 of the Code for Sustainable Homes (CSH). This commitment is welcomed and would be conditioned.

### Sustainable Urban Drainage

3.59 London Plan policy 5.13 and Core Strategy policy CC2 require the implementation of measures to manage surface water run-off, unless there are practical reasons for not doing so. The development provides an opportunity to improve the permeability of the site and reduce surface water run-off. This will divert surface water away from the combined sewer system. This is an important consideration for this site as it is in a location that could be susceptible to surface water flooding. A condition is recommended to ensure the submission of a sustainable drainage strategy for implementation on the site, which should aim to reduce run-off by at least 50% (Condition 24).

### MAYORAL CIL

3.60 The CIL regulations came into effect on 1 April 2012. This is a material consideration to which regard must be had when determining the application. Both officers and the applicants have estimated that a CIL levy would not apply in this case, as there would be a reduction in floor space and the building has not been vacant for over 6 months.

### PLANNING OBLIGATIONS

3.61 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.

3.62 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.

3.63 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 following Clauses:

- Applicant to pay for works to the highway, to facilitate the scheme
- Houses with garages to be ineligible for on-street car parking permits

#### 4.0 CONCLUSION and RECOMMENDATION

4.1 It is considered that the loss of the under-utilised office/warehouse building has been adequately justified by supporting information. The principle of the land use, and the quality of the proposed residential units, is considered to be acceptable. Furthermore the proposed redevelopment of the site would not cause demonstrable harm to the amenities of neighbouring residents, and the proposals are considered to be acceptable in terms of enhancing the character and appearance of the streetscene and the area generally. The development would not impact significantly on the highway network and local parking conditions, subject to a legal agreement.

4.2 It is recommended that the application be approved, subject to conditions and the completion of a legal agreement.

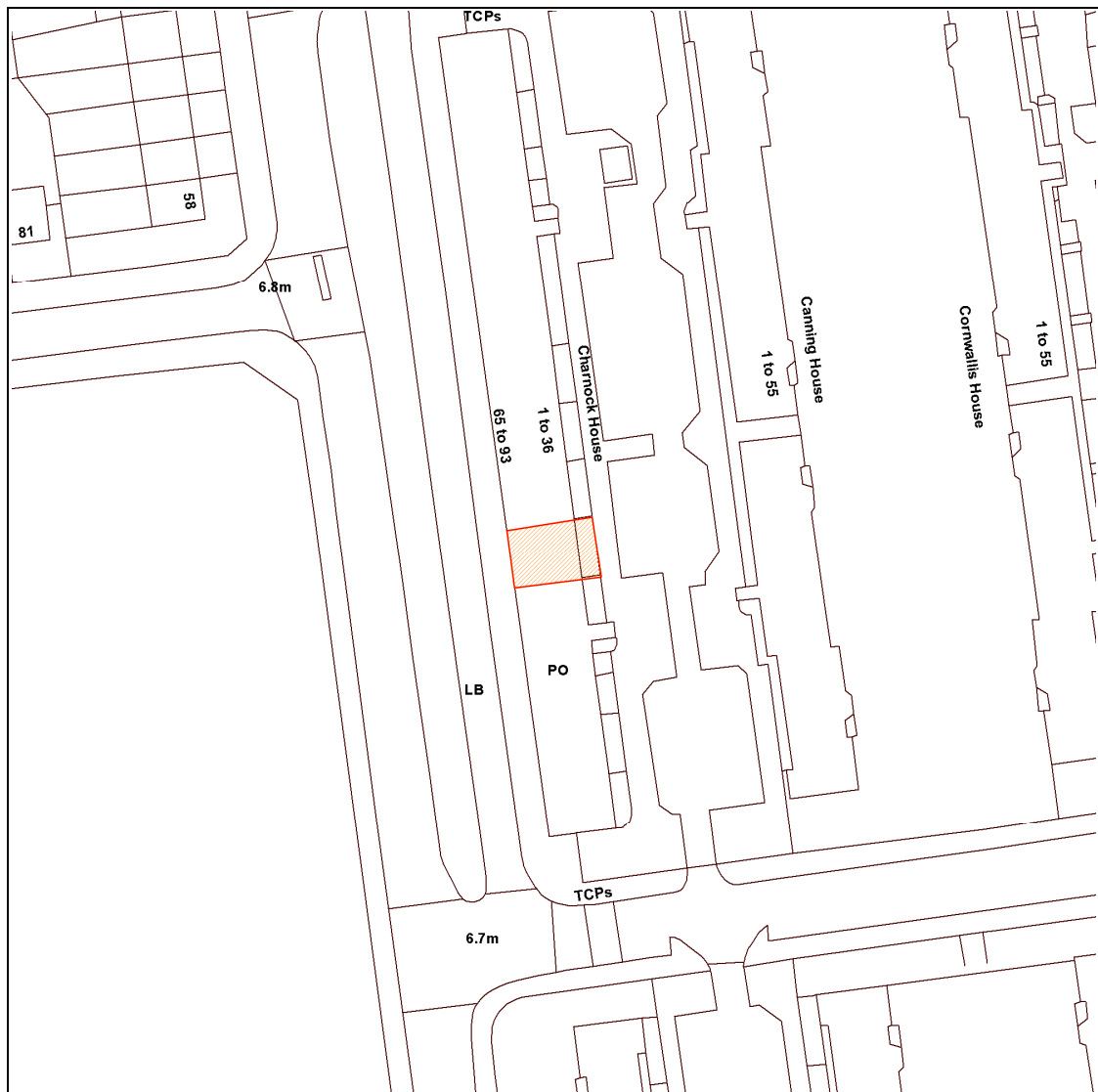


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**Ward:** Wormholt And White City

**Site Address:**

75 Bloemfontein Road London W12 7DA



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

**Reg. No:**  
2012/01084/FR3

**Case Officer:**  
Alison Coster

**Date Valid:**  
10.04.2012

**Conservation Area:**

**Committee Date:**  
20.09.2012

**Applicant:**

London Borough Of Hammersmith And Fulham  
Mr Neil Wigglesworth Hammersmith Town Hall Ext King Street Hammersmith  
W6 9JU

**Description:**

Change of use from a shop (Class A1) to an employment and training facility (Class D1)  
Drg Nos: Proposed Ground Floor Plan Revision A

**Application Type:**

Full Regulation 3 - LBHF is Developer

**Officer Recommendation:**

That the application be approved pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 and subject to the condition(s) set out below:

- 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 only in accordance with the detailed drawings (Ref: Proposed Ground Floor Plan Revision A) 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 CC4 of the Core Strategy 2011 and policy TN15 of the Unitary Development Plan, as amended 2007 and 2011.

- 3) The premises shall be used for the purposes specified within the permission and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended in October 2010), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the site for any other purpose, including other purposes within Class D1, could raise materially different planning considerations and the council wishes to have an opportunity to consider such

circumstances at that time, in accordance with policy EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 4) The use hereby permitted shall operate only between 0900 and 1800 Monday to Saturday and not at all on Sundays and Bank Holidays.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy EN21 of the Unitary Development Plan as amended 2007 and 2011, and policy CC4 of the Core Strategy (2011).

- 5) All refuse/recycling generated by the use hereby permitted shall be stored within the premises. Refuse/recycling may only be brought onto the highway for collection purposes.

To ensure that the use does not give rise to smell nuisance and an accumulation of rubbish arising from the operation of the use, in accordance with Policies EN17 and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 6) The use hereby approved shall not commence until an outward opening door as detailed in drawing 'Proposed Ground Floor Plan Revision A' has been provided to the w.c. This shall thereafter be maintained for the lifetime of the development.

To ensure that the development provides an accessible toilet, in accordance with the adopted Access for All SPD (2006).

- 7) The shopfront glass shall remain clear and shall not be mirrored, tinted or obscured in any way.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policy EN8 of the Unitary Development Plan, as amended 2007 and 2011, and policy BE1 of the Core Strategy (2011).

- 8) The use hereby approved shall not commence until details have been submitted to and approved in writing by the Council, of the sound insulation of the floor/ceiling separating the premises from neighbouring dwellings. Details shall ensure that the sound insulation (DnT,w and LnT,w ) and any other mitigation measures are sufficiently enhanced in order that the standard specified in BS 8233:1999 is achieved within noise sensitive premises and their external amenity areas. Approved details shall be implemented prior to use of the premises and thereafter be permanently retained.

To ensure that the amenity of occupiers of adjacent dwellings is not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007

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

- 1) It is considered that the change of use from a vacant shop to a training and employment support facility would assist in improving the vitality and viability of the neighbourhood parade, without resulting in a detrimental loss in the availability of class A1 space. The proposed use would not have a detrimental impact on surrounding residential amenity subject to conditions, as it would have adequate refuse/recycling storage provision, would not result in unacceptable levels of noise and disturbance and there would be no adverse impact on the surrounding highway network or local car parking. The proposal is in accordance with the National Planning Policy Framework (2012), strategic policy C and policy CC4 of the Core Strategy 2011, policies TN15, EN17 and EN21, and Standards S18 and S19 of the Unitary Development Plan (as amended 2007 and 2011), Key Principle One of the Managing Change of Use in Local Shopping Centres Supplementary Planning Document (2011), and the Access for All Supplementary Planning Document (2006).

