

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 6th February 2013

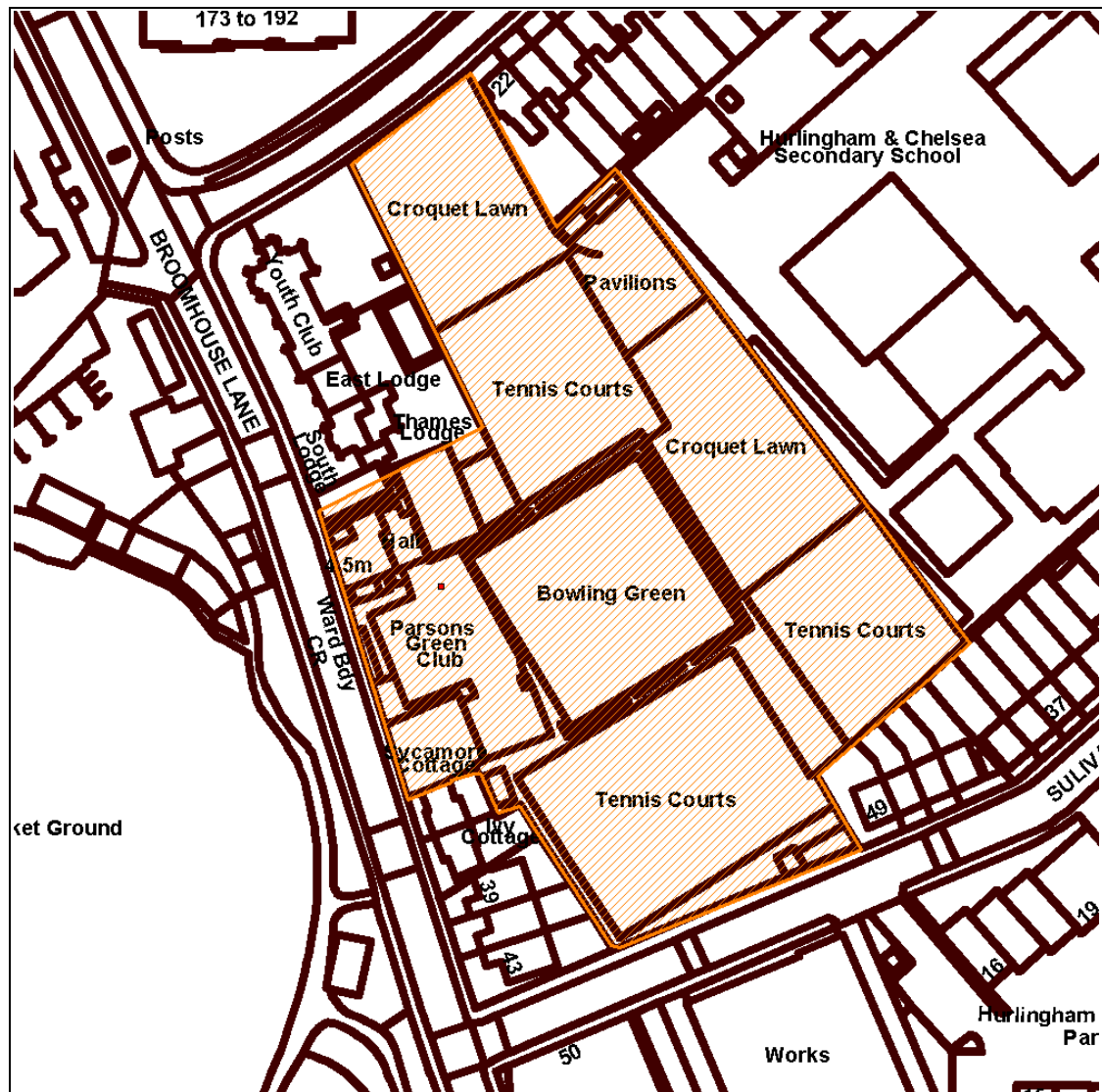
Index of Applications, Enforcement Actions, Advertisements etc.

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Ward: Sands End

Site Address:

Parsons Green Club Broomhouse Lane London SW6 3DP



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For identification purposes only - do not scale.

Reg. No:
2012/01924/FUL

Case Officer:
Roy Asagba-Power

Date Valid:
25.06.2012

Conservation Area:
: Hurlingham Conservation Area - Number 4

Committee Date:
06.02.2013

Applicant:

Phoenix Park (Parsons Green) LTD
McCoy House 1 Shorrolds Road London SW6 7TR

Description:

Redevelopment involving: demolition of the existing club house, nursery and outbuildings; erection of replacement club house with basement car parking, nursery and 24 flats above; erection of four houses; erection of pavilion building with squash court and caretaker's flat above and re-configuration of playing field facilities.

Drg Nos: 150: P02C; P03C; P04C; P05C; P06C; P07C; P08C; P09C; P10C; 150: P12B; P13A and P14; 151: P09; P11C; P13A; P14; P15; P16; P17; P19; P20; P21; P22; 151: P23; P24; P25; P26 and P28. Arboricultural Report; Design _ Access Statement; Flood Risk Assessment; Noise Assessment; Transport Assessment and subsequent addendums.

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 up on 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 be carried out and completed in accordance with the following approved drawings:
150: P02C; P03C; P04C; P05C; P06C; P07C; P08C; P09C; P10C; P12B; P13 and P14
151: P09; P11C; P13A; P14; P15; P16; P17; P19; P20; P21; P22; P23; P24; P25; P26 and P28.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8 and 7.21 of the London Plan and policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

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

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

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

To ensure a satisfactory external appearance of the site, in accordance with policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

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

To ensure a satisfactory external appearance, in accordance with Policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 6) The development shall not commence until detailed drawings of a typical bay on the elevations of all the proposed buildings in plan, section and elevation at a scale of not less than 1:20 to be submitted in writing for the Council's approval prior to construction commencing and built in accordance with the approved drawings.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

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

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies EN2, EN3, EN6, EN8, EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 9) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the Broomhouse Lane or Sullivan Road elevations of the buildings hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

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

To ensure a satisfactory external appearance, in accordance with Policy EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 11) 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.

- 12) No development shall take place until a scheme detailing how the roots of the mature trees within the site and the mature trees on the adjoining boundaries, will be protected from damage during demolition and construction has been submitted to and approved in writing by the Council.

The approved protection measures shall be implemented prior to commencement of development and retained until the development has been completed.

To protect existing trees in accordance with policies EN2, EN8 and EN25 of the Unitary Development Plan, as amended 2007 and 2011.

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

and use of any part of the buildings, whichever is the earlier, and the landscaping shall thereafter be retained and maintained in accordance with the approved details.

To ensure a satisfactory external appearance, and that the needs of the visually impaired are catered to in accordance with the Equality Act 2010 and policy EN2, EN3, EN6, EN8 and EN26 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 14) Any tree or shrub planted pursuant to approved landscape details outlined in Condition 13 that is removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory provision for planting, in accordance with policies EN2, EN3, EN8 and EN26 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 15) The development shall not be occupied prior to the submission and approval in writing by the Council of details of all proposed external lighting, including security lights, and the use shall not commence until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2005' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Policy EN2, EN3, EN8, EN20A, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 16) Prior to the occupation of any of the residential units the whole of the parking accommodation shown on the approved drawing Nos. 151 P11C shall be provided. This shall thereafter be retained permanently for the accommodation of motor vehicles of the residential occupiers and users of the development and shall not be used for any other purpose. Allocation of the parking spaces shall be in accordance with details that must first be submitted to and approved in writing by the council.

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

- 17) Prior to the occupation of any of the residential units the car parking spaces designed for wheelchair users shown on the approved drawing nos. 151 P11C shall be provided, marked out and reserved for persons with disabilities. These facilities shall thereafter be permanently retained for this purpose.

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

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

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

- 19) The development shall not be occupied until details of the secure cycle storage hereby approved have been implemented and shall be retained thereafter for the lifetime of the development.

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

- 20) The development shall not be occupied before details of the refuse storage hereby approved, including provision for the storage of recyclable materials, have been implemented. All refuse/recycling generated by the development hereby approved shall be stored within the agreed areas. These areas shall be permanently retained for this use.

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

- 21) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels transport, site activities and industrial uses. Details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of silenced mechanical ventilation, as necessary, to achieve 'Good' internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:1999. 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 is not adversely affected by noise from transport and other external noise sources, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 22) 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 $L_{nT,w}$ for the floor/ceiling /wall structures separating different types of rooms/

uses in adjoining dwellings, namely living rooms adjacent to or vertically stacked with bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 23) 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 $L_{nT,w}$ for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings, namely living rooms adjacent to or vertically stacked with bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 24) Neither music nor amplified voices emitted from the sports club / nursery commercial parts of the development shall be audible at any residential/ noise sensitive premises.

To ensure that the amenity of occupiers of the development site and 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.

- 25) No tannoys or public address systems shall be used in external areas.

To ensure that the amenity of occupiers of the development site and 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.

- 26) The external sports facilities shall not be used other than between the hours of 08:00 and 22:00.

To ensure that the amenity of occupiers of the development site and 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.

- 27) Prior to commencement of the development, a Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall include times of deliveries and collections, location of loading points, servicing of external areas including the sports grounds.

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

- 28) No part of the ground floor sports club shall be used or be occupied until provision has been made for the disposal of litter resulting from the its proposed use, and

such provision shall be in accordance with details first submitted and approved in writing by the Council.

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

- 29) The development shall not be implemented until details of the sound insulation of the floor/ceiling and walls separating the commercial parts of the development premises from the residential properties on the first floor have been submitted and approved in writing. Details are to ensure that the $D_{nT,w+Ctr}$ noise level difference and sound insulation of floor/ ceiling/ walls and any other mitigation measures are sufficiently enhanced and that the standards specified in BS 8233:1999 are achieved within noise sensitive premises and their external amenity areas. Once implemented, these details shall thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

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

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

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

- 31) Prior to occupation 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.

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

- 32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that

Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that that the visual impact of telecommunication equipment can be considered in accordance with Policies EN2, EN3, EN6 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 33) Notwithstanding the provisions of Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, no development within the curtilage of the four dwelling houses hereby approved shall be carried out without the prior permission of the Council, obtained through the submission of a planning application.

In the interests of the living conditions of neighbouring properties within the development, in accordance with policies EN2 and EN8 of the Unitary Development Plan as amended 2007 and 2011.

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

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

- 35) Prior to commencement of the development hereby approved, details and drawings at a scale of 1:100 demonstrating the flats within the development's compliance with the Lifetimes Home standards 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 the new flats are built to 'Lifetime Homes' standards, in accordance with Policy H4 of the Core Strategy 2011, Policy 3.8 of The London Plan (2011) and the Council's Supplementary Planning Document General Guidance (Access for All).

- 36) With the specific exception of the terrace areas indicated on the approved drawings, no part of any other flat roof of the approved building shall be used as a terrace or other amenity space.

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

- 37) 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.

- 38) 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.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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.

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

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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.

- 43) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority. Development or demolition shall not take place other than in accordance with the approved Written Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

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

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

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

- 45) Prior to commencement of the development hereby approved, a detailed Sustainability Statement, including Energy Assessment, shall be submitted to and approved in writing by the Council, and thereafter permanently retained and maintained in line with the agreed plan. Details on sustainable design and construction measures, including carbon reduction measures shall be submitted to and approved in writing by the Council. The approved details shall be carried out before any occupation of that part of the development to which the approved details relate and be retained in full working order for the lifetime of the development.