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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 April 2012  
Drawing Nos: see above

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

### **Consultation Comments:**

**Comments from:**

**Dated:**

### **Neighbour Comments:**

**Letters from:**

**Dated:**

1.1 The application property is located in the middle of the parade of shops at the ground floor level of Charnock House (65-93 Bloemfontein Road), located on the eastern side of Bloemfontein Road. The parade runs from Australia Road at the south, to Commonwealth Road at the north. Officers are advised, by the applicant, that the site was last in use as a grocery store until it became vacant in June 2009. Charnock House (65-93 Bloemfontein Road) is designated as a Neighbourhood Parade in the Core Strategy.

1.2 There are three planning records relating to the property:

1990/00752/FUL Installation of a new shopfront. (Application Approved 28.06.1990)

1999/00611/FUL Installation of a new shopfront. (Application Approved 06.05.1999)

1999/00612/ADV Display of one non-illuminated fascia sign. (Application Approved 13.05.1999)

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 Letters were sent to 107 neighbouring properties to notify residents of the proposal. No comments have been received.

## 3.0 PLANNING CONSIDERATIONS

3.1 The current application proposes a change of use from A1 to D1 (community use) for training and employment support.

3.2 The main issues in this case are:

- i. Whether the change of use from A1(etail) to D1 (community use) is acceptable;
- ii. What the impact would be on the amenity of residents;
- iii. What impact the change of use would have on the highway/parking;
- iv. Whether there is suitable refuse/recycling storage; and
- v. Whether there is appropriate accessibility to the property.

3.3 In considering the issues set out above, regard has been had to the policies and standards in the National Planning Policy Framework 2012 (NPPF), the London Plan (2011), the Core Strategy (2011), the Unitary Development Plan (UDP) as amended 2007 and 2011, and Managing Change of Use in Local Shopping Centres - Supplementary Planning Document (2011).

### Land Use

3.4 Bloemfontein Road is designated as a neighbourhood parade in the Core Strategy (2011). The Core Strategy defines neighbourhood parades as 'clusters of frontages serving the local community with day-to-day essentials'. Core Strategy Strategic Policy C: 'The Hierarchy of Town and Local Centres' is the policy for assessing changes of use in these parades. The policy states that 'in assessing applications, consideration should be had to the policy itself as well as the NPPF and the Council's Supplementary Planning Document 'Managing Change of Use in Local Shopping Centres' (2011).' Paragraphs 3.4-3.7 detail the relevant policy context.

3.5 Paragraph 3.23 of the Core Strategy states that there are difficulties facing various shopping parades. Bullet point four of this paragraph specifically notes that 'in some centres and parades there are too many vacant shops and premises and a poor quality environment'. In Bloemfontein Road, Council records indicate that 45% of the shop frontage is currently vacant. This equates to 6 units.

3.6 The NPPF seeks to ensure that there is vitality in town centres, including neighbourhood parades. Paragraph 23 says that there is a need to allocate a range of suitable sites [in town centres and neighbourhood parades] for retail, leisure, commercial, office, tourism, cultural, community and residential use. Where centres are in decline, local planning authorities are advised to plan positively for their future to encourage economic activity.

3.7 Core Strategy Strategic Policy C: 'The Hierarchy of Town and Local Centres' states that the Council will work with stakeholders to direct economic development to centres and to sustain the vitality and viability of the hierarchy.

3.8 The Council's adopted Supplementary Planning Document 'Key Principle 1 Managing Change of Use in Local Shopping Centres' states that:

- 'a) No more than 35% of the length of the neighbourhood parade frontage as a whole will be permitted to change to non-Class A1 uses; and
- b) No more than 20% of the length of the neighbourhood parade frontage as a whole will be permitted to change to food and drink uses'.

3.9 The applicant has advised that the unit to which this application relates has been vacant since June 2009. The officer's site visit in May 2012 indicated that along the neighbourhood parade, six units are currently vacant (71, 75, 81, 85-87, and 89). This equates to 45% of the street frontage along Bloemfontein Road. The applicant has advised that the vacant units have been continually marketed for retail use since June 2009. A memo has been provided to support the application. This was produced by Ade Sule from Asset Strategy & Portfolio Management. The memo details that since the unit became vacant, it was marketed via a 'To Let' board posted outside the property and on the website of CoStar Shop Property. Information was emailed and posted to interested parties. This marketing process has resulted in a number of telephone enquiries and viewings. However, only two offers have been expressed for the unit in this time. The offers were for £10,000 pre annum for a 20 year lease (this is slightly below the expected market value of £12,000 per annum). These two offers subsequently fell through. The applicant has advised that the principal interest in the unit and adjacent vacant units has been for A3 and A5 use (restaurant and take away). These offers have not been explored further, as the applicant has concerns that such uses would cause an unacceptable level of disturbance to surrounding residential properties by way of smell, noise, disturbance and refuse. The current offer for D1 use is more compatible with the surrounding context.

3.10 The number of vacant units and time which they have been vacant for, despite the efforts of the Council to market them, indicates to officers that the Neighbourhood Parade is in decline and therefore, in accordance with the NPPF and the Core Strategy, officers should seek to promote the vitality and viability of the parade where possible.

3.11 The proposal would bring a currently vacant retail unit into use as a training and employment facility for community use. Creating an active use at the site would improve the vitality of the parade by reducing the number of vacant units and would potentially

introduce new visitors to the parade who may use existing shops. The application is therefore considered to be in accordance with the NPPF and Core Strategy Strategic Policy C.

3.12 In regards to Key Principle 1 of the Supplementary Planning Document, no more than 35% is permitted to change to non class A1 (retail) use. At present, 76% of the frontage is in A1 Class use (albeit that 45% of the street frontage is vacant A1 retail space). The proposal would change the quota figure to 68% retail use (including vacant units) and 32% non-A1 use. The proposal would thereby comply with Key Principle 1.

## Design

3.13 UDP policy EN8B states that 'the council will require a high standard of design in all extensions and alterations to existing buildings. These should be compatible with the scale and character of the existing development, its neighbours and its setting'.

3.14 No external changes are proposed, and as such the proposed new use would have no impact on visual amenity.

## Car Parking and Highways

3.15 UDP policy TN15 requires any proposed development (new build or change of use) to conform to the parking standards, contained within UDP standards S18 and S19. In the case of a D1 use, the policy and standards require each application to be treated on their own merits.

3.16 No parking is proposed within this application. The proposal would not result in a change to the floor area of the unit. The proposal would provide space for eleven computer desks - eight for public use to the front of the unit, and three for staff to the rear. Given the relatively low capacity of the property in terms of numbers of people who would be using the facility at any one time, it is considered that the proposed use would be unlikely to attract a greater number of visitors than the existing use (if it were to be occupied as a shop) and likely it would attract less. The proposed use is aimed principally at providing training and employment support to local residents. It is considered that the use and anticipated users would have no further impact on the highway network or local car parking conditions than the existing use. No objections are raised under policy TN15 and Standards S18 and S19.

## Noise and Disturbance

3.17 Core Strategy Policy CC4 and Policy EN21 of the UDP seek to protect amenity, by ensuring that proposals do not result in undue noise and disturbance. The unit has a low capacity for visitor numbers at any one time - a maximum of 11-12 people. The applicant has informed officers that the training and employment facility would principally function from 09:00 - 18:00 Monday to Friday and occasionally on a Saturday. Officers consider that these opening hours would be compatible with the surrounding uses. Condition 4 would restrict the hours of use from 09:00-18:00 Monday to Saturday and not at all on Sundays and Bank Holidays, to ensure that residents' amenity is protected. Condition 8 would require details of sound insulation to be submitted and approved to protect neighbours from noise nuisance.

3.18 As no new machinery or plant is proposed with the application, officers raise no other noise concerns.

### Refuse and Recycling

3.19 UDP policy EN17 requires the adequate provision of refuse storage. The unit has no access to an external refuse storage area. The applicant has advised that any refuse/recycling produced by the use would be stored internally and placed on the highway on the day of collection. The applicant has advised that the proposed use would principally produce paper as refuse. This would be stored in a cupboard in the rear of the property. The only other refuse is likely to be generated is from staff lunches, which could also be stored within the building until the day of collection. Condition 5 relates to this matter.

### Access

3.20 As the proposal is for a community facility, consideration has been had to the accessibility of the property. The application site has a level access and therefore, there is no requirement for a ramp. However, concerns were raised to the original submission documents in regards to the accessibility of the w.c.

3.21 The Council's Access for All SPD (2006) requires accessible toilets to be 2.0mx2.2m in size and have an outward opening door. The application drawings have been revised to meet this requirement. Condition 6 is recommended to ensure an outward opening door is provided and maintained for the lifetime of the development.

## 4.0 CONCLUSION AND RECOMMENDATION

4.1 It is considered that the change of use from vacant A1 retail to D1 training and employment support facility would assist in improving the vitality and viability of the neighbourhood parade, without resulting in a detrimental loss in the availability of A1 retail space. The proposed use would not, subject to conditions, have a detrimental impact on surrounding residential amenity as it would have adequate refuse storage provision, would not result in unacceptable levels of noise and disturbance and there would be no adverse impact on the surrounding highway network or local parking. The proposal is in accordance with the National Planning Policy Framework (2012), strategic policy C and policy CC4 of the Core Strategy 2011, policies TN15, EN17 and EN21, and Standards S18 and S19 of the Unitary Development Plan (as amended 2007 and 2011), Key Principle One of the Managing Change of Use in Local Shopping Centres Supplementary Planning Document (2011), and the Access for All Supplementary Planning Document (2006).

4.2 It is recommended that planning permission be granted, subject to conditions.



**Ward:** Shepherd's Bush Green

**Site Address:**

Site Of The Fomer Favourite Public House 27 St Ann's Road  
London W11 4ST



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

**Reg. No:**

2012/01358/FUL

**Case Officer:**

Raj Satheesan

**Date Valid:**

02.05.2012

**Conservation Area:**

**Committee Date:**

20.09.2012

**Applicant:**

Goldcrest Land PLC

3 Hurlingham Business Park Sullivan Road London SW6 3DU

**Description:**

Redevelopment by the erection of a part five, part six storey building comprising 84 student housing studios with ancillary accommodation including internal and external amenity space, and a Class A1 shop unit at ground floor level on the St Ann's Road frontage

Drg Nos: 5314/P2\_03\_B, 5314/P2\_04\_B, 5314/P2\_05\_B,

5314/P2\_06\_B, 5314/P2\_07\_B, 5314/P2\_08\_B, 5314/P2\_09\_B,

5314/P2\_10\_B, 5314/P2\_11\_B, 5314/P2\_12\_B, 5314/P2\_13\_B, 5314/P2\_15\_B

**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 condition(s) set out below:

- 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 not be erected otherwise than in accordance with the detailed drawings which have been approved, reference:  
5314/P2\_03\_B, 5314/P2\_04\_B, 5314/P2\_05\_B, 5314/P2\_06\_B, 5314/P2\_07\_B,  
5314/P2\_08\_B, 5314/P2\_09\_B, 5314/P2\_10\_B, 5314/P2\_11\_B, 5314/P2\_12\_B,  
5314/P2\_13\_B, 5314/P2\_15\_B

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, as amended 2007 and 2011, and Core Strategy (2011) Policy BE1.

- 3) The development hereby permitted shall not commence until particulars and samples of materials to be used in all external faces of the building (including glass to balconies and roof level screens), have been submitted and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 4) The development hereby permitted shall not commence until detailed drawings at a scale of no less than 1:20 in plan, section and elevation of typical bays on each elevation have been submitted and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 5) The development hereby permitted shall not commence until details of fenestration including opening styles have been submitted and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 6) The development hereby permitted shall not be occupied before details of the proposed hard landscaping of all areas external to the buildings, including paving, boundary walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the implementation of the approved details and shall thereafter be permanently retained.

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

- 7) The development hereby permitted shall not be occupied before details of the proposed soft landscaping of all areas external to the buildings, including planting schedules, have been submitted to and approved in writing by the Council. The soft landscaping details shall include details of the species, height and maturity of any trees and shrubs. No part of the development shall be used or occupied prior to the implementation of the approved details and the landscaping and planting shall thereafter be permanently retained.

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

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

To ensure a satisfactory provision for planting, in accordance with Policy EN26 of the Unitary Development Plan as amended 2007 and 2011.

- 9) The existing London Plane street tree at the junction of St Ann's Road and Queensdale Crescent shall be retained and protected from damage in accordance with BS5837:2012. No demolition shall take place until the tree is adequately protected as per BS5837:2012. Pruning work to this street tree (if required) shall be in accordance with BS3998:2010 and with the agreement of a London Borough of Hammersmith and Fulham Arboricultural Officer.

To ensure that the tree is retained and to prevent harm to it during the course of construction, in accordance with policies EN8 and EN25 of the Unitary Development Plan as amended in 2007 and 2011, and Core Strategy (2011) Policy BE1.

- 10) No plumbing, extract flues or pipes, other than rainwater pipes, shall be fixed on the St Ann's Road or Queensdale Crescent elevations of the development.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policies EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy (2011) Policy BE1.

- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order no aerals, antennas, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted.

To ensure that the visual impact of telecommunications equipment, including its impact on the adjoining conservation areas, can be considered in accordance with policy and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy (2011) Policy BE1.

- 12) The development hereby permitted shall not commence until details of site hoarding have been submitted and approved in writing by the Council. No

advertising shall be displayed on the site hoarding. The hoarding shall be implemented in accordance with such details as have been approved.

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

- 14) The shopfront glass to the student reception and the retail unit shall be clear and shall be permanently retained as such and not obscured, tinted or mirrored in any way.

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

- 15) None of the student accommodation shall be used or occupied until (i) 7 no. (8%) wheelchair accessible student units have been provided and fitted out to meet the needs of wheelchair users, in accordance with the approved drawings; and the development shall be permanently maintained in this form thereafter (ii) submission and approval in writing by the Council of a scheme showing an additional 2% of the student accommodation being capable of adaptation for wheelchair users, to be implemented if so required in the future.

To ensure satisfactory provision for people with disabilities, including people who use wheelchairs, in accordance with BS 8300:2009 'Design of buildings and their approaches to meet the needs of disabled people' and policies 7.1 and 7.2 of The London Plan, as amended 2011 and Core Strategy 2011 Policy BE1.

- 16) No development shall commence until details have been submitted to and approved in writing by the Council demonstrating:

- a) how accessible toilets, entry into the communal amenity space and lounge area would be designed to be accessible or readily adaptable for use by all disabled students or visitors;
- b) how proposed bathrooms, study and kitchen facilities in the seven accessible studio units, would be designed to be accessible or readily adaptable for use by all disabled students and visitors;
- c) how one accessible student unit would be fitted with a ceiling hoist;
- d) how one of the passenger lifts would function as an Evacuation Lift; and
- e) how the public realm would have 'inclusively' designed lighting and seating

The development shall be implemented in accordance with the approved details prior to first occupation of the development, and thereafter permanently retained.

To ensure satisfactory provision for people with disabilities, including people who use wheelchairs, in accordance with BS 8300:2009 'Design of buildings and their approaches to meet the needs of disabled people' and policies 7.1 and 7.2 of The London Plan, as amended 2011 and Core Strategy 2011 Policy BE1.

- 17) The development hereby permitted 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. Preferably, this shall include a link between the new CCTV system and the existing CCTV system on the Edwards Wood Estate. 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, and Core Strategy (2011) Policy BE1.

- 18) No roller shutters or awnings shall be installed to shopfront without planning permission having first been granted by the Council.

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

- 19) The communal external courtyard area hereby permitted shall not be used between 2030 and 0900 hours the following day and shall not be used for organised events at anytime

To restrict use of the area which would otherwise give rise to conditions which would be detrimental to the amenities of occupiers of the development and surrounding occupiers by reason of noise and disturbance, in accordance with policy EN21 and standard S13.2A of the Unitary Development Plan, amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 20) There shall be no public access to any of the rooftop areas at sixth floor level. Access may be permitted for maintenance staff and emergency escape purposes only.

To restrict use of the area which would otherwise give rise to conditions which would be detrimental to the amenities of occupiers of the development and surrounding occupiers by reason of noise and disturbance, in accordance with policy EN21 and standard S13.2A of the Unitary Development Plan, amended 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 21) The cycle storage area shown on drawing number 5314/P2\_04\_B shall be provided prior to first occupation of the development and thereafter permanently retained.

In order to ensure a satisfactory provision for cycle storage, in accordance with policy TN6 and Standard S20 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy (2011) Policy T1.

- 22) The entrance doors to the ground floor retail unit and student accommodation scheme shall have a level threshold at the same level as the area fronting the entrances.

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policies 7.1 and 7.2 of The London Plan (2011), and Core Strategy (2011) Policy BE1.

- 23) The development hereby permitted shall not be occupied before details of the proposed renewable technologies including the angle of any solar panels to the roof have been submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the implementation of the approved details and shall thereafter be permanently retained. All other details within the Energy Strategy for Goldcrest Land prepared by RPS (dated April 2012) and the Sustainability Statement for Goldcrest Land prepared by RPS (dated April 2012) shall be implemented prior to occupation or use of the development hereby permitted, and thereafter permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policy EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2011), and Core Strategy (2011) Policies BE1 and CC1.

- 24) 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. In particular, the scheme shall show how the minimum requirement to reduce peak run-off by 50% would be achieved. 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 ensure a satisfactory external appearance, in accordance with policy EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy (2011) Policy BE1 and 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 Core Strategy (2011) Policy CC2 and Part 10 of the National Planning Policy Framework 2012.

- 25) Prior to occupation or use of any part of the development hereby permitted waste and recycling facilities shall be provided in accordance with the revised draft Management Plan, prepared by Lawson and Partners LLP, dated August 2012

and drawing no. 5314/P2\_04\_B. The facilities shall thereafter be permanently retained.