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

- 46) Prior to commencement of the development hereby approved, details of the Sustainable Urban Drainage System (SUDS) shall be submitted to and approved

in writing by the Council, and thereafter permanently retained and maintained in line with the agreed plan.

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

Summary of reasons for granting planning permission:

- 1) 1. Land use: The proposed development is in accordance with the Council's aspirations for the area and the principle of redevelopment will make effective regeneration of existing sports facilities, will result in the continued use of open space and nursery as well as provide new housing. The proposed mix use development would be in accordance with National Planning Policy Framework, policies 3.3, 3.4, 3.11, 3.12, 3.16 and 3.19 of the London Plan 2011 and policy EN22, EN25, CS2 and HO6 of the Unitary Development Plan as amended 2007 and 2011 and policies H1, H2, H3 and CF1 of the Core Strategy 2011.
2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The proposal preserves and enhances the character and appearance of the adjoining conservation areas, heritage assets and locally listed buildings. The development would therefore be acceptable in accordance with Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan as amended 2011 and policies EN2, EN3, EN6, EN8 and EN25, of the Unitary Development Plan as amended 2007 and 2011 and policy BE1, of the Core Strategy 2011.
3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies EN10, HO6, EN8, EN20A, EN23, EN23B and Standards S5A.1, S5A.2, S7.1, S7A, S13.1, S13.2 and S13.3 of the Unitary Development Plan as amended 2007 and 2011, and policies H3 and OS1 of the Core Strategy 2011.
4. Transport: Subject to a satisfactory legal agreement there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Satisfactory provision would be made for cycle parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The development would therefore be acceptable in accordance with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan 2011 and policies TN4, TN5, TN6, TN8, TN13, TN15 and TN21 and Standards S18, S19, S20, S21 and S23 of the Unitary Development Plan as amended 2007 and 2011 and policy T1 of the Core Strategy 2011.
5. Access: The development would provide a safe and secure environment for all users. The development would therefore be acceptable in accordance with Policy EN10 of the Unitary Development Plan as amended 2007 and 2011, and the Council's adopted supplementary planning document 'Access for all'.

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

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

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

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

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 8th 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
Thames Water - Development Control
English Heritage London Region
Fulham Society
Hammersmith & Fulham Historic Buildings Group

Dated:

14.08.12
16.07.12
14.11.12
29.11.12
23.11.12

Neighbour Comments:

Letters from:

59 Clancarty Road Fulham
184 Sullivan court Broomhouse Lane London
12 Broomhouse Dock Carnwath Road London
Hurlingham Castle Broomhouse Lane London SW6 3DP
Hurlingham Castle Broomhouse Lane London SW6 3DP
Hurlingham Castle Broomhouse Lane London SW6 3DP
Hurlingham Castle Broomhouse Lane London SW6 3DP
Hurlingham Castle Broomhouse Lane London SW6 3DP
Hurlingham Castle Broomhouse Lane London SW6 3DP

Dated:

27.07.12
19.08.12
24.07.12
25.10.12
19.12.12
09.01.13
18.01.13
04.01.13
07.11.12

OFFICER'S NOTES

1.0 SITE DESCRIPTION AND RELEVANT HISTORY

1.1 The proposal site (1.17 hectares) includes the Parsons Green Club (over 300 members) and the Council owned nursery building. The main frontage is along Broomhouse Lane at the junction with Daisy Lane and there is a secondary frontage along Sullivan Road. The site lies within the Hurlingham Conservation Area and neighbours the listed Grade II Elizabethan School [Castle Club] to the north and Ivy Cottage and Sycamore Cottage (a pair of Buildings of Merit dating from the late 18th century) and the earliest surviving properties in this area, to the south. The site lies opposite the Hurlingham grounds which provide the parkland setting for the listed Hurlingham House. To the rear is the Hurlingham and Chelsea school. The site is set within open space of borough-wide importance, the Hurlingham Conservation Area and Flood Risk zone 3.

History

1.2 1977 - planning permission granted for the erection of a single storey extension to the main club building for use as a private restaurant.

1.3 1996 - planning permission granted for erection of a single storey side extension to the existing gymnasium and a single storey side and rear extension to the existing dining room area.

1.3 1996 - planning permission granted for floodlighting to existing tennis courts 2 and 3.

1.4 2003 - planning permission granted to vary hours of the floodlighting use from 21.00 hours to 22.00 hours.

1.5 2012 - planning permission was granted for the demolition of existing ancillary storage structures and the erection of 3 houses fronting Sullivan Road.

1.6 The current application involves the following elements: the demolition of the existing club house, nursery and outbuildings; erection of replacement club house with basement parking and nursery with 24 flats above; the erection of four terrace houses (adjoining the 3 previously approved houses); the erection of a pavilion building with

squash court and caretaker's flat above and the re-configuration of playing field facilities.

1.7 A concurrent application for conservation area consent for the demolition of the existing buildings has been submitted for the demolition of the existing buildings.

2.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

Pre-application

2.1 A Statement of Community Involvement (SCI) has been submitted with the application which, details the public consultation undertaken by the applicants prior to the submission of the planning applications. The pre-application consultation included a series of separate presentations during May 2012 to interested parties including the Fulham Society, Hammersmith & Fulham Historic Buildings Group, Hurlingham Club and the Castle Club.

2.2 The Fulham Society generally welcomed the revised proposals which included the retention of rather than demolition of Ivy Cottage and Sycamore Cottage and wanted assurance that the lift shaft would not over shoot the roof.

2.3 The Hammersmith & Fulham Historic Buildings Group queried the details of the proposals (including the building line, materials, parking and trees) and welcomed the retention of the locally listed cottages and the proposed distance between the Castle Club.

2.4 The Hurlingham Club were positive about the design and raised some concerns about: the water penetration from basement construction; noise and dust during construction and possible overlooking.

2.5 The owner of the Castle Club noted that the revised proposals represent an improvement on the original pre-application proposals (which included the removal of the Cottages) and welcomed the set back of the top floor. The Castle Club owner raised concerns about the merits of the existing nursery building.

Formal Consultation

2.6 A site notice and press advert were issued. Individual notification letters sent to 404 neighbouring properties in Broomhouse Lane, Sullivan Road and Daisy Lane.

2.7 Two objection letters (12 Broomhouse Dock and 184 Sullivan Court) have been received including

- Support Hammersmith and Fulham Historic Buildings Groups comments
- impact on views
- increase the amount of traffic in the area
- Could a multi-sport pitch also be included
- Will there be preferential rates for local residents

2.8 The Peterborough Road & Area Residents' Association (PRARA) support the application which 'will improve Broomhouse Lane and ensure that the Club's land will remain an open space.'

2.9 A lengthy objection letter was also received from the Castle Club (previously known as Sullivan House, at the junction with Daisy Lane) raised the following objections:

- contrary to local, regional and national planning policies
- prejudice development within the area
- exceptional personal circumstances
- loss of important protected trees
- conflicts with character of the conservation area
- damage to value of historic buildings
- harmful to setting of Listed Building
- existing nursery building should be Listed
- incompatible with existing use
- overdevelopment
- excessive bulk or scale
- introducing unnatural features
- incompatible with the existing building
- overlooking
- blocking natural daylight
- noise, disturbance, smells and pollution
- dominating nearby buildings
- conflicts with pattern of development
 - harm conservation area
- poor relationship with adjoining buildings
- visually damaging to the landscape or setting

2.10 English Heritage raises no objections.

2.11 The Greater London Archaeology Advisory Service of English Heritage raises no objection subject to conditions.

2.12 Thames Water raises no objection subject to the satisfactory SUDs methods for the development and that an informative is attached regarding minimum water pressure and flow rates.

2.13 The Hammersmith & Fulham Historic Buildings Group has raised objections on the following grounds:

- the overall height
- the top storey would be very visible when viewed from the north
- this would be a very dominant feature that would damage the setting of the listed building and the conservation area
- the nursery should be retained as it relates physically, historically and is part of the setting of the listed building.
- Impact on trees
- overdevelopment of the site
- underground car park which significantly exceeds the footprint of the ground floor.
- loss of open space
- Permission should be refused

2.14 The Fulham Society raises no objections to the proposals.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning issues to be considered include: the principle of development in land use terms; affordable housing provision; the impact of the design and external appearance of the proposed development on the street scene, conservation area and setting of the Listed Building; the effect on residential amenity of adjoining properties; the quality of the proposed residential accommodation; highways impacts and parking and any other material planning considerations.

LAND USE

3.2 The main policy issue with this proposal is the development of 4 houses, a new pavilion building, part of the apartment block and the car park ramp on land protected as open space of borough-wide importance and the loss of a proportion of land (5%) used as a recreational/sports facility. The club is immediately adjacent to the South Fulham Riverside regeneration area which has an indicative target to deliver 2,200 additional homes by 2032 (Core Strategy Strategic Policy SFR). The supplementary planning document for the South Fulham Riverside Area emphasises the need for existing and new residents to have good access to open spaces. It also wants open spaces to provide for court games.

Open Space

3.3 Open space is particularly important in this borough which is strategically disadvantaged in open space provision. It is therefore important to protect all open spaces (private and public) and their functions. UDP policy EN22 is relevant as the proposed scheme is set within open space of borough-wide importance as shown on the adopted proposals map (see reference OS43). Under the terms of policy EN22, development will not be permitted unless it can be shown that such development would preserve or enhance its open character, its function as sport leisure or recreational resource and its contribution to biodiversity and visual amenity. The policy does not preclude development in open space altogether, however any proposals must demonstrate, and the council must be satisfied, that the development would preserve or enhance the value of the open space in terms of amenity for the local community and in terms of biodiversity.

3.4 In addition to policy EN22, adopted Core Strategy policy OS1 is relevant. This is an overarching policy for open space in the borough. Policy OS1 states that the council will protect and enhance parks, open spaces and biodiversity in the borough by designating a hierarchy of open space. The proposal site as mentioned above is designated within the open space hierarchy (site OS43).

3.5 The proposals involve the reconfiguration of the existing facilities, including the relocation of tennis courts and repositioning of the bowling green and croquet lawn. The applicant states that these changes are necessary in order to enable the redevelopment of part of the site thereby enabling the survival of the existing club. Whilst the amount of open space to be built on is a consideration, the policy (EN22) emphasis is on protecting the open character of the open space. The proposed 5% loss of open space needs to be considered against whether the open character is being maintained. Overall the loss is relatively small in comparison to what is left, and officers consider that the open character will not be affected significantly (see further assessment below in design and conservation section).

3.6 Officers are mindful that the provision of improved sports facilities at the club, including a new club house, would help to preserve and enhance its function as a sports facility in line with one of the criteria set within policy EN22. The applicant has advised that the sports facilities would also be made available to two local schools and thereby enables the dual use of the improved sports facilities (secured by s106 legal agreement). The opening up and dual use of the facilities by other community uses would help to meet the demand for the new provision of community facilities that is likely to increase in the area as the South Fulham Riverside is regenerated.. This approach would accord with London Plan policy 3.19 (Sports Facilities) which acknowledges that the refurbishment or modernisation of existing provision is critical to maximise its use, improve lifestyles and increase sporting and educational participation in sport and physical activity.

3.7 Submission DM DPD policy E1 also seeks to protect open space from inappropriate development. Policy E1 states that the council will refuse development on public open space and other green open space of borough-wide importance, unless it can be demonstrated that such development would preserve or enhance its open character, its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity. The proposed development raises similar issues regarding compliance to policy E1 as for policy EN22, but, as stated above, the wider improvements to the club would preserve its function as a sports and recreation resource for the community. Submission DM DPD policy D2 seeks to retain leisure, recreation and sports facilities where they are still viable.