In order to ensure that satisfactory provision is made for refuse and recycling storage and collection, in accordance with Policy EN17 of the Unitary Development Plan, as amended 2007 and 2011; the supplementary planning document 'Storage of Refuse and Recyclables'; and Core Strategy (2011) Policy CC3.

- 26) Prior to occupation of the student accommodation use, storage for the recycling of waste within each student suite shall be provided. The facilities shall thereafter be permanently retained.

In order to ensure that satisfactory provision is made for refuse and recycling storage and collection, in accordance with Policy EN17 of the Unitary Development Plan, as amended 2007 and 2011; the supplementary planning document 'Storage of Refuse and Recyclables'; and Core Strategy (2011) Policy CC3.

- 27) 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, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended in 2007 and 2011, policy CC4 of the Core Strategy (2011), and policy 5.21 of The London Plan (2011).

- 28) 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, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended in 2007 and 2011, policy CC4 of the Core Strategy (2011), and policy 5.21 of The London Plan (2011).

- 29) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended in 2007 and 2011, policy CC4 of the Core Strategy (2011), and policy 5.21 of The London Plan (2011).

- 30) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended in 2007 and 2011, policy CC4 of the Core Strategy (2011), and policy 5.21 of The London Plan (2011).

- 31) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: 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, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended in 2007 and 2011, policy CC4 of the Core Strategy (2011), and policy 5.21 of The London Plan (2011).

- 32) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall 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, in accordance with policies EN20A and EN21 of the Unitary Development Plan as amended in 2007 and 2011, policy CC4 of the Core Strategy (2011), and policy 5.21 of The London Plan (2011).

- 33) 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 adjoining dwellings,. 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 Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 34) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ceiling /walls separating the commercial part(s) of the premises from dwellings. Details shall ensure that the sound insulation ( $D_{nT,w}$  and  $L_{nT,w}$  ) and any other mitigation measures are sufficiently enhanced in order that the standard specified in BS 8233:1999 is 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.

To ensure that the amenity of occupiers of the development site / adjacent dwellings/ noise sensitive premises are not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 35) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the noise and vibration levels of proposed commercial noise sources, building services plant including appropriate noise mitigation measures to ensure that the external noise level at the development site is 10dBA Leq below background LA90, as assessed according to BS4142:1997, with all machinery operating together and internal room and external amenity noise standards will be achieved in accordance with BS 8233:1999. 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 surrounding premises are not adversely affected by noise/ vibration from industrial/ commercial noise sources, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 36) 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 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 are not adversely affected by vibration, in accordance with Policies EN20A, EN20B and EN21 of the

Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

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

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 38) 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 and higher floor levels. 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 a satisfactory external appearance, in accordance with policy EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy (2011) Policy BE1, and to ensure that the amenity of occupiers of surrounding premises are not adversely affected by lighting, in accordance with Policies EN20C and EN21 of the Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

- 39) No deliveries nor collections / loading nor unloading shall occur at the commercial part of the development hereby approved other than between the hours of 07:30 and 21:00 Monday to Saturdays and at no time on Sundays and Public/Bank Holidays.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, and Core Strategy (2011) Policy CC4.

- 40) No alterations shall be carried out to the external appearance of the development hereby approved, including the installation of air conditioning units, ventilation fans or extraction equipment not shown on the approved drawings.

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

- 41) Prior to the occupation of the student accommodation, external doors to the student common room shall be fitted and installed with self closing devices, and thereafter permanently maintained in this form.

To ensure that the amenity of occupiers of subject site and surrounding premises are not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended in 2007 and 2011, and Core Strategy (2011) Policy CC4.

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

1. Land Use: The proposal would comply with objectives to increase student accommodation in London without detriment to the surrounding area. The proposal would therefore be in accordance with Core Strategy 2011 Policy H6, London Plan 2011 Policies 3.18 and 4.2 and the National Planning Policy Framework (NPPF) 2012. The retail unit would provide replacement A class retail accommodation in the neighbourhood parade in accordance with Policy SH1 of the Unitary Development Plan, as amended in 2007 and 2011 and the Council's adopted 'Managing Change' SPD.
2. Design: The revised design is considered to be appropriate in its immediate setting, and that it wouldn't cause detriment to the streetscene or heritage assets. It is considered that the design is in accordance with Policy EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policies 7.1, 7.2, 7.3, 7.4, 7.6 and 7.8 of The London Plan 2011 and Core Strategy 2011 Policy BE1 and the National Planning Policy Framework (NPPF) 2012.
3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable. The proposal would not have a harmful impact on neighbouring residential amenity in terms of light, outlook or privacy and noise and disturbance and, through conditions and a legal agreement, the use of the building would not result in unacceptable noise and disturbance to nearby residents. In this regard, the development would respect the principles of good neighbourliness, and would be in accordance with Policies EN8, EN20A, EN20B, EN20C, and EN21 and standard S13 of the Unitary Development Plan, as amended 2007 and 2011.
4. Highways: The impact of the proposal on the highway network and local parking conditions would be minimal. The site has very good local public transport accessibility and provision would be made for cycle parking for the users of the development and visitors. With a legal agreement ensuring that the development would be managed in accordance with a management plan, travel plan, construction management plan, construction logistics plans and servicing management plan, the development would not result in any unacceptable highways conditions or pedestrian-vehicular conflict. No general parking would be provided and it is considered that, subject to no parking permits being granted, the proposal would not result in a significant increase in car parking demand or have

an adverse impact on the highway network. Adequate provision for storage and collection of refuse and recyclables would be provided. The development would therefore be acceptable in accordance with Policies EN17, TN5, TN6, TN13 and TN15 and Standards S18.1, S19 and S20.1 of the Unitary Development Plan, as amended 2007 and 2011; and Core Strategy 2011 Policy T1, and London Plan 2011 Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 and the National Planning Policy Framework (NPPF) 2012.

5. Safety and Access: A condition would ensure that the development would provide a safe and secure environment for all users, in accordance with the NPPF 2012, The London Plan 2011 Policy 7.3, UDP Policy EN10 and Core Strategy 2011 Policy BE1. The proposal would provide ease of access for all people, including disabled people, in accordance with London Plan Policy 7.2, the Council's Adopted Supplementary Planning Document (SDP) 'Access for All' and Core Strategy 2011 Policy BE1.

6. Quality of Residential Accommodation: The proposal would provide an acceptable standard of accommodation for future occupiers of the student accommodation facility, in terms of living space, aspect and communal facilities. The development would therefore be acceptable in accordance with Policy 7.1 of The London Plan 2011

7. Environment: The scheme would incorporate suitable facilities for the storage and collection of segregated waste so as to avoid undue pollution. Planning conditions would ensure that there would be no significant worsening of air quality or undue noise and, with other pollution controls in place, the development would not cause detriment to the amenities of neighbours. The development would therefore be acceptable in accordance with Policies EN10, EN17, EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy 2011 Policies CC3 and CC4.

8. Sustainability: The application proposes a number of measures to minimise CO2 emissions and further details would be secured by planning condition. The proposal would seek to reduce pollution and waste and minimise its environmental impact. The development would therefore be acceptable in accordance with Core Strategy 2011 Policies CC1 and CC2, Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan 2011, and National Planning Policy Framework (NPPF) 2012

9. Flood Risk: A Flood Risk Assessment has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Sustainable urban drainage matters are considered satisfactory and the development would therefore be acceptable in accordance with the NPPF (2012), Policies 5.11, 5.12, 5.13, 5.14 of The London Plan 2011, and Core Strategy Policies CC1 and CC2.

10. Planning Obligations: The application proposes that its impacts would be 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 London Plan Policy 8.2, Policy EN23 of the Unitary Development Plan, as amended 2007 and 2011, and Core Strategy 2011 Policy CF1.

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

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

Application form received: 30th April 2012

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>
Royal Borough Of Kensington And Chelsea	16.07.12
Royal Borough Of Kensington And Chelsea	06.08.12
Environment Agency - Planning Liaison	17.05.12
Royal Borough Of Kensington And Chelsea	18.06.12
Thames Water - Development Control	15.05.12
London Fire And Emergency Planning Authority	21.08.12
Royal Borough Of Kensington And Chelsea	02.07.12
Royal Borough Of Kensington And Chelsea	06.07.12

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
52 Poynter Hse 1Queensdale Cres W11 4TA	31.05.12
25 St Anns Road Swanscombe House W11 4SS	10.08.12
25 St Anns Road Swanscombe House W11 4SS	01.06.12
16 Boundary House	31.05.12
18 Dorrit House St Ann's Road W11 4DR	29.05.12
37 - 39 St Ann's Road London W11 4ST	14.08.12
37 - 39 St Ann's Road London W11 4ST	28.05.12

## OFFICER'S REPORT

### 1.0 BACKGROUND

1.1 The application site (covering 0.08 ha) is located on the western side of St. Ann's Road at the junction of Queensdale Crescent. The site adjoins Mortimer House, and was built as part of the Edward Woods Estate. The site is within London Borough of Hammersmith and Fulham (LBHF), but borders the Royal Borough of Kensington and Chelsea (RBKC). The borough boundary runs along the centre of St Ann's Road between the junction with Rifle Place to the immediate north and with Swanscombe Road/St Ann's Villas to the immediate south. The site is visible from the latter junction, which is included within RBKC's Norland Conservation Area. To the south, St Ann's Villas is fronted by a series of semi-detached 3-storey houses dating from the 1850s that are listed grade II buildings in the Tudor style.

1.2 The site was formerly occupied by a two storey over basement building, with a public house at ground floor (known as 'The Favourite'), storage in the basement and ancillary residential accommodation at first floor (landlord's accommodation). Part of the ground floor level of the public house also contained a small carpet shop (c.70sq.m). The property, which has been recently demolished, dated from when the estate was built in the 1960s. The site forms part of a Neighbourhood Parade which characteristically has commercial units and shops at ground floor level, with flats above.

1.3 The immediate surroundings are primarily residential. The scale of the neighbouring buildings varies. There are some 2, 3, 5 and 6 storey high buildings on St Ann's Road. To the west there are some high rise residential tower blocks. The site's immediate neighbour is Mortimer House, a 5-storey block with pitched roof and ground floor retail use. Opposite the site, in RBKC, there is 2 and 3-storey terraced housing and flatted blocks, and also a small public open space.

1.4 The site is not situated in a conservation area. The site is located within the Environment Agency's flood risk zone 1. There is a large London Plane street tree on the pavement, adjacent to the site, on the northern junction of St Ann's Road and Queensdale Crescent.

1.5 There is no relevant planning history.

1.6 The application is for redevelopment comprising a part five, part six storey building comprising 84 student housing studios with ancillary accommodation including internal and external amenity space, and the creation of a 96 sq.m Class A1 retail unit at ground floor level on the St Ann's Road frontage. The proposal would also include landscaping and public realm improvements including tree planting, and a new seating area would be provided at the junction of St Ann's Road with Queensdale Crescent.

1.7 The student accommodation would comprise a reception, communal lounge and rear amenity space and 84 studio units on ground through to the 5th floor. The main entrance to the student accommodation would be on St Ann's Road.



1.8 The scheme would provide 84 student units ranging in size from 17 to 27 sq.m. The breakdown of units is highlighted below:

UNIT TYPE	FLOOR SPACE	NUMBER
Studio	17 - 20sq.m	65
Premium Studio	19 - 22sq.m	11
W/C Accessible Studio	26 - 27sq.m	8
TOTAL	2018 sq.m (GIA)	84

1.9 The scheme would include seven wheelchair accessible units located on the first, second, third and fourth floors. The development would not include any car parking, but it would provide 42 cycle parking spaces within the site and a further 10 public spaces on St Ann's Road.

1.10 The design of the proposal was revised since first receipt of the planning application. Changes made to the design are:

- Front balconies remodelled and halved in width along St Ann's Road
- Mansard roof design to the top floor
- Alterations to fenestration
- Reconstituted stone surround introduced to the facade of the ground floor retail unit and student reception area
- Introduction of reconstituted stone coping detailing

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The proposal was advertised by a site notice, press advert and individual notification letters sent to 339 neighbouring residents in LBHF and RBKC. A number of statutory consultees were also consulted on the proposal.

2.2 Five responses have been received, of which two support the scheme and three object.

2.3 The three letters of objection are summarised below:

- Increased competition for existing local shops.
- 5 floors would be acceptable, design is otherwise sympathetic to the mixed architecture in the area
- The area has a very high proportion of affordable housing. What is needed is a scheme for 100% private residential with a commuted sum to provide affordable initiatives elsewhere in the borough (White City Estate)
- No universities or colleges in locality to justify the student accommodation use and this may be used as a mini hotel
- What will happen with the accommodation in summer?

2.4 The two letters in support relate to:

- Interest in occupying the proposed retail unit.
- Think it is a brilliant development.

2.5 Two further letter have been received following further notification on the changes to the design (these are from people who had previously objected). The objections relate to:

- Increased competition from the new retail unit

2.6 The Environment Agency has responded and has no objection. They also state that the main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere. Condition 24, requiring details of sustainable urban drainage to be incorporated, is recommended.

2.7 Thames Water advises that they have no objection to the proposal with regard to water infrastructure. They are concerned about waste though and the increase in combined flow from this site; and in particular surface water flows and the effect further down the catchment in the Counters Creek area. They recommend that all surface water should be disposed of on site using SUDs as per policy 5.13 of The London Plan. Alternatively, as a minimum, they recommend that proposed combined flows from the site should not exceed the current ones. Condition 24 requiring details of sustainable urban drainage to be incorporated into the scheme is recommended.

2.8 The Borough of Kensington and Chelsea has responded with comments on the originally submitted scheme as follows:

- Storey height is generally acceptable
- Building line mirrors that of the adjacent Mortimer House
- Scale and building lines do not lead to an uncomfortable sense of enclosure to the streetscape
- Elevational design responds well to context in terms of vertical rhythm, fenestration pattern and use of London stock brick
- Awkward alignment of parapet with Mortimer House
- Penthouse storey over sails height of pitched roof of Mortimer House and reads as 'top heavy, clumsy and overly tall'
- High level roof plant is prominent in views along Wilsham Street
- New building is unlikely to detract from views out of the Norland Conservation Area or the setting of the listed buildings within St Ann's Villas
- Retail provision and the foyer entrance are welcome in terms of active frontage and community safety
- Concerned that high perimeter walls on Queensdale Crescent negate the public realm benefits and make the scheme over-reliant on CCTV

2.9 The applicant submitted revised drawings which addresses the concerns expressed over the elevational design, marking of the junction and top floor of the proposal. In particular, the introduction of the mansard roof along with the reconstituted stone detailing and traditional stucco make references to nearby historic buildings and would help integrate the proposal into the established urban grain. Regarding the design and safety of the public realm the proposed scheme would adhere to guidelines and recommendations of Secured by Design. No further comments have been received from RBKC.

2.10 The Metropolitan Police report that they have no objection, subject to the site achieving secure by design status (Condition 17 refers). It is also recommended that a link is considered between the new CCTV system and the existing CCTV system on the estate allowing them to pass images to the police.

2.11 The London Fire and Emergency Planning Authority have reported that they are satisfied with the development.

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

### 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations arising from this proposal relate to:

- The acceptability of the loss of the public house
- The acceptability of the proposed student accommodation as a replacement land use
  - Whether the proposed accommodation is of an acceptable quality
  - Visual amenity, impact on the streetscene and on the character and appearance on the surrounding area, including the adjacent listed buildings and conservation areas in RBKC
  - Whether the scheme is acceptable in terms of traffic generation and parking demand
  - The development's impact on the amenities of surrounding occupiers
- Energy and sustainability, flood risk, the presence of contaminated land
- Any other relevant planning matters

### LAND USE

3.2 The proposal is for the erection of a part five part six storey building to provide 96 sq.m of retail accommodation and 84 student housing units. The development would replace a public house with ancillary accommodation and a small shop.

Loss of existing use:

3.3 Policy SH1 of the UDP aims to retain and improve accommodation for A class use. The policy states that outside of town centres and key local centres, where redevelopment is necessary, replacement A class floorspace will normally be required. The premises are located outside of the town and key local centres, within the Edward Woods Estate neighbourhood parade. Officers consider that the proposed replacement retail accommodation at ground floor level (96 sq m) would mitigate against the loss of the existing public house and shop unit (70 sq m). The size of the retail unit proposed would complement the existing retail units in the neighbourhood parade. Indeed the new unit would have a more modern standard of accommodation which may attract new types of shops to the area.

3.4 The loss of the public house in the neighbourhood parade is also considered acceptable against the council's quota policies for A class uses, as set out within the Managing Change of Use in Local Shopping Centres SPD and the Submission Development Management DPD. The quotas seek to retain 65% of the parade frontage in A1 use. The proposal would not reduce the amount of A1 frontage in the parade, in fact there would be a small uplift in A1 class frontage as a result. There would be a minimal loss of overall commercial frontage within the parade to create the proposed reception area for the student accommodation. Officers consider this loss is outweighed by the introduction of the retail unit, the more modern accommodation proposed and the potential footfall created by the student population, which could improve the vitality of the parade.

3.5 Emerging Policy D1 of the Submission Development Management DPD seeks to retain or replace community uses, including Public Houses, unless there is clear

evidence that there is no longer an identified need for a particular facility. Whilst this policy is not adopted, it is a material consideration in the determination of this application. In this case, the public house had been vacant and has since been demolished. Officers are also mindful that change of use applications from class A4 (Public House) to class A1 (retail) are a permitted change which does not require planning permission. On this basis, officers consider that the replacement of the public house with an A1 class use within the neighbourhood parade, coupled with the lack of demand for an A4 use in this location, are sufficient reasons to justify the change.

#### Proposed Student accommodation:

3.6 The application is accompanied by a Student Accommodation Report, prepared by Lawson and Partners. The report makes the case, in both economic and planning terms, for the delivery of more student accommodation in London and, in particular, in Hammersmith and Fulham. It reports on the demands for student accommodation and advises on the amount of student accommodation both being built and that which is in the pipeline in the borough.