The proposed housing element is intended to enable the long term survival of the club and the sports facilities it provides. The future of the current club is not a planning matter, but the future of the open space/sporting facility is a concern because the Core Strategy seeks to protect these uses.

3.8 Para 4.58 states that the policy does not preclude development in open space altogether. The paragraph continues to say that "the council must be satisfied that the development would increase the value of the open space in terms of amenity for the local community and in terms of biodiversity".

3.9 Although the proposals results in a relatively small loss of open space, it is clear that the overall number of tennis courts would be retained and other facilities will continue to be provided. In addition, the club has offered the use of its facilities to the adjacent schools including, Chelsea and Hurlingham School, Fulham Preparatory School and St Thomas's School (secured through the legal agreement). The matters relating to visual amenity, are covered in the design section of the report and it is clear from that assessment that the proposals would preserve visual amenity. On balance, officers are satisfied that the criteria set out in UDP policy EN22 and DM DPD policy E1 are met in various degrees and that the proposal is also supported by other material circumstances as set out in this report.

Leisure and recreation

3.10 The proposed housing will reduce the amount of space currently used for outdoor sports at the club by 5%. The loss of land for sport, leisure and recreation needs to be considered against Core Strategy policy CF1 and London Plan policy 3.19. Both policies seek to protect existing facilities for continued sports use, but London Plan Policy 3.19 goes a step further and resists proposals that result in a net loss of sports and

recreation facilities. In this case the facility would continue to operate albeit in what appears to be a re-jigged format and on a reduced footprint. On this basis officers consider that the proposal could be considered as being acceptable with Policy CF1 subject to the continued viability of the sports facility, but would result in a net loss of sports facilities and would be in conflict with LP policy 3.19. In addition, of course, the proposal could still run contrary to policy EN22.

3.11 The existing nursery building is currently in a poor condition. The proposed redevelopment involves the re-provision of an improved slightly enlarged new modern nursery facility. This would accord with Policy C5 of the UDP, Policy CF1 of the Core Strategy and Policy D1 of the Emerging DM DPD.

Housing

3.12 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.

3.13 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 including the provision of new housing through conversions. 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 28 units would contribute towards these targets.

3.14 Furthermore Core Strategy Policy H4, UDP Policy H06 and emerging 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. The proposed scheme would provide 4 four bedroom houses and 24 flats (11 one bedroom, 12 two bedroom and 1 three bedroom units). Policy H4 of the Core Strategy states that the precise mix in any development will be subject to the suitability of the site for family housing in terms of site characteristics, the local environment and access to services. In this case, the proposals involve the provision of more than 60% of the houses and flats being suitable for family accommodation. Officers consider that the proposed mix of units would accord with Policy H4 of the Core Strategy.

Density/Affordable housing

3.15 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.

3.16 The site is located in Public Transport Accessibility Level (PTAL) 2 using Transport for London's methodology, indicating that it is 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 450 habitable rooms per hectare (Hrh).

3.17 The proposed development site comprises 1.45 hectares and would have approximately 82 habitable rooms which would result in a residential density of 56 hr/ha, which although below the acceptable density range stipulated in the London Plan would be in keeping with the open character of this site which includes a club house, a pavilion and sports fields.

3.18 London Plan Policy 3.13 (Affordable Housing Thresholds) outlines that affordable housing will normally be required on a site which has the capacity to provide 10 or more homes and that negotiations should take account of development viability, which is the case here.

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

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

3.21 London Plan Policy 3.12 states 'The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regard to a) current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11; b) affordable housing targets adopted in line with policy 3.11; c) the need to encourage rather than restrain residential development (Policy 3.3); d) the need to promote mixed and balanced communities (Policy 3.9); e) the size and type of affordable housing needed in particular locations; and f) the specific circumstances of individual sites.' The London Plan goes on to say that 'the Mayor wishes to encourage, not restrain overall residential development. Boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis. Boroughs should take into account economic viability and the most effective use of public and private investment, including

the use of developer contributions. Development appraisals should be provided to demonstrate that the scheme maximises affordable housing output.'

3.22 The London Plan does not specifically prescribe a target for affordable housing, but Policy 3.12 states rather 'The maximum reasonable amount of affordable housing should be sought' However the Council's Core Strategy (Borough Wide Strategic Policy H2 Affordability) sets a target of 40% for additional dwellings to be affordable, with a preference for intermediate and affordable rented. It also states that in negotiating for affordable housing the council will take into account financial viability.

3.23 The affordable housing provision proposed in the applicant's original submissions was 0%. In order to justify this non-provision the applicant submitted a financial viability assessment which concluded that the proposed Scheme could not afford to make any S106 contribution or to provide for Affordable Housing.

3.24 The financial appraisal has been independently assessed by GVA Grimley and they did not concur with Savills' conclusion. GVA have run an appraisal to establish the point at which the affordable housing quantum of development produces a reasonable land value return for the landowner. This threshold equates to 18% affordable housing (5 units) together with a section 106 contribution of £365,000 which would still allow reasonable residual land values and developer profit. Following officer negotiations in the light of this independent assessment, the applicants have agreed to provide 5 affordable units (discount market sale) and make a £365,000 s106 contribution which means that the proposals are now policy compliant. The discount market sale units would be subject to a nominations agreement. Together with the package of financial contributions towards local infrastructure improvements, the proposed five 1bed discount market sale units (secured through the s106) represents the maximum reasonable amount of affordable housing for this site. The affordable units would be available to selected home-owners with household income ranges from £19,000 a year to £64,300. This would ensure that the affordable units are available to lower household incomes, in accordance with the relevant London Plan policies and the Mayor's Draft Housing Supplementary Planning Guidance (2011) and the affordability thresholds in the Mayor's London Plan Annual Monitoring Report 8, dated March 2012. The proposed mix of private and discount market sale units would contribute towards creating a mixed and balanced community in a high quality residential environment.

DESIGN and CONSERVATION

3.25 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.

3.26 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.

3.27 UDP Policy EN2 states that 'Development in Conservation Areas will only be permitted if the character or appearance of the conservation area is preserved or enhanced.' Policy EN3 (Listed Buildings) seeks to protect Listed Buildings including their settings. Similarly Policy EN6 (Buildings and Artefacts of Local Importance and Interest) states that development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings, structures and artefacts that are of local townscape, architectural or historic interest, including all buildings identified on the council's Register of Buildings of Merit. 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'.

3.28 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. Similarly, Policy DM G7 (Heritage and Conservation) of the submission DM DPD states that the council will aim to protect, restore or and enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument.

3.29 The NPPF (Conserving and enhancing the historic environment) states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF goes on to state that Local planning authorities should also look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

3.30 The site is adjacent to the Thames Policy Area and the Hurlingham Conservation Area. London Plan Policies for such sites seek to encourage a built form that has a human scale of interaction, and development which relates successfully in scale and integrates into the public realm. In addition, local policies seek the retention of any buildings or structures which contribute to the character of the area, and the completion of riverside walk and connections to surroundings. The evaluation of this scheme should have regard to these objectives.

Site

3.31 The site lies in a sensitive setting within Hurlingham conservation area and neighbours the listed Grade II Elizabethan School [Castle Club] to the north and Ivy Cottage and Sycamore Cottage, a pair of Buildings of Merit dating from the late 18th century and the earliest surviving properties in this area, to the south. Opposite lies Hurlingham Grounds which provide the parkland setting for the listed Hurlingham House. A tall brick boundary wall provides the edge onto Broomhouse Lane.

3.32 The site itself is largely open comprising of sports courts and greens. The club buildings are clustered on the Broomhouse Road frontage behind a boundary wall. The buildings range in height from the single storey nursery building to the club building with function rooms at two storeys and the Squash Court building at three storeys. All are of limited architectural quality. The buildings do not address the main frontage but appear as a disparate group of buildings which present blank walls and a poor aspect to the primary frontage in the conservation area.

Context

3.33 Broomhouse Lane connects south Fulham to the riverside at Broomhouse Dock. The surrounding context in Daisy Lane and Sullivan Road contains low density two storey terraced houses. To the north of the street block, Sullivan Court breaks the street pattern with the orthogonal arrangement of five storey blocks. The street edge is softened and defined by a row of significant mature trees. The neighbourhood is blessed with a large amount of open space which remains disconnected South Park, Parsons Green sports club itself and Hurlingham Park and Grounds. Building typologies in the area are varied and the street frontage which contains the application site reflects this.

3.34 The group along the Broomhouse Lane frontage contains the listed grade II Elizabethan School. The school was designed by Horace Francis in 1854-5 and was funded by the Sullivan family. In recent times it was used as a youth club, known as the Castle club before being sold for use as a private dwelling. Plans have received approval for the conversion. The listed building adjoins the application site and contains several mature trees, in its grounds which overhang the application site and would need to be respected by any development.

3.35 To the south the scale and architectural character is one which is completely different but one which also makes a positive contribution to the street scene. Sycamore and Ivy Cottages are a simple two storey semi-detached pair of cottages which are the earliest surviving buildings in the group and the immediate surrounding area. They are white painted with tiled roofs and have a semi-rural character which reflects their origins when Broomhouse lane was largely undeveloped. Further to the south, a more recent two storey development of three houses with tall pitched roofs and frontage parking complete the group.

Existing buildings

3.36 Parsons Green Club moved to this site in the inter-war period. It currently provides facilities for bowls croquet tennis and squash, as well as a small gym and social facilities. The buildings in which the club is housed are below modern standards and are unattractive detracting from the appearance of the conservation area along the

Broomhouse Road frontage. The Club have identified the poor condition of their current facilities as a major factor why membership has been dwindling in recent years and see redevelopment as essential for the continued survival of the club.

Demolition

3.37 The site lies within Hurlingham Conservation Area. The issue of the proposed demolition of the existing buildings in relation to their setting needs to be addressed. National guidance on the historic environment in the National Planning Policy Framework encourages the conservation of heritage assets in a manner appropriate to their significance. It is acknowledged that there will be parts of the heritage asset which do not make a positive contribution and that the relative significance and contribution to significance of heritage assets should be considered where their loss or alteration is being proposed. In this instance, it is considered that the existing buildings proposed for demolition are of limited architectural merit and the street scene and setting of the neighbouring listed building could be enhanced with an improved design. The loss of the existing building is therefore considered to be acceptable.

Proposed Development

3.38 The location and designations affecting the site are important factors which should inform and influence the form of new development. The two important design and heritage aims should be:

- to repair the gap in the street scene and provide a high quality street frontage
- to respect the setting of the adjoining listed building, buildings of merit conservation area trees

3.39 The proposed building would be four storeys in height with the proposed top floor significantly set back on the Broomhouse Road frontage where the building would appear as a three storey composition. The proposed height is considered acceptable in the street scene. It would provide definition and enclosure to the street edge which is lacking at present, but would not compete with the grandeur of the listed building nor be unduly dominant in the context of the more domestically scaled buildings of merit.

3.40 The existing buildings along this frontage have a varied building line. The proposed building line is set back from the pavement line by some 5m and takes a similar alignment to the houses at the southern end of the street block, nos 39-43. This would mean that it would set itself forward of the main alignment of the listed building, but back from the alignment of the buildings of merit. The proposed alignment would allow for a landscaped strip to be provided behind the proposed boundary wall, and in the context of the surrounding frontages would be an acceptable alignment to take. Boundary walls are a strong architectural element in the surrounding townscape, and whilst the applicant would be opening up the frontage to give a more active and visually attractive frontage to the street, the importance of the boundary wall has been discussed with the applicant and a condition has been attached to the recommendation to ensure that the design can be further developed (Condition 5).