3.7 At a strategic level, The London Plan recognises the contribution that London's universities make to the capital's economy and labour market. It notes that its attractiveness and potential growth of the economy should not be compromised by inadequate provision for new student accommodation. The London Plan predicts that between 18,000 and 27,000 new student accommodation units are required over the next ten years. The need for student accommodation in the borough was acknowledged in recent approvals for student accommodation schemes at Ravenscourt House (ref: 2011/00225/FUL) and Hammersmith Palais (ref: 2010/03497/FUL).

3.8 The London Plan also states that addressing these demands should not compromise capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. This may raise particular challenges locally, and especially in parts of Inner London where almost three quarters of the capacity for new student accommodation is concentrated.

3.9 Boroughs are therefore expected to identify land suitable for conventional housing and student housing; which this council has indeed done through the opportunity area documents. This application site has not been previously identified as either a site suitable for conventional or student housing; however it is a 'windfall' site, which has come about as an opportunity to the developers.

3.10 The Council's Core Strategy supports applications for student accommodation (Policy H6) as part of mixed use development schemes within both the White City and Earls Court and West Kensington Opportunity Areas. However, the site sits outside of our regeneration areas within a predominantly residential area. Policy H6 states that student accommodation that sits outside of the regeneration areas will be considered on a site by site basis, but the council will resist proposals which are likely to have adverse local impacts. The council therefore needs to be satisfied that the proposed scheme would not compromise residential amenity. On this basis the proposal is considered against UDP policies on noise and environmental nuisance (see below).

3.11 The London Plan Policy 3.8 states that 'strategic and local requirements for student housing meeting a demonstrable need should be addressed by working closely with higher and further education agencies and without compromising capacity for

conventional homes'. Supporting paragraph 3.53 states 'Unless student accommodation is secured through a planning agreement for occupation by members of specified educational institutions for the predominant part of the year, it will normally be subject to the requirements of affordable housing policy (Policies 3.10-3.13)'. In this instance, the applicants intend to only allow students who are enrolled on a full time higher education course to occupy the units, which would be secured by a legal agreement. This would be consistent with the approach the Council has taken on recent planning permissions for student accommodation at Ravenscourt House (2011/00225/FUL) and Hammersmith Palais (2010/03497/FUL), and is considered acceptable in this instance.

3.12 The Submission Development Management DPD policy A.7, is a material consideration, and does not preclude student housing in residential areas and sets out the main criteria against which student housing applications will be judged. These criteria are:

- a) the site should be in an area with good public transport accessibility (normally PTAL 4-6) with access to local convenience services and would not generate additional demands for on-street parking;
- b) there would be no loss of existing housing;
- c) a management and maintenance plan for the accommodation that demonstrates how the amenity of neighbouring properties will be protected and what steps would be taken to minimise the impact of the accommodation on neighbouring uses;
- d) quality of accommodation, including size of units, daylight and sunlight standards;
- e) provision of wheelchair accessible accommodation to meet the needs of disabled students; and
- f) any application for student accommodation should be secured for occupation by members of specified London-based higher educational institutions.

3.13 With regard to part (a), the site is only 500m from White City Underground Station and Shepherd's Bush Underground and Overground Station. The site has a PTAL rating of 6a. The site is also c. 500m from Westfield Shopping Centre and Shepherd's Bush Town Centre, which has a number of convenience stores. There are also neighbourhood shops on St Ann's Road. The scheme would provide no car parking spaces and students and staff would use public transport. There would be a legal agreement preventing students from securing Residents Parking Permits (exempting Blue Badge Holders/disabled students). As such the proposal is considered to comply with part (a).

3.14 There would be no loss of housing, overall. There was residential accommodation within the previous building, but this was ancillary to the pub. Eighty four new units of accommodation would come forward in this proposal. As such, it is considered that part (b) is also satisfied.

3.15 A Draft Student Management Report has been included in the planning application. The report demonstrates that the amenity of neighbouring residents would be protected by various measures including a reception and management team and paid Student Wardens living on the premises. An external security company would also be employed who would monitor a CCTV system, which would be installed to communal areas. A condition is also recommended preventing the outdoor communal area from being used after 8:30pm, which the applicants have agreed to (condition 19).

3.16 The proposed unit sizes range from 17sq.m to 27sq.m. These sizes are similar to other recently approved student accommodation schemes (including the Hammersmith Palais and Ravenscourt House permissions). There are also internal and external communal areas within the scheme. Overall, officers are satisfied that the proposal would provide a quality attractive living environment for the students. The daylight and sunlight assessment submitted with the application also demonstrates that each of the new units would receive acceptable levels of daylight and sunlight.

3.17 Section 4.30 of the Development Management DPD requires developments to be designed in accordance with BS8300:2009 which is enshrined in Approved Document M of the Building Regulations. Approved Document M requires that 5% of bedrooms within communal residential buildings - including halls of residence - should be fully accessible. The proposed provision of seven wheelchair accessible units (8%) complies with this policy. An additional 2% of the accommodation should be capable of adaptation for wheelchair users, to be implemented if so required in the future. Condition 15 refers details to be submitted.

3.18 The applicants have agreed to enter into a legal agreement which would restrict the occupation of the property to students studying full time in London based higher education institutions. This approach is consistent with both the adopted London Plan and LB Hammersmith & Fulham's emerging Development Management DPD.

3.19 The proposed development of 84 student suites meets an accommodation need identified in the Council's Core Strategy and The London Plan. The proposal is considered to be in accordance with Core Strategy policy H6 and emerging DM DPD policy A7. The impacts on the locality will be discussed in the report below.

## SERVICES and FACILITIES

3.20 Officers have considered the impact of the proposed development on the existing services and facilities in the area, including health care facilities.

3.21 The applicant has agreed to make a financial contribution of £30,000 towards the capital costs of providing healthcare in the vicinity of the site. This amount was calculated on the basis of the NHS HUDU Model. In terms of shopping facilities, as noted above, there is a range of commercial premises locally and in Shepherd's Bush Town Centre to meet everyday local needs. Specialist services and shopping is available in central London; and Overground and Underground routes are close by to allow easy access to these.

3.22 Given the additional pressure that the new development, with 84 students additional students, would place on local parks and open space, whilst acknowledging that there is some communal outdoor space proposed of 71.7sq.m within the development, the applicants have agreed to make a contribution of £65,000 to help fund environmental improvements locally, such as at Norland North Park and within the Edwards Woods Estate.

## VISUAL AMENITY

3.23 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.'

3.24 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'.

3.25 Core Strategy Policy BE1 'Built Environment' states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

3.26 The site has been cleared, the former two storey 1960s building contained a pub with ancillary residential accommodation above and a ground floor retail unit and was not of any architectural or historic interest.

3.27 The detailed design has been subject to detailed negotiation with the applicant. There are no objections to the height of the development which would relate well to the adjacent five storey 1960s Mortimer House and the more recent six storey Boundary House apartment block on the opposite corner of Queensdale Crescent and St Ann's Road. The design is successful at creating a finer urban grain by breaking the massing down into three elements including a corner 'hinge' block with recessed wings fronting both St Ann's Road and Queensdale Crescent. The set back fifth floor at roof level has been altered to a traditional mansard design in response to the consultation comments received from RBKC. The revised design is considered to have a positive effect in views west along Wilsham Street within RBKC from where the proposed building would terminate the view, with the tower blocks on the Edward Woods Estate appearing in the background.

3.28 The elevations have been redesigned since the application was submitted to provide a more traditional hierarchy. Amendments include stone shopfront surrounds at ground floor level to provide a strong base, a consistent ordering of windows at first, second and third floor levels and the introduction of an attic floor at fourth floor level with smaller window openings, which is further delineated in each of the two wing blocks by a string course below and a coping stone above. The chamfered brick window openings in the corner building at the junction of St Ann's Road and Queensdale Crescent allow for small recessed balconies from first to fourth floor levels to provide an extra element of visual interest. Deep recesses are proposed to the window openings to create a strong sense of articulation in the facades and this will be enhanced by stone surrounds to selected window openings. The materials integrate well with their context including yellow stock brick, stone and zinc roof covering.

3.29 The setting of the nearby Norland Conservation Area and nearby listed buildings in RBKC would be preserved.

3.30 Sufficient active frontage would be provided in the streetscene by the commercial unit and the student housing reception whilst the boundary treatment to the gardens of the residential units at ground floor level along Queensdale Crescent should provide privacy and security.

3.31 The large London Plane street tree at the junction of St Ann's Road and Queensdale Crescent would be protected and retained.

3.32 The proposal, subject to conditions, is in accordance with UDP policy EN8 and Core Strategy policy BE1.

## IMPACT ON RESIDENTIAL AMENITY

3.33 Policy EN8 of the Unitary Development Plan relates to the design of new development and places an emphasis on the principles of good neighbourliness. As such the scheme's impact on neighbours in respect of outlook, privacy as well as daylight and sunlight have been assessed, and are considered below.