3.41 The frontage onto Broomhouse Lane would be composed of three bays unified by a colonnaded base. The base would be clad in stone whilst the upper two levels would be clad in red brick with stone dressings. The proposed windows would be of an appropriate domestic scale and take a traditional vertical format and proportion. The

elevations as submitted contain detailing which would achieve an appropriate degree of articulation and modelling on the façade to break the scale of the elements so that they do not appear heavy, and give depth to create shadow, and general visual interest along the façade.

3.42 The elevation facing the courts and greens would take advantage of the open aspect and contain larger areas of glazing. However the proposed architectural character on the main elevation would be carried through to the rear elevation in order to achieve a coherent composition.

3.43 The alignment of the proposed building on the northern and southern elevations is considered acceptable in that it would respect the setting of the adjoining heritage assets. An Arboricultural Report has been submitted to demonstrate that the proposed design would protect the trees.

3.44 The proposed scheme represents an opportunity to enhance this part of the conservation area. Currently, this frontage to Broomhouse Lane presents a poor aspect to the street and detracts from the setting of its neighbours. The impact of the scheme on the surrounding heritage assets has been assessed and found to be acceptable. The proposals are in line with national guidance in the National Planning Policy Framework and strategic and local policies on the historic environment and design.

3.45 The site is predominantly open space enclosed by high boundary walls and fences comprising tennis courts, bowling greens and a croquet lawn with 2 and 3 storey buildings mainly on the western boundary facing Broomhouse Lane. The proposed buildings would result in 95% of the open space being retained. Within the interior of the site are a number of outbuildings which would be removed as part of this development. There are a pair of old white painted brick cottages on the southern boundary with the site at its junction with Sullivan Road and these are identified as Buildings of Merit with the Council's UDP.

3.46 On this basis Officers consider the proposal would achieve a high standard of design which would be sensitively integrated with the surrounding context of the adjacent conservation area in accordance with the objectives of EN2, EN3, EN6 and EN8 of the UDP.

QUALITY OF THE PROPOSED RESIDENTIAL ENVIRONMENT

Internal layout and amenity space

3.47 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 36m² and 14m² 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.

3.48 All new dwellings should be built at or above the following 44.5sqm for one-bed, 57sqm for two-bed, 70sqm for three-bed flats and 98sqm for three-storey houses with 6 habitable rooms. All of the proposed units would exceed the minimum dwelling size requirements of both the London Plan and UDP: 11 one-bed flats (45sqm - 79sqm), 12 two-bed flats (60sqm - 100sqm), 1 three bed (102sqm) and 4 four bed townhouses (146sqm - 233sqm). The one bed caretakers flat above the squash court would also meet the minimum standard.

3.49 None of the units would be single aspect and facing in an exclusively northerly direction.

3.50 All four townhouses would meet the minimum requirement of 36 sqm of private amenity space which would be provided in the form of private gardens at ground /basement level (ranging between 33sqm and 41sqm) with additional roof terraces at second floor (between 4.5 sqm and 10 sqm). Private amenity space in the form of roof terraces would also be provided for the flats at third floor level and where practicable at first and second floor level. The development includes 3 one-bedroom flats at ground floor and two of these units would have private amenity space (between 37 sqm and 50sqm). No amenity space would be provided for the remaining ground floor unit however this reflects the physical constraints of the site and officers consider that the close proximity of Hurlingham Park would address this shortfall. Standard S7.1 requires that all new residential development on sites over 0.2 hectares include at least one appropriately equipped play area. In this case it is not physically practicable to provide this on site and the applicant has agreed to make a financial contribution towards improved off-site provision within the locality.

3.51 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.

Access

3.52 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.

3.53 The applicants have confirmed that all the flats and houses would be built to lifetime home standards and conditions would be attached to any permission to ensure this and that the proposals accord with the Council's SPD on Access for All. 10% of the units are designed to be wheelchair adaptable. There is lift access to the upper floors with level access from the street level and basement parking which includes wheelchair spaces. (Conditions 40 and 41).

3.54 The applicant has agreed to use reasonable endeavours to ensure that the Wheelchair Adaptable Units are marketed to as wide an audience as possible - information will be included in the general marketing brochures; LBHF Homebuy and local organisations will be informed and details will be advertised via national and local media for at least 6 months prior to the release to the open market. (This will be secured by s106 legal agreement). The proposal would in these circumstances comply with Core Strategy Policy H4 to meet housing need.

Security

3.55 Policy EN10 of the requires new development to create a safe and secure environment. A condition would be attached to any permission to ensure this. (Condition 11).

Refuse

3.56 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3 advises that the Council would pursue sustainable water management. UDP Policies EN17 and HO14 sets out the Councils Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste. Policy H5 of the draft DM DPD requires developments to include suitable facilities for waste management. The proposals include the provision of some refuse storage and recycling facilities at ground floor which would be accessed from the Broomhouse Lane Sullivan Road. The location and operation of this would be conditioned so that it accords with 'The Storage of Refuse and Recyclables, Supplementary Planning Document' (Condition 20)

IMPACT ON NEIGHBOURS

3.57 Policy EN8 and EN21 of the UDP relates to the design of new development with emphasis on the principles of good neighbourliness and noise and disturbance. Standards S12 and 13 relate to loss of outlook and privacy.

3.58 The proposed development contains three elements the main building along Broomhouse Lane, the houses along Sullivan Road and the pavilion building with a caretakers flat above. The nearest adjacent properties are: to the north at the Castle Club; to the south the Ivy Cottage and Sycamore Cottage (Buildings of Merit) and Nos 39 to 43 on Broomhouse Lane and to the east No.22 Daisy Lane.

Outlook

3.59 The Castle Club contains some windows in its southern elevation and these would be some 21m from the nearest proposed above ground floor opposing windows in the northern elevation of the proposed main building. The rear elevation of the three-storey houses at Nos 39 to 43 Broomhouse Lane would be situated some 20m from the southern flank elevation of the proposed terrace of 4 houses fronting Sullivan Road. The rear elevation of the three-storey house at No.22 Daisy Lane contains a number of windows which would be some 25m from the proposed two storey 'sunken' pavilion building adjacent to the boundary with the school.

3.60 To the south, the Ivy Cottage is enclosed by a high wall on the party boundary with the application site and the part single/ part two storey flank elevation of that property contains a non-habitable room window at first floor which would be some 7.2m from the opposing southern elevation of the proposed main building. The southern flank of the proposed main building would be three storeys, be positioned 2.5m off the southern boundary and include a reduced fourth floor that would be set back some 6m from the that boundary. Although the proposed siting would result in some increased enclosure to the Ivy Cottage, the existing three storey squash court building which is sited on the boundary rather than away from the party boundary already has impact on the outlook from the rear elevation of the Ivy Cottage.

3.61 Following a site inspection officers consider that given that the principal aspects to the Ivy Cottage are to the east and west, the proposed buildings which would be set off the boundary and replace in part a building of comparable height the proposed development would not harm the existing amenities of adjoining residential occupiers as a result of loss of outlook or increased sense of enclosure that would justify the refusal of planning permission. In this respect the proposals accord with Standard S13.1 (loss of outlook). Furthermore, in view of the distances between the proposed buildings and the nearest existing windows serving habitable residential rooms, officers are satisfied that the development would not have a detrimental impact in terms of loss of sunlight/daylight.

Privacy / terraces

3.62 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.

3.63 There are three windows in the southern flank elevation that serve a bedroom and living area at first floor and a bedroom at second floor, however these windows would be perpendicular to the nearest existing windows at Ivy Cottage and Sycamore Cottage and development would therefore accord with S13.2.

3.64 All four townhouses would meet the minimum requirement of 36 sqm of private amenity space which would be provided in the form of private gardens at ground /basement level (ranging between 33sqm and 41sqm) with additional roof terraces at second floor (between 4.5 sqm and 10 sqm). Private amenity space in the form of roof terraces would also be provided for the flats at third floor level and where practicable at first and second floor level. Given the open nature of the site, the siting of the proposed buildings, the modest size of the proposed terraces where they occur, the distances and oblique angles from the nearest windows in adjacent existing buildings officers consider that the proposed development would not result in any significant additional opportunity for overlooking or loss of privacy. The alignment of the dwellings means that the units would largely look out onto the rear of the site which includes open space and beyond that is the Hurlingham and Chelsea School.

3.65 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 and nature of the proposed layouts which would limit the capacity to accommodate a high number of people, 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 that would justify refusing planning permission. The proposals would accord with Policy EN21 (environmental nuisance) and S13.2A.

Noise and nuisance

3.66 UDP policy EN20A (potential polluting uses), EN20B (noise pollution), EN20C (light pollution) and EN21 (environmental nuisance) seek to protect mitigate the impact of undue noise, nuisance and light pollution to existing and future residential occupiers from the impact of new development. Existing and proposed noise levels will be taken into account when assessing a proposal for residential development. Policy H9 of the draft DM DPD requires development to implement noise mitigation measures when necessary.

3.67 The construction period of the development is likely to give rise to the most significant noise and vibration impacts on surrounding properties. In terms of operational noise, the development will generate vehicular movements in the directly adjoining streets however this is not expected to have a significant impact upon the area. The proposals also include the reconfiguration of the existing floodlit tennis courts and the installation of new directional floodlighting. Details of the design and downward illumination of the proposed external floodlights have not been submitted.

3.68 The use of the tennis courts would not be beyond the existing current operation (between 0800 and 2200 hours). The floodlights will be managed principally by a member of staff on site during operational hours. It is likely that a time-controlled system with a master clock function and a manual over-ride facility (located within the pavilion) is proposed as part of the management system of the site. Such a system will allow for programming the hours of use according to demand and limit unnecessary floodlighting usage. The nearest residential properties front Sullivan Road and the submission of floodlighting details will be required to demonstrate that the impact of glare and light spillage from sports floodlights would be negligible. (Condition 15).

3.69 While the proposals involve the provision of an additional tennis court adjacent to the boundary with the Hurlingham and Chelsea School and the new floodlights will enhance current provisions it is anticipated that the traffic generation resulting from the use of the floodlit area would be minimal as the main enhanced use would be from dual use by local school children within walking distance during school hours just after dusk. The Council's Pollution Control Team has no objection to the proposal, subject to conditions.

3.70 Appropriate noise, sound insulation, hours of use, servicing, floodlights, demolition and construction management conditions would be attached to any permission to ensure that the development would be compatible with the existing adjacent residential properties and not result in any undue noise and disturbance. (Conditions 3, 21, 22, 23, 24, 25, 26, 29, 30 and 31).

3.71 The proposals would accord with EN8, EN20A, EN20B, EN20C and EN21 and standards S12 and S13 of the UDP.

TRAFFIC GENERATION AND CAR PARKING

3.72 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.

3.73 Policy 6.1 of the London Plan sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting

development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services.

3.74 Core Strategy policy T1 seeks improvement to the opportunities for walking within the Borough and localised highway improvements to reduce north-south congestion in the Borough and requires that new development secures access for all persons and provides appropriate car parking provision to meet the essential needs of the development without impacting on the quality of the urban environment. The council's draft Development Management DPD will eventually be proposed to replace the remaining extant policies in the UDP. By and large, the transport policies are the same as those currently in the UDP. Policy J1 requires a transport assessment and a travel plan in certain circumstances. Policy J5 encourages the use of cycling and walking and in terms of cycle parking requires a greater number of spaces than both the UDP and London Plan. The relevant policies in the Development Management DPD will be a material consideration to which regard must be had in considering the application. Once it has been adopted, it will replace a number of UDP policies and form part of the council's development plan. As it is still a draft document at an early stage of the adoption procedure and will not be adopted until after an independent examination, it does not lend itself considerable weight.

3.75 Policy TN15 of the UDP requires any proposed development (new build or change of use) to conform to the parking standards, as listed in Standards S18 and S19 as well as Table 12.1 to ensure that there would be no increase in on-street parking demand. Standard S20 requires the provision of cycle parking and necessary complementary facilities to meet the needs of cyclists. Policy TN4 states that development will not be permitted unless in terms of its design and layout it would facilitate ease of access by disabled people and others with impaired mobility to and from public transport facilities and car parking areas that directly serve the development.

Site Car Parking

3.76 The proposed development includes 46 parking spaces with 1 provided per dwelling for the 24 flats which leaves 22 for the club use including 5 disabled spaces. This has been reduced from 47 due to an increase in cycle parking provision. Given that the residential element of the development would be car permit free, the proposed level of residential car parking for this site which has a PTAL of 2 is considered satisfactory.

3.77 The UDP would normally require 1 space per 22m² for leisure developments over 1000m² which means that the club which will increase the clubhouse floorspace from 88sqm to 1188sqm should provide 54 parking spaces. While the proposed development only includes 22 spaces, this is considered satisfactory for the following reasons: the existing the clubhouse car park accommodates between 10 and 12 spaces does not meet the UDP requirement of 50 spaces for the existing floorspace; the proposed level of parking is double the existing amount which on a pro rata basis would be in line with the predicted 50% increase in club membership; if managed effectively through a car park management strategy the parking spaces provided could alleviate the level of on street car parking and there is spare capacity for additional on street parking. In this case, officers consider that the proposed level of parking in connection with a marginal increase in leisure floorspace of 0.8% above existing is considered satisfactory.

Car Park Management

3.78 The applicants are proposing lockable posts which are operated remotely to alleviate the time a vehicle is waiting stationary in the circulation area. The access into the car park and potential signage system can also be addressed within a car park and access management strategy which would be secured by a s106 legal agreement to ensure that the proposed monitoring, parking control initiatives and mitigation methods work effectively.

Travel Plan

3.79 A community travel plan is required for the club use. This should be done in accordance with TfL Guidance on Travel Planning for new developments in London. . Guidance requires that this document be monitored using surveys - including staff and visitors to the site. A residential travel plan would not be required given that the flats are going to be restricted from applying for car parking permits. The management of the car park will include the residential spaces and this can be addressed in the car park and access management strategy.

3.80 The majority of existing members travel from within acceptable walking, train and bus journey distances from the site. There are a few that travel from further afield, however the travel plan can effectively monitor targets, review model choice and encourage the use of sustainable travel to reduce vehicular travel. The increase in cycle parking will greatly encourage cycle use, especially given that many people are travelling to the site to undertake sporting activities

3.81 The applicants revised sustainability statement includes a reduction in the predicted membership numbers from 800 members to 600; officers consider that the original prediction was unlikely. The number of annual visitors has also been reduced to 4000. The monitoring of these numbers can be obtained via a Travel Plan and revised information would be used to review measures. The Travel Plan would also provide information relating to the nursery. The Travel Plan would be secured by a legal agreement to ensure that the use of the site can be effectively monitored and resulting issues can be reviewed and mitigated where necessary.

On street parking

3.82 The applicants have submitted a robust on street parking stress survey which provides a good baseline to compare to the proposal when constructed and occupied to the impact on the existing surrounding highway network. Potential parking problems can be addressed via the travel plan with another parking survey being carried out if required once the site is occupied. Officers are satisfied that there is sufficient capacity on street, however the increase in car parking for the sports club would alleviate any increase in on street parking due to the improved facilities. The travel plan should however not encourage vehicular travel.

3.83 While the 24 flats would be car permit free, the 4 new houses would be not be car permit free - based on the overnight parking stress surveys that the council has on record that there is sufficient capacity available on the surrounding network. The car free element of the development would be secured via a section 106 agreement.

3.84 It has been stated that the nursery places would marginally increase to from 22 to 24 children. The catchment data for the nursery shows that the majority of children are from within the borough. The applicants have agreed to restrict the nursery to a maximum of 24 places and this will be secured through the legal agreement.

Servicing and Delivery

3.85 It has been noted that the basement car park can provide space for servicing and delivery vehicles, how this would work with the proposed lockable posts can be addressed in the car park management and access strategy. The applicant's submissions show that daily service and delivery vehicles will be minimal and the results of the peak on street parking survey whereby the club use is at a maximum when residents are returning home in the evening. Officers are satisfied that on street servicing and delivery would not pose any significant issues subject to the submission of a service and delivery management strategy which should be linked to the management of the car park and impact on the surrounding streets. Any potential increased use of the car park for small service and delivery vans would alleviate vehicles parking and loading/unloading from the street. A service management strategy would be secured via the legal agreement.

Cycle Parking

3.86 There are 31 cycle parking spaces within the basement car park. The residential cycle parking is in line with London Plan Policy 6.13 and Table 6.2. Access to these cycle parking spaces for visitors to the club would be from the vehicular access ramp which would be secured via a gate and details would be set out in the car park and access management strategy which would be secured by condition 19.

Highway works

3.87 The proposals involve the closure of an existing crossover on Broomhouse Lane and the formation of a new vehicular access on Sullivan Road to the proposed basement car park. The work would be carried out by the Council's contractor and at the developer's expense. This would be secured by a section 106 legal agreement.

3.88 Officers are satisfied that the new vehicular access would have clear pedestrian and vehicular visibility splays which meet with the standards as stated in Manual for Streets for vehicular visibility and DRMB for pedestrian visibility.

Construction Logistics Plan

3.89 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 3)

SUSTAINABILITY & ENVIRONMENTAL QUALITY

Energy - Carbon Reduction

3.90 An Energy Statement has been submitted with the planning application to show how sustainable energy measures will be implemented to meet the carbon reduction targets set in the London Plan and re-iterated in the Core Strategy.

3.91 The Energy Statement includes information on the planned energy efficiency measures in the new development. These include improved levels of insulation, good air-tight construction, energy efficient lighting and natural ventilation.

3.92 An assessment of low/zero carbon technologies is also included which considers the feasibility of a number of different renewable energy options and also Combined Heat and Power (CHP) linked to a communal heating system. The proposed option is to install solar PV panels on the roof to generate electricity and use a heat recovery system to recycle heat from the development's waste water and flue gases. Together, these are calculated to reduce CO2 emissions.

3.93 Additional information is required to ensure that the Energy Statement accords with the London Plan policy requirements and guidance (Policy 5.2 and associated). The Mayor of London's energy hierarchy also needs to be followed in developing an appropriate Energy Strategy for the site. This may mean that further consideration needs to be given to a communal heating system. If the 25% CO2 reduction target cannot be met on site (or off-site), the London Plan allows developers to make a payment in lieu to the council, and this can then be invested in local sustainable energy measures to match the required CO2 emissions offset. A condition would be attached to any permission ensuring that a satisfactory Energy Statement is submitted and approved (Condition 45).

Sustainable Design & Construction

3.94 A Sustainability Statement has been submitted with the application. This states that the residential units will be designed to meet level 4 of the Code for Sustainable Homes, which is adequate to show compliance with the London Plan policy on sustainable design and construction. Further details are required on the nature of the sustainability measures to be implemented. These details will be secured by condition (Condition 45).

Flood Risk

3.95 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. 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. Policy CC1 of the Core Strategy requires that new development is designed to take account of increasing risks of flooding. Policy

CC2 of the Core Strategy 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.

3.96 A Flood Risk Assessment (FRA) has been submitted with the application. The site is in the Environment Agency's Flood Zone 3, indicating a high risk of fluvial/tidal flooding, however the site is well protected by flood defences in the form of the Thames Barrier and river wall.

3.97 Although the site has a low residual risk of flooding risk, flood protection measures have been included in the design. These include measures to protect the basement car park from flooding. The 4 houses planned for the site have basement level accommodation, but this will have internal access to higher floors and the lightwells are to be sealed rather than open. A condition would be attached to ensure that the development is implemented in accordance with the FRA (Condition 44).

Sustainable Urban Drainage Systems

3.98 Reference is made to the non-residential aspects of the development incorporating rainwater harvesting and greywater re-use (for toilet flushing). A soakaway is also planned to help manage surface water from the 4 houses. Further details of the surface drainage measures are required to show compliance with London Plan policy 5.13 and Core Strategy policy CC2. A condition would be attached to any permission requiring the approval and submission of these details (Condition 46).

Contaminated Land

3.99 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 EN2 and policy H11 of the DM DPD builds on UDP policy EN20A.

3.100 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. (Conditions 37 to 42 inclusive).

Archaeology

3.101 In determining planning applications, the NPPF states that local planning authorities should take account of: sustaining and enhancing the significance of heritage assets; the contribution that conservation of heritage assets can make and whether new development can make a positive contribution to local character and distinctiveness. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. London Plan policy 7.8 advises that development should incorporate measures that appropriately

address the site's archaeology. UDP policy EN7 states a presumption against proposals which would involve significant alteration of, or cause damage to, Archaeological Remains of National Importance and advises that the loss of archaeological value must be outweighed by the need for the development. The policy advises that archaeological study of application sites will be required before approval. Core Strategy Policy BE1 advises that new development should respect and enhance the historic environment of the Borough, including archaeological assets. An archaeological condition would be attached to any permission (Condition 43).

MAYORAL CIL

3.102 This development will be subject to a London-wide community infrastructure levy, charged at a rate of £50 per square metre for additional floor space in Hammersmith & Fulham. An estimate of £102,360 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. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy.

3.103 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.

3.104 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.

3.105 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:

- (1) All the future occupiers (apart from blue badge holders) of the 24 flats to be prohibited from being eligible for on street residential car parking permits in existing/proposed CPZ's
- (2) Developer to pay the cost of extending the re-instating the kerb, extending the parking bay along Broomhouse Lane and amendment to the TRO
- (3) Developer to pay the cost of creating new dropped kerb, along Sullivan Road and amendment to TRO
- (4) Dual community use of the open space
- (5) Affordable housing provision, comprising 18% (5) intermediate units subject to a nominations agreement the proposed leisure floorspace would increase the existing provision by just 0.8% is marginal;
- (6) Developer to pay a contribution in the order of £365,000 towards necessary improvements to the economic, social and physical infrastructure in the local area improvements
- (7) Marketing of wheelchair units
- (8) Community Travel plan for sports club and nursery - including staff and visitors.
- (9) Car Parking Access & Management Strategy

- (10) Service and delivery strategy- including refuse
- (11) Nursery limited to 24 places for children daily.