## OUTLOOK

3.34 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.

3.35 With regards to Mortimer House, to the rear of the site, the proposed building would not meet the opening test of standard S13.1 and therefore on-site judgement needs to be the determining factor in assessing outlook. The proposed building has been carefully designed such that the rear part of the building would be set away from Mortimer House. It is also acknowledged that all flats in Mortimer House are dual aspect and therefore benefit from existing views east and west. Having reviewed the context on site, it is considered that the proposal would not have an overbearing or dominating effect on the neighbouring residential properties in Mortimer House. Furthermore, the proposed building would be of a scale that is appropriate in this context and it is considered that the proposal would not result in an unacceptable infringement of outlook to residential properties located at St Ann's Road of Queensdale Crescent, opposite the site.

## PRIVACY

3.36 Standard 13.2 of the UDP states that 'a development's proximity can result in the overlooking of existing residential properties, either from windows or roof terraces/balconies. The standard states that new windows should be no less than 18



metres as measured by an arc of 60° taken from the centre of the proposed new window'.

3.37 With regards to Mortimer House the proposal would comply with this standard and officers consider that there would not be a loss of privacy to occupiers of this building. Windows on the Queensdale Crescent elevation would be within 16.3m of existing windows in Boundary House, contrary to this standard. However, the building line and layouts of the proposed building follows the local pattern of development, similar to existing relationships in the street. Furthermore, these are street facing windows. Officers do not consider that this arrangement would result in an unacceptable infringement of privacy to occupiers in Boundary House. Windows in the front elevation would be 21m away from the closest window at 32 St Ann's Road in RBKC, in accordance with Standard S13.2.

## BALCONIES

3.38 There is no communal amenity space proposed at roof level and there are no amenity spaces which could offer views into the flats of existing neighbouring residents. A small communal amenity space would be provided externally at ground floor level at the rear of the site, while the ground floor student suites would each benefit from private courtyard gardens. On the upper floors, small balconies would be provided on the corner of the St Ann's Road and Queensdale Crescent frontages. Officers do not consider that these would introduce any adverse privacy issues.

3.39 Consequently, the proposal would not result in any harmful overlooking and is considered to be in accordance with Standard S13.2 of the UDP.

## DAYLIGHT and SUNLIGHT

3.40 The Daylight and Sunlight report submitted with the application assesses the impact of the development on the daylight and sunlight conditions of nearby residential 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' to help in this assessment. The proposed building was tested against the BRE guidelines and was found to comply for habitable rooms to neighbouring properties; in that there would not be any noticeable reduction in daylight levels. The sunlight to the neighbouring properties would not be noticeably affected by the development, except for one window at second floor level to Mortimer House which would lose 25% of winter sun instead of 20%, which is normally allowable. However, this is a bedroom and not a living area. The proposal is considered to meet the aims of UDP policy EN8 and is considered to be a neighbourly form of development in these matters.

3.41 The daylight report demonstrates that the levels of natural light into the students units would exceed the BRE recommendations. The proposal is considered to be in accordance with Standard S13.3 of the UDP

## NOISE AND DISTURBANCE

3.42 Potential noise and disturbance associated with the proposal is assessed against UDP policies EN20B (noise pollution) and EN21 (environmental nuisance) below.

3.43 Policy EN20B states that 'noise generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants/users of existing noise sensitive uses in the vicinity'. Policy EN21 relates to environmental nuisance and states that 'all developments shall ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties particularly where commercial and service activities are close to residential properties'.

3.44 It is not considered that the student accommodation units would materially increase noise and disturbance to neighbouring residents. It is considered that the 'comings and goings' of students (which are likely to be at staggered intervals throughout the day and evening) would be most unlikely to result in levels of noise and disturbance within the area which would be to a demonstrably harmful extent. The use of the communal outdoor amenity spaces (measuring 71.7sq.m) would be restricted, ending at 8:30pm; and would not be allowed to be used before 9am (Condition 19 refers).

3.45 A Draft Management Plan prepared by Lawson and Partners LLP has been submitted with the application and confirms that the site would have a visible management presence (with a manned reception / management team during office hours) that would offer the opportunity for residents and the community to report any instances of anti-social behaviour during office hours. During out of office times, during evenings, night and weekends, there would be paid Student Wardens living on the premises and a 24/7 external security company, which will monitor the CCTV and respond to any incident.

3.46 The Draft Management Plan also states that students would be required to sign a tenancy agreement. The Plan states that any students who are in breach of anti-social behavioural restrictions would be subject to an eviction notice.

3.47 The 'move in' process would be phased to take place over the weekend before the academic courses start. Over the 'moving in' weekend, the management team would provide students with a 15 minute time slot to park and unload their belongings. This would ease congestion both inside and outside the building.

3.48 Officers consider the staggering of arrivals and departures at the beginning and end of the academic year, along with the other management measures identified above, would minimise any localised disruption in terms of vehicular movements, parking conditions and noise/disturbance and would not result in any material harmful impact to neighbouring residents, in accordance with UDP Policies EN20B and EN21. The legal agreement would ensure that a final management plan is submitted and that the processes are implemented (see paragraph 3.82).

3.49 The proposed retail unit would replace a shop and would be compatible with the neighbourhood parade and would not, in officers' view, result in a significant increase noise and disturbance to neighbouring occupiers, in accordance with Policies EN20B and EN21 of the UDP.

## HIGHWAYS AND CAR PARKING

### TRIP GENERATION

3.50 UDP Policy TN13 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, and against the present and potential availability of public transport, and its capacity to meet increased demand'.

3.51 St Ann's Road is on a bus route and, in officers' view, given the site's excellent public transport accessibility level and that no car parking would be provided on site the vast majority of trips to the development are likely to be made on foot and by public transport. Given the nature of the bus and rail networks that serve the site, close to Shepherd's Bush Town Centre, which include Shepherds Bush Underground and Overground station and Latymer Road Underground station, officers consider that the impact of the proposal on the local highway network would be minimal. Average travel patterns for student accommodation from TRAVL shows that 96% of students walk, cycle or use public transport. With 84 students this calculates as 1.64 car drivers, which is an extremely low number. Under normal operating conditions it is considered that traffic generated by the development would not prejudice the effectiveness of the highway network. In addition, a Management Plan, secured by legal agreement, would include measures to enable all students to be moved in and out at the beginning and end of their stays without creating disruption to the highway network and local parking conditions. The legal agreement would ensure the measures are implemented and maintained throughout the lifetime of the development.

3.52 A Travel Plan, in accordance with TFL guidance, shall be required to be submitted for approval outlining how it is intended that the occupiers would be encouraged to make use of sustainable forms of transport. This plan should include details of:

- how resident students would be provided with an information pack which would act as the main source of information detailing all the transport provisions, cycling and walking routes available to them in the locality.
- an information board which would be displayed in the reception area.

This plan would be monitored in the future. This would be secured by legal agreement. With a robust travel plan in place the impact of the development would not compromise the functioning of the surrounding road network, and the proposal would be in accordance with UDP policy TN13.

### PARKING

#### Car parking

3.53 UDP Policy TN15 and Standard S18 state that 'The Council will require any proposed development to conform to approved car parking standards as a condition of granting planning permission'. Parking standards are outlined in Table 12.1. Table 12.1 requires that proposals of this type should be considered on their own merits. The development would be 'car permit free' such that no off-street parking spaces are proposed and that future occupiers / students would be restricted from applying for parking permits. This is considered acceptable given that the site has excellent public transport accessibility (PTAL level 6A) and is close to Shepherd's Bush Town Centre, Westfield and local shops and services. Average travel patterns for student accommodation from TRAVL shows that 96% of students walk, cycle or get public

transport. It is therefore expected and considered acceptable for no general car parking to be provided on-site in this instance.

3.54 Given that the retail unit would be relatively small in size (96sq.m), and would replace a previously existing shop and public house, the provision of no additional car parking spaces is considered acceptable and in line with Government's policy on increasing the use of more sustainable forms of transport.

#### Cycle parking

3.55 UDP Policy TN6, Standard S20 and Table 12.2 set out cycle parking requirements for developments. In terms of student accommodation one cycle parking space per two students is required, which is 42 cycle spaces in this instance. The proposed development would provide 42 secure parking spaces for the student accommodation, in accordance with Policy TN6 and Table 12.2. Table 12.2 requires one cycle parking space to be provided for visitors to the retail unit. A further ten spaces would be provided to the front of the retail unit for visitors, in accordance with the aims of Policy TN6 and this exceeds the requirement of Standard S20 and Table 12.2 of the UDP. Condition 21 is attached to ensure these details are implemented and thereafter permanently maintained.

#### Refuse and recycling

3.56 UDP Policy EN17 requires development to provide an adequate level of segregated refuse and recycling storage. The submitted plans indicate an area for refuse storage at ground floor level with access to Queensdale Crescent, for collections. The Draft Management Plan prepared by Lawson and Partners LLP states that there would be two refuse collections per week. This is considered acceptable in accordance with Policy EN17. A condition (no. 19) is recommended to ensure that the refuse/recycling storage areas are provided, used and permanently maintained. A further condition (no. 20) is recommended requiring details of recycling waste facilities within each student room to be provided for approval.