4.0 CONCLUSION and RECOMMENDATION

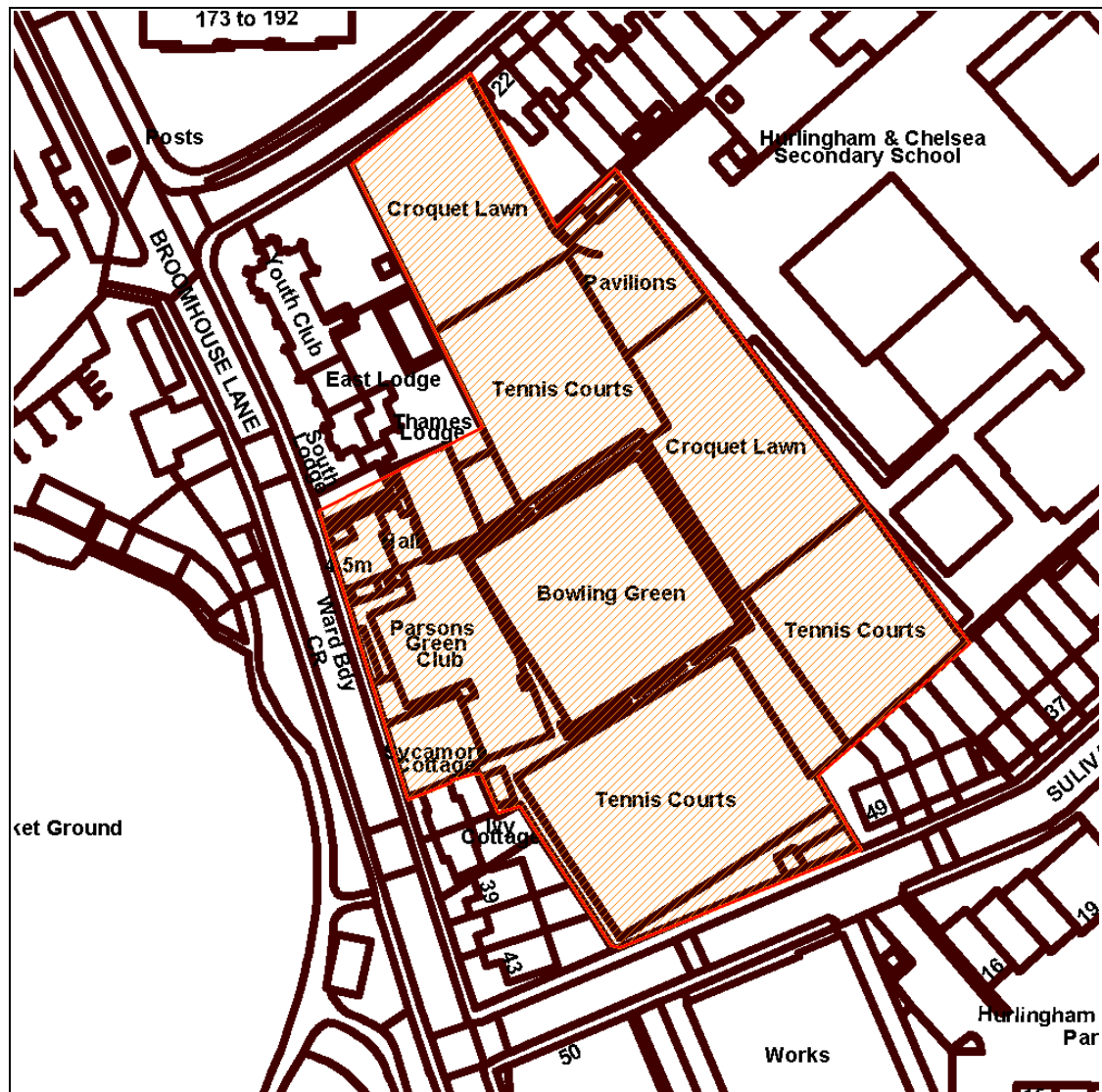
4.1 The proposals would contribute to the enhancement and improved access to local community uses, including the dual use of a sports facilities and the re-provision of an outmoded nursery, and would also contribute to much needed housing, including affordable units. The proposed scale and design of the development is sympathetic to the conservation area context, the setting of the adjacent listed building and locally listed buildings as well as being respectful to the open space character of the overall site. The proposals would not result in undue harm to existing residential amenities or the surrounding road network. Overall the proposed redevelopment would make a more positive contribution to the visual amenity of the locality.

4.2 Grant planning permission and conservation area consent, subject to the completion of a satisfactory legal agreement as outlined in paragraph 3.105

Ward: Sands End

Site Address:

Parsons Green Club Broomhouse Lane London SW6 3DP



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For identification purposes only - do not scale.

Reg. No:
2012/01925/CAC

Case Officer:
Roy Asagba-Power

Date Valid:
25.06.2012

Conservation Area:
Hurlingham Conservation Area - Number 4

Committee Date:
06.02.2013

Applicant:

Phoenix Park (Parsons Green) LTD
McCoy House 1 Shorrolds Road London SW6 7TR

Description:

Demolition of the existing building.
Drg Nos:

Application Type:

Conservation Area Consent

Officer Recommendation:

That the application be approved subject to the condition(s) set out below:

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

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

- 2) The demolition hereby permitted shall not be undertaken before:
 - (i) a building contract for the redevelopment of the site in accordance with planning permission reference 2012/01924/FUL has been entered into;
 - (ii) notice of the proposed demolition, in writing, and a copy of the building contract has been submitted to the Council, and;
 - (iii) details of all matters which require prior approval pursuant to planning permission reference 2012/01924/FUL before the commencement of the development have been submitted to and approved in writing by the Council.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area, in accordance with policy EN2, EN3 and EN6 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Councils Core Strategy 2011.

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

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harms to the street scene, in accordance with policy EN2, EN3, EN6, EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Councils Core Strategy 2011.

Summary of reasons for granting conservation area consent:

- 1) The proposed demolition is considered to be acceptable on the basis that planning permission exists for a satisfactory redevelopment scheme. Accordingly, it is not considered that the demolition would have an unacceptable impact on the

character or appearance of the conservation area, in accordance with Policy EN2, EN23 and EN6 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy.

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

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

Application form received: 8th 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:
English Heritage London Region

Dated:
14.08.12

Neighbour Comments:

Letters from:
12 Broomhouse Dock Carnwath Road London

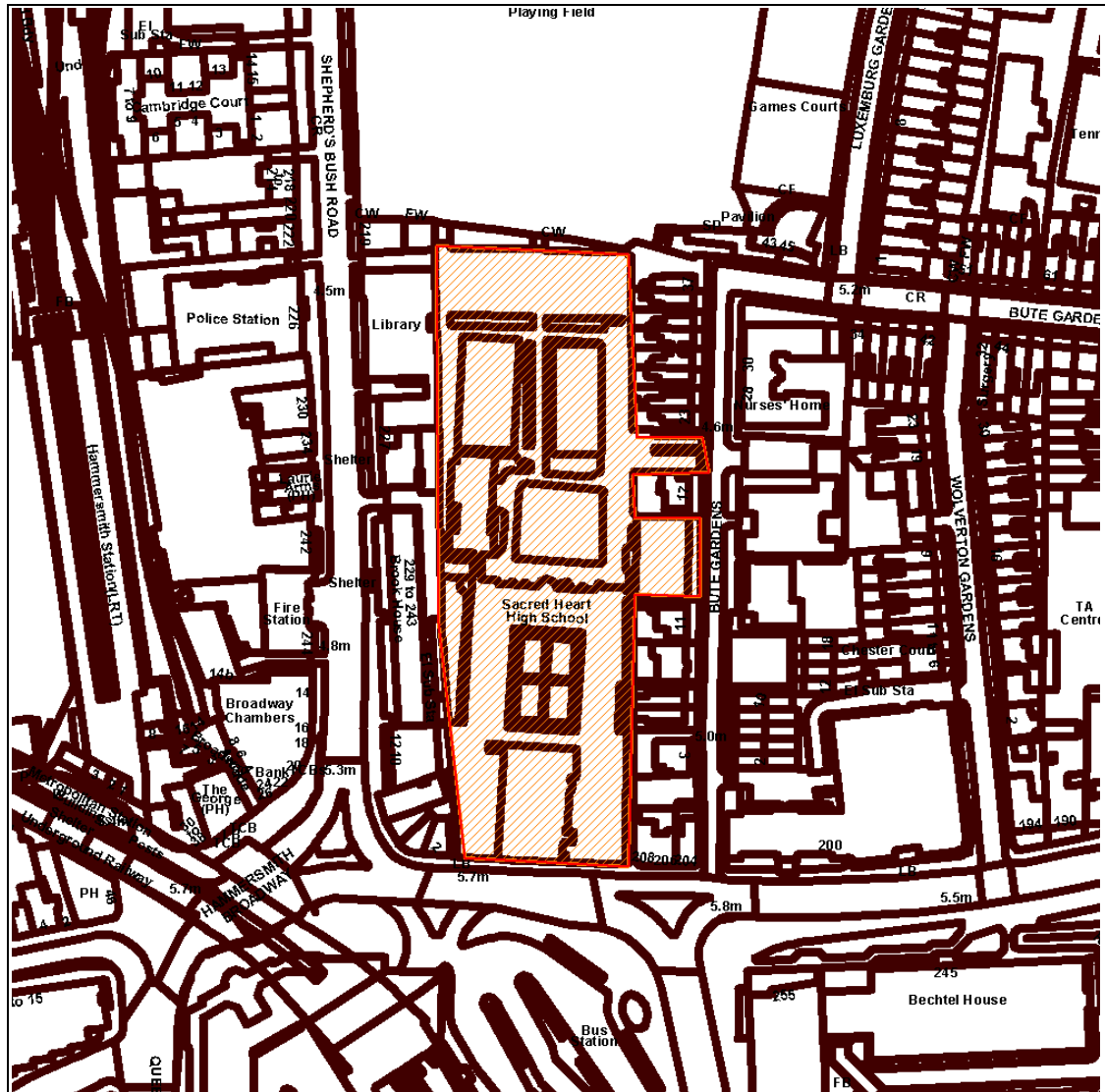
Dated:
24.07.12

See Report 2012/01924/FUL

Ward: Hammersmith Broadway

Site Address:

Sacred Heart High School 212 Hammersmith Road London W6 7DG



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For identification purposes only - do not scale.

Reg. No:

2012/02547/FUL

Case Officer:

Dale Jones

Date Valid:

06.09.2012

Conservation Area:

: Brook Green Conservation Area - Number 3

Committee Date:

06.02.2013

Applicant:

The Sacred High School
Sacred Heart High School 212 Hammersmith Road London W6 7DG

Description:

Erection of an air hall in the playground
Drg Nos: 2A; 3A; 4A; 5A; technical specifications.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be approved subject to the condition(s) set out below:

- 1) The use is permitted only for a temporary 2 year period until 05.02.2015, on or before which date the use of the air hall shall cease and the structure and equipment used in connection with the use shall be removed from the site.

To enable the Council to assess the impact of the operation of the use on the existing amenities of the occupiers of neighbouring properties, in accordance with policies EN8 and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 2) The development shall be carried out and completed in accordance with the detailed drawings: 2A; 3A; 4A and 5A; technical specifications.

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 and EN21 of the Unitary Development Plan, as amended in 2007 and 2011.

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

To ensure a satisfactory external appearance, in accordance with policies EN2, EN3 and EN8B of the Unitary Development Plan, as amended 2007 and 2011.

- 4) The development shall be implemented in full accordance with the provisions of an updated School Travel Plan which shall be submitted to and agreed in writing by the Council prior to commencement of the development hereby permitted. The School Travel Plan shall thereafter continue to be fully implemented whilst the school remains in operation. The plan shall be monitored and reviewed every year. Details of each review shall be submitted to the Council within 7 days of completion of the review and the school shall implement and operate any reasonable changes the Council consider appropriate to improve the Travel Plan following such review.

To safeguard the existing amenities of local residents and to ensure that the development does not add unduly to existing levels of traffic generation and on-street car parking stress in the area, in accordance with Policies TN12, TN13 and TN14 of the Unitary Development Plan as amended 2007 and 2011.

- 5) Ground protection and protective fencing shall be installed around the root protection areas of trees (along the southern boundary of the proposed air hall) prior to any works taking place and this shall be supervised by a project arboriculturalist. Furthermore, there shall be no alteration of levels, excavation, or movement or storage of spoil, plant or materials within the root protection areas of the trees, except under the direct supervision of a project arboriculturalist, and if the installation of minipiles is necessary within the root protection areas of 'Tree 1' or 'Tree 5' the hand digging of trial pits shall be under the direct supervision of a project arboriculturalist. Works shall be carried out in accordance with the submitted report undertaken by Arboricultural Solutions, in the Arboricultural Implications Report dated June 2012.

To ensure that all practical steps are taken to ensure the protection of the trees, which contribute to the character and appearance of the area, in accordance with policy EN25 of the Unitary Development Plan as amended in 2007 and 2011.

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

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

- 7) Prior to use of the equipment to inflate the air hall any such machinery or plant required shall be mounted with proprietary anti-vibration isolators; and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

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

- 8) 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 the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and 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 policies EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 9) Neither music nor amplified / loud 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 EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 10) No tannoy or public address systems shall be used unless details have been submitted to and approved in writing by the Council. Approved details shall be implemented as agreed and thereafter be permanently retained.

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 2007 and 2011.

- 11) 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.

- 12) 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.

- 13) 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.

- 14) 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.

- 15) 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.

- 16) 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.

- 17) 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 use 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 and policy 5.13 of The London Plan 2011.

- 18) 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 or use of the development hereby approved and permanently maintained thereafter unless otherwise agreed in writing by the Council.

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

- 19) Prior to the commencement of the development, details of protection measures for the memorial adjacent to the northern site boundary wall shall be submitted to and approved in writing by the Council. Works shall not commence until the approved protection measures have been implemented and these shall be retained for the duration of the development works.

In order to safeguard the special historic interest of the monument, in accordance with policy EN3 of the Unitary Development Plan as amended 2007 and 2011.

- 20) The air hall hereby approved shall only be used between 08:00 hours and 20:00 hours (Monday to Friday) and not at weekends or on bank holidays. The lighting within the air hall shall be switched off other than within the permitted hours of use.

To avoid unduly affecting the amenities of the neighbouring premises by reason of noise and disturbance and excessive lighting, in accordance with policies EN20B, EN20C and EN21 of the Council's Unitary Development Plan as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

Summary of reasons for granting planning permission:

- 1) 1. Land Use: It is considered that the proposal would be acceptable in land use terms, as it would provide improved sports and recreation facilities for the school without resulting in a harmful loss of external sports or recreation grounds. It is therefore considered that the proposal complies with policy EN22X of the Unitary Development Plan, as amended in 2007 and 2011, and policy CF1 of the Core Strategy 2011.
2. Heritage & Design: It is considered that the proposed air hall structure would be appropriate in scale, height, mass, proposed materials and design. Furthermore, it is considered that the proposal would be of an acceptable visual appearance and it would not harm the architectural or historic significance of the listed school building or the neighbouring listed library. The proposal would preserve the character and appearance of the conservation area. Furthermore, 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 policy 7.8, Core Strategy policy BE1 and UDP policies EN2, EN3 and EN8.
3. Highways matters: There would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network; subject to measures to prevent car trips to school being secured and implemented within an updated School Travel Plan. The proposal is thereby in accordance with policy T1 of the Core Strategy 2011 and policies TN13 and TN15 of the Unitary Development Plan, as amended in 2007 and 2011.

4. Residential Amenity: The impact of the proposed development upon neighbouring occupiers is considered acceptable. Due to the relationship of the proposed air hall structure to residential neighbours and its position, height and bulk, it is considered that the proposal would not materially affect the outlook from, and light to, neighbouring properties. Furthermore, residents' privacy would not be affected to an unacceptable degree. Measures would also be secured by condition to minimise noise and disturbance to nearby occupiers from the operation of the proposed structure. In this regard, the development would respect the principles of good neighbourliness, and thereby satisfy policies EN8, EN21 and standard S13 of the Unitary Development Plan, as amended in 2007 and 2011.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 2nd August 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:
English Heritage London Region

Dated:
07.12.12

Neighbour Comments:

Letters from:
31 Bute Gardens London W6 7DR
23 Bute Gardens London W6 7DR

Dated:
11.10.12
11.10.12

OFFICERS' REPORT

1.0 BACKGROUND

1.1 The application property is a grade II* listed secondary school, located on the northern side of Hammersmith Road. The site is within Brook Green Conservation Area and adjacent to the Grade II Listed Hammersmith library to the west. The site is located within the Environment Agency's Flood Risk Zones 2 and 3.

1.2 The proposal seeks planning permission for the erection of a proposed air hall to cover two existing outdoor courts, in the northern part of the school's playground that are used for tennis, basket ball and netball.

1.3 Officers are advised by the applicant that the rationale behind the air hall is to ensure that the school's pupils can use court facilities over the autumn and winter

months when the grounds are wet, including with leaves that present health and safety issues, rendering the facilities unplayable. The air hall would ensure that there are year-round court facilities for the school's pupils. The air hall would also be used, on occasion, for full school assemblies, exams and other educational uses. The air hall would be inflated on site by an inflation unit, which would be located to the north of the structure, adjacent to the neighbouring fields.

1.4 The school have indicated that there is an under-provision of available room for sports activities on site at present, with pupils in some cases having to travel to off-site facilities elsewhere in the Borough and beyond, to participate in some sports activities. The only indoor space available is a small gym area at ground area within the Stuart Building that is located to the south-west of the proposed air hall.

1.5 Consents were granted in 1996 for the erection of a building, equivalent in size to three or four storeys, although containing only two floor levels, to provide a multi-purpose sports hall, dance studio, music room, and changing, and kitchen facilities, together with a two-storey access foyer with lift adjoining the existing gymnasium building, and a covered walkway in front of that building, linking to the main school. The development was proposed to be over two existing tennis courts and involved the removal of seventeen Lime trees and three conifers. In addition, the open games area to the north of the building (where the air hall is proposed) was to be resurfaced and floodlights installed. These consents were renewed in 2002. The development did not commence, and the consents have since elapsed.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by way of a site and press notices and adjoining neighbours were notified by letter.

2.2 Two objections were received, from 23 and 31 Bute Gardens, with the following comments:

23 Bute Gardens:

- No objection in principle
- The proposal is very tall, would loom large over all the houses in Bute Gardens and result in loss of outlook to the properties it would directly back on to
- There is already light coming from the school at night times, and this development may increase this further
- The proposed long hours of use including evenings and weekends will increase the level of noise and disturbance from the school

31 Bute Gardens:

- Proposal would be an eyesore in visual amenity terms
- Impact in terms of light emitted through the structure on surrounding residents
- Conservation area and listed building character could be affected as a result of the proposal

2.3 Officers' response - the planning matters raised by residents will be explored below.

2.4 English Heritage were consulted on the proposal and have responded stating that the local planning authority is directed to determine the application in accordance with its own local policies.

3.0 PLANNING CONSIDERATIONS

3.1 The planning issues in considering this application are visual amenity and impact on the setting of the listed buildings and the character and appearance of the conservation area, impact on neighbours including any environmental nuisance, protection of open space, promotion of recreational facilities, and highways matters.

LAND USE (INCLUDING OPEN SPACE PROVISION)

3.2 Core Strategy policy CF1 is relevant with regard to the development of new leisure/community/educational facilities. Under the terms of policy CF1, the Council would generally support the creation of such facilities subject to other policies within the Plan being satisfied. London Plan policy 3.18 (Education Facilities) is also relevant. The policy states that boroughs should take into account such things as need, areas of regeneration, proximity to homes and safe and convenient access when looking into the provision and expansion of existing educational facilities. The proposed air hall would allow the school's pupils to participate in sports outside during adverse weather conditions. At present the school's courts are not appropriate for a range of activities in wet weather due to problems arising from the accumulation of water and leaves on a concrete surface and, therefore, less pupils can have sporting facilities, which would take place within the sole indoor school gym. The air hall would allow more school pupils to participate in sports throughout the year.

3.3 The erection of the air hall should also be considered against the criteria set within UDP policy EN22X. Under the terms of this policy the loss of public or private open space will not be permitted where such land either individually or cumulatively has local importance for its open character or as a sport, leisure or recreational facility or for its contribution to local biodiversity or visual amenity, unless it realises a qualitative gain for the local community and provides for the relocation of the open space. The application site is already hard surfaced, enclosed and used for a similar purpose to that proposed and no green space would be lost as a result of the proposal. The site does not exhibit any special biodiversity characteristics and it neither has any special visual qualities which need to be retained. In this respect the continued provision of recreation use on this space is considered to be acceptable.

3.4 The proposal is considered consistent with the Council's objective of preserving or enhancing open space as a sport, leisure or recreational resource. The proposed air hall would not facilitate community use as it would be for use by the existing schools pupils in order to off set against the existing deficiency in sheltered sports facilities. Furthermore, it should also be observed that the school do not have the travel or indeed the security arrangements in place to cater for 'out-of-hours' use of this facility by the range of other users such as the local community. This would therefore accord with the provisions of emerging policy E1 of the DMPD. The development would thereby also comply with policy EN22X of the UDP and with Core Strategy policy CF1. In addition, the form of the proposed air hall would slope away from the boundaries of the site due to the curvature of the dome shaped structure. This would ensure that there would be no harmful overshadowing of the neighbouring playing fields to the north of the site that are used by Bute School.

HERITAGE AND DESIGN

3.5 Strategic 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. Relevant UDP policies are EN2, EN3 and EN8. Policies EN2 and EN8 require that a high standard of design be achieved in developments compatible with the scale and character of existing development and the site's setting and that particular care be taken for developments in conservation areas to ensure that a proposal would preserve or enhance the character and appearance of such areas and views into or out of them. Policy EN3 states that the Council's position is in presumption of preserving listed buildings including their setting.

3.6 The proposed air hall would take the form of a dome like structure. It would measure 9.5 metres (maximum) in height, 53.4 metres in length (north to south) by 18 metres in width (east to west). The total footprint to be covered by the structure would thereby amount to 961 sq metres. It would have a vinyl coated polyester membrane with timber doors and vision panels. It would have revolving timber access doors on the southern elevation facing towards the main school building and two single fire exit doors, one each on its east and west elevations. The eastern end of the structure would be within 4.2m of the Bute Garden properties. The air hall would be inflated by a mechanical unit that would be situated close to the school's northern boundary with the playing fields. This mechanical ventilation unit (measuring 1.7m in height) would be confined away from any public views and set below and away from the boundaries with the residential property at Bute Gardens by over 30 metres and from the residential property at 219 Shepherd's Bush Road by over 20 metres.

3.7 The applicants have stated that the proposed air hall would take between 3 to 5 days to be fully erected and would not involve any excavation works, due to the fact that the structure would be secured to the ground by base work (a concrete ring beam around the perimeter of the structure) and anchorage points around the base of the air dome structure, which would secure it against any weather conditions. The air dome would be continuously inflated by the mechanical ventilation system.

3.8 With regard to the potential impact upon the heritage assets (in this case the listed buildings and conservation area), the proposed air hall would be positioned over 41 metres from the northern facade of the main Sacred Heart school listed building. It is considered that due to the light weight appearance of the proposed structure and use of materials together with the large separation distance from the Grade II* listed building, that the proposal would preserve the setting of the listed building and the character and appearance of the conservation area. Though the air hall would be located much closer to the library building to its west, it would be to its rear; and, given its design and light weight appearance, officers consider that the proposal would not have any harm upon its setting.

3.9 It is considered that views of the proposed air hall from the east (along Bute Gardens) and from the west (from the street gap between the residential development at 219 Shepherds Bush Road and library building) would have a negligible impact due to the separation distances involved and the curved form of the air hall; and given the existing height of boundary walling. In the case of views from the north of the application

site from along Shepherd's Bush Road, it is considered that they would be either confined to long range glimpses or would be obscured behind the existing high boundary treatment to the school grounds and bounding the playing fields. In the case of views from within the adjacent school sports grounds to the north of the application site, it is considered that any harm would be mitigated due to the curved form of the structure. The proposal thereby complies with policies EN2, EN3 and EN8, and is therefore considered acceptable in its appearance and in terms of its impact on the designated heritage assets, including the conservation area, in this instance.