#### Servicing and delivery and management

3.57 Full details for servicing and deliveries would need to be submitted to and approved by the Council. A Servicing and Delivery Management Plan would be secured in the legal agreement. This would need to consist of a logical step-by-step process (including number of vehicles at any one time, time of deliveries, time vehicles remain on site etc) and should include all servicing (e.g. deliveries, waste, couriers, cleaning of the building etc).

#### Highway improvements

3.58 Due to the increased footfall expected to arise from the development a contribution towards repaving of footpaths around the perimeter of the site and local highways improvements works has been agreed by the applicant. These works would include the area adjacent to the site on Queensdale Crescent and part of St Ann's Road from Queensdale Crescent to the Access Road of Edwards Wood Estate.

## STANDARD OF ACCOMMODATION

### Room sizes and communal facilities

3.59 As stated above, in paragraph 3.14, officers are satisfied that the units, ranging from 17sq.m -27sq.m, would provide enough space to ensure a satisfactory quality of life for the anticipated future student occupants. It is also acknowledged that the following communal area would be provided as part of the scheme, to provide further amenity:

- Communal external amenity space of 71.7sq.m;
- Student lounge of 75.8sq.m;
- Student reception area of 37.9sq.m
- Laundry room
- A total of 185 sq.m of internal and external amenity space would be provided (equates to 2.2sq.m per student, comparable to Hammersmith Palais, with 2.15 sq.m per student, and Ravenscourt House, with 2.24 sq.m per student)

### Aspect

3.60 Standard S13.3 of the UDP requires that no dwelling shall have all its habitable windows facing exclusively in any northerly direction i.e. between northeast and northwest. Only where very special circumstances exist, which would outweigh the benefits to amenity of occupants, would this requirement normally be relaxed.

3.61 Only 5 out of the 84 student rooms would have windows facing solely in a northerly direction; where sunlight conditions would be poor. Additional technical justification has been submitted, which demonstrates that all 84 student rooms would meet the minimum BRE guidance for adequate daylight. Also, students can use the communal spaces both within and outside the building, which would receive sunlight. As such, it is considered, on balance, that the proposal, which it is noted is not for permanent residential accommodation, would provide adequate sunlight and daylight for future student occupants in accordance with Standard S13.3 of the UDP.

### Access for all

3.62 The adopted Supplementary Planning Document (SPD) 'Access for All' is relevant in consideration of the acceptability of the scheme. The GLA has clarified that there is requirement for 5% of student units to be wheelchair accessible. In accordance with London Plan policy 7.2 the development should provide an inclusive environment which meets the specific needs of older and disabled students and visitors as set out in BS 8300:2009. Under the Equality Act 2010 due regard must be had for the potential of the proposal to affect the various needs of protected groups, such as disabled people.

3.63 In accordance with these policies, seven units (8%) would be fully accessible to wheelchair users. A condition is recommended ensuring that the wheelchair units would be provided and thereafter permanently retained (condition 15). A condition is also recommended ensuring that level access / disability access is provided throughout the building, including to the bin stores and communal areas (condition xx).

3.64 The new retail unit would have a level threshold at its entrance and a wheelchair accessible WC and washroom. A condition would be attached ensuring level access is provided into the student accommodation scheme and the retail unit in accordance with

the plans (Condition 22 refers). Subject to the above conditions the proposed development would be in accordance with London Plan Policy 7.2 and the Council's adopted 'Access for All' SPD.

## CONTAMINATION

3.65 Potentially contaminative land uses are understood to have occurred at, or near to the site. Conditions 27 to 32 are recommended in order to ensure that no unacceptable risks are caused during or following the development works, and in accordance with UDP Policies G0, G3, EN20A and EN21.

## ENERGY EFFICIENCY, RENEWABLE ENERGY and SUSTAINABILITY

3.66 London Plan Policy 5.2 seeks a reduction of carbon emissions from all development. The policy states that major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction are to be met within the framework of the Mayor's energy framework.

3.67 As required, a detailed Energy Assessment has been submitted to show how the Mayor of London's energy hierarchy would be implemented in the design and construction of the development to minimise energy use and reduce CO2 emissions.

3.68 Energy efficiency measure to be implemented include the use of improved building fabric (with better performance than the Building Regulations minimum requirements), including high specification glazing and high levels of insulation; improved air permeability levels; maximisation of natural ventilation and use of energy efficient lighting (with occupancy and photoelectric sensors where applicable).

3.69 The energy efficiency measures are calculated to reduce CO2 emissions by just less than 3 tonnes a year - an improvement over the 2010 Building Regulations requirement of about 3%.

3.70 The inclusion of a site wide heating system has been investigated and found to be feasible. Therefore a gas fired combined heat and power (CHP) system would be installed. The inclusion of the CHP unit would help to significantly cut CO2 emissions by 27 tonnes (equivalent to c.29%). It is also proposed to install a small array (20m<sup>2</sup>) of south facing PV panels on the roof. These would offset a further 1 tonne of CO2.

3.71 From the baseline emissions rate of 94 tonnes of CO2 a year that a building regulations compliant design would produce, the sustainable energy measures are calculated to reduce emissions by c.31 tonnes, which is equivalent to an improvement of 33%. Therefore, the proposed measures show that The London Plan carbon reduction target of 25% would be met. A condition is recommended requiring further details of the angle of the PV panels to be submitted for approval, and the implementation of these measures outlined in the Energy Assessment (condition 23).

## Sustainable Design and Construction

3.72 London Plan Policy 5.3 states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

3.73 A Sustainability Statement has been submitted with the application showing how the requirements of London Plan policy 5.3 and Core Strategy policies CC1-CC4 would be complied with through appropriate sustainable design measures. These include:

- the use of building materials that have low environmental impacts where possible (including sustainably sourced timber products)
- some demolition waste from the previous building being recycled and incorporated into the new construction
- a Site Waste Management Plan being implemented during the construction phase to minimise waste production and dedicated space being incorporated into the development for waste and recycling storage
- water efficient appliances e.g. dual flush toilets etc being installed to help minimise water use
- green roofs and soft landscaping being included which would help improve the site's ecological value compared to its previous use, which was 100% coverage of building and hard-standing.

Inclusion of these features would also help to improve surface water drainage, although further details on this aspect of the design are required (see below).

3.74 Subject to further details on surface water drainage measures being submitted (see condition 24), the sustainable design and construction measures proposed are adequate to comply with the requirements of London Plan policy 5.3.

#### Flood Risk/Sustainable Drainage

3.75 The site is in the Environment Agency's (EAs) Flood Zone 1 which indicates a low risk of flooding from the River Thames. Reference is made to the possibility of incorporating porous paving and an underground storage tank to help reduce surface water run-off (in addition to the proposed green roof areas). Further information is requested for approval on the sustainable drainage measures (condition 24). The details should show how the requirements of London Plan policy 5.13 and Core Strategy policy CC2 on water and flooding would be complied with, with particular attention paid to showing how the minimum requirement to reduce peak run-off by 50% would be achieved.

#### TREES

3.76 The existing c.15m tall mature London Plane street tree, adjacent to the site, would be retained and protected from damage in accordance with BS: 5837:2012. A condition is attached to this effect (condition 9).

#### CONSTRUCTION MANAGEMENT AND CONSTRUCTION LOGISTICS PLAN

3.77 A legal agreement would require the submission and approval of a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP). The CMP 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 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.

3.78 A CLP would be required in accordance with TfL requirements. This should seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.79 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. CIL Regulations (2010) state 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. London Plan policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance on the priorities for obligations in the context of overall scheme viability. In this instance, CIL will be payable on the proposed development, in the region of £122,650.

#### LEGAL AGREEMENT

3.80 The applicant has agreed to enter into a legal agreement with the council with respect to the following heads of terms:

- (i) Ensuring that the accommodation shall be for use of students only, studying a course full-time in a higher educational institution in London
- (ii) Highways improvements works to be carried out in the vicinity of the site, at the applicant's expense
- (iii) Submission of a Travel Plan relating to the student accommodation scheme
- (iv) Submission of a Construction Management Plan, Construction Logistics Plan, and a Servicing and Deliveries Management Plan
- (v) Marketing of the accessible units
- (vi) £95k contribution to local physical, environmental and social improvements
- (vii) The student accommodation scheme to be managed in accordance with an agreed Management Plan
- (viii) With the exception of disabled students and students who have impaired mobility whom may apply for Blue Badges, no occupiers of the student accommodation units to be eligible to obtain residents' parking permits to park on-street in the controlled parking zone
- (ix) the student accommodation cannot be sub-let to a third party (and sanctions shall be included to address this)

#### 4.0 CONCLUSION and RECOMMENDATION

4.1 Taking the above matters into account officers consider that the proposed redevelopment of the site 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 scheme is considered to be of acceptable design which would not harm the setting of the streetscene and the adjacent conservation area and would preserve the setting of the nearby listed buildings. As such the proposal is considered to be 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 planning conditions and a legal agreement as set out in this report, it is recommended that planning permission be granted.