RESIDENTIAL AMENITY

3.10 The closest residential properties to the proposed air hall are to the east of the site, and front Bute Gardens, and back onto the school site. The proposed air hall has been designed in order to ensure that the amenities of these surrounding residential properties would not be affected by virtue of a loss of daylight, sunlight or outlook, which will be explored below.

3.11 The siting of the air hall would pass the '25-degree test' as prescribed by the Building Research Establishment (BRE). In this respect, it is not considered that there would be a harmful loss of daylight from the surrounding Bute Garden properties, and would accord with the principles of good neighbourliness in compliance with UDP policy EN8.

3.12 UDP standard S13.1 is also relevant which states that it is commonly held that loss of view is not a material consideration in assessing the acceptability of built development; but that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is 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. However, on sites that adjoin residential properties that have rear gardens of less than 9 metres in length this line should be produced at 45 degrees from a point at ground level on the boundary of the site. If any part of the proposed building extends beyond these lines then on-site judgment will be a determining factor in assessing the effect which the development would have on the existing amenities of neighbouring properties. The proposed air hall would pass the notional 45-degree line where adopted from ground floor level on the rear garden boundaries of the Bute Garden properties, and it is considered that there would not be a harmful loss of outlook from these surrounding residential properties.

3.13 There is a four storey block of residential flats at 219 Shepherd's Bush Road (located to the immediate north of the library) that comprises seven 1-bedroom flats (approved under ref. 2006/00123/FUL). These properties are set back further from the proposed air hall than the Bute Gardens properties. The habitable room windows in this property are set at an oblique angle onto the school site (facing the site in a south-east manner). Officers consider that there would not be any unacceptable harmful impact on the amenities of these properties by virtue of loss of daylight/sunlight (the scheme complies with the '25 degree test' as prescribed by the Building Research Establishment (BRE) in this instance), privacy or outlook. The scheme in this respect would meet the provisions of UDP policy EN8B with regard to good neighbourliness.

3.14 There would be over 18m between the mechanical ventilation unit and the rear elevation of the properties at 219 Shepherd's Bush Road; and over 30 metres distance from the property on Bute Gardens. It is considered that by virtue of these separation distances, together with conditions that would control noise output that the proposed air hall would not give rise to unneighbourliness in terms of noise and disturbance, and is therefore considered to accord with UDP policy EN21 in this respect.

3.15 Officers acknowledge that adequate light to the development would be required for the school users of the facility. It would be important to ensure that internal light would not spill out from the dome and that there would be no unacceptable impact on the residential amenity of surrounding residents, as required by policy EN20C. Any potential impact on the neighbouring Bute Gardens properties to the east of the site and the flats along the west of the site at Shepherds Bush Road would need to be taken into account. It is considered that the proposal has been designed in order to provide the minimum amount of lighting necessary to achieve its purpose whilst avoiding glare and light spillage from the site, and has had particular consideration for the effect of the light produced on local residents, as required by policy EN20C. In this respect, information provided by the applicants indicate that with the exception of very dull weather/light days, natural light could permeate through the dome's outer skin in order to reduce the need for artificial light. Nonetheless, despite these measures, it is recommended that a condition be added (Condition 8) in order to ensure that light levels would not exceed prescribed levels. It is also considered that a condition should be attached preventing use between 8.00 pm and 08.00 am (Mondays to Fridays) to further safeguard the amenities of surrounding residents, in accordance with UDP policy EN21 (Condition 20).

3.16 It is also proposed to impose a temporary (2 year) time condition (Condition 1) so that the Council can have the opportunity to assess the air hall and its impact on the surrounding properties, including by monitoring any complaints received. This approach would ensure that the air hall structure is proven to be appropriate in terms of the impact on the surrounding residents, before a 'permanent' approval can be given.

HIGHWAYS

3.17 Core Strategy Policy T1 is relevant, which encourages development to be guided to locations that minimise the need to travel. UDP Policy TN13 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. UDP Policy TN15 and Standard S18 require any proposed development to conform to approved car parking standards. There are no specific requirements for car parking for schools; each application is treated on its own merits. UDP Policy TN6 requires safe and secure cycle parking provision, in accordance with Standard S20. The proposed air hall would be used by the school's pupils, so there would be no increase in vehicle traffic arising from the proposal. The school's existing Travel Plan is in need of updating, and this would be secured by condition (Condition 4) in order to ensure that the proposal accords with the provisions of UDP policy TN13.

3.18 The UDP parking standards policy TN15, S18, S19 and table 12.1 indicate that parking provision for education establishments should be assessed on its own merits. The London Plan 2011 does not state a parking requirement for D1 uses. In this instance, as the proposed air dome would be used for sports purposes for the school's existing pupil base, the scheme would not involve any increase in pupil or staff numbers; and therefore there is no requirement, in officers' view, to provide for any off-

street car parking provision. It should be noted that the use of the air dome as proposed would ensure that trips off-site for sports purposes would be substantially reduced.

3.19 With regard to cycle parking provision, London Plan policy 6.9 and Table 6.3 require 1 parking space per 10 staff or students, whereas UDP policy TN6, standard S20 and Table 12.2 require 1 parking space per 10 staff for D1 uses. The proposed air hall would not result in a net increase of school staff or pupils; therefore there is no requirement to provide for any increase in cycle provision in this respect.

TREE WORKS

3.20 UDP policy EN25 (Protection of Trees) is relevant and states that: The council will continue to make Tree Preservation Orders on trees of amenity value. The council will endeavour to prevent removal or mutilation of protected trees. It will require suitable replacements for trees that are removed. Where trees are protected by a Tree Preservation Order and have to be removed for reasons of disease, danger etc. suitable replacements will be required. Trees on development sites should be retained, and care taken to avoid damage to these trees during building works.

3.21 Officers have assessed the potential impact of the proposed air hall on the surrounding trees on site and found it to be acceptable. However, ground protection and protective fencing around the trees' root protection areas (RPAs) must be installed (Condition 5) prior to any works taking place and this must be supervised by an Arboricultural officer. There should be no alteration of levels, excavation, or movement or storage of spoil, plant or materials within the RPAs of the trees on the site except under the direct supervision of the project arboriculture officer. It is considered that given the findings of the submitted arboriculture report and the review by officers and with the imposition of the RPA condition, there would not be any adverse impact upon the site trees in proximity to the perimeter of the proposed air hall. As such, the scheme is considered to be in accordance with UDP policy EN25.

CONTAMINATED LAND

3.22 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 (Conditions 11 to 16) have been added in order to respond to this matter.

ACCESSIBILITY

3.23 London Plan policy 7.2 requires that new development embraces the principles of inclusive design. In accordance with this policy, the proposed air hall structure has been designed with level access to meet the needs of all pupils.

SECURED BY DESIGN

3.24 London Plan policy 7.3 requires new development to incorporate crime prevention measures to provide a safe and secure environment. Policy EN10 of the UDP requires developments to provide a safe and secure environment. The proposed development

would be designed to achieve Secured By Design certification, and a condition would be attached requiring final details of the SBD measures to be incorporated (Condition 18).

COMMUNITY INFRASTRUCTURE LEVY (CIL)

3.25 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. In this case as the application proposes a building structure for educational use (for sports and recreation purposes) the CIL levy is set at £0 per square metre, so is in effect exempt from paying.

4.0 CONCLUSION and RECOMMENDATION

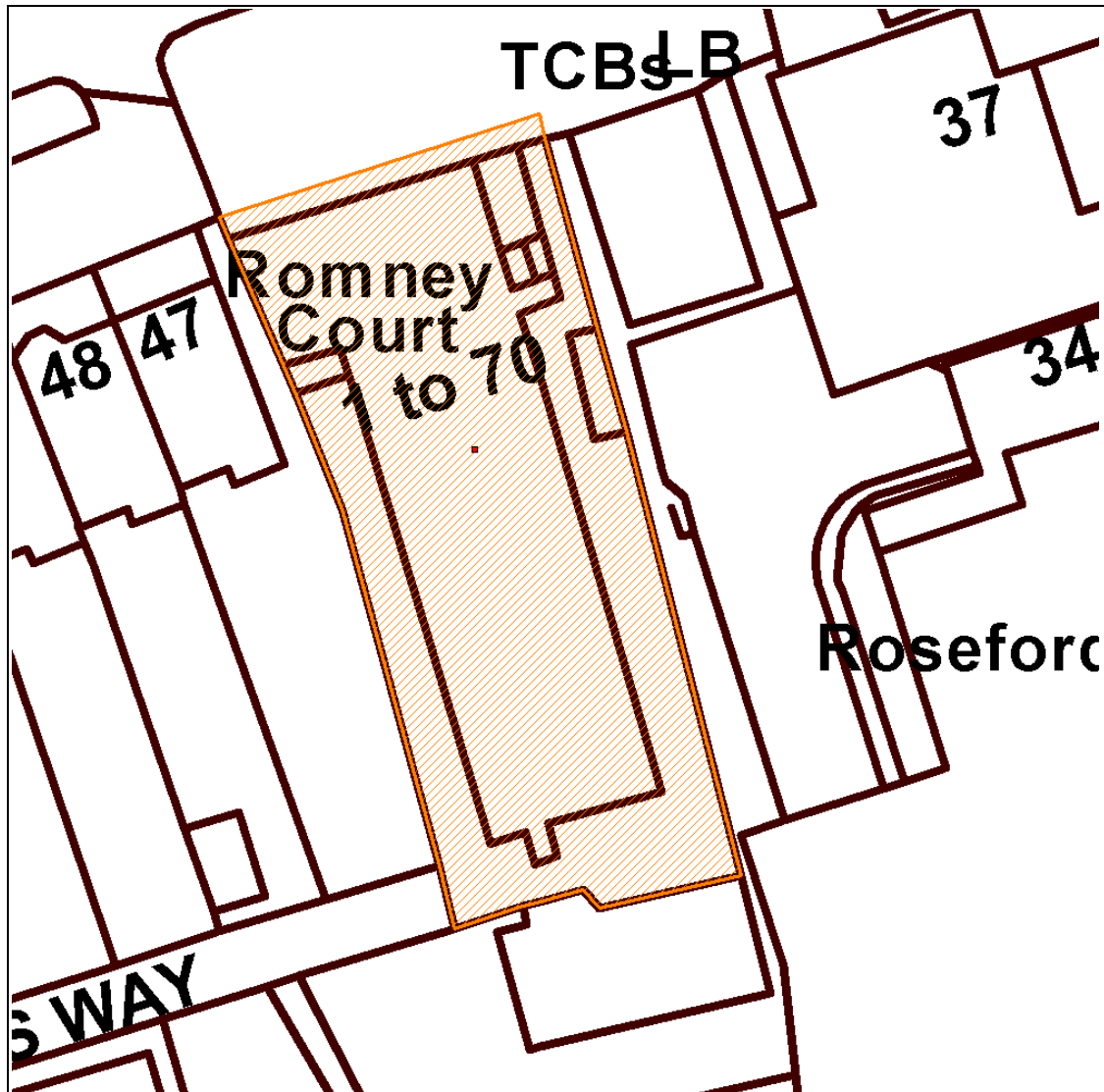
4.1 The proposal would facilitate acceptable improvements to the school's sports facilities. It is considered that the proposal would be of a satisfactory external appearance and would not harm the setting of the Grade II* Listed Sacred Heart school building or Grade II Listed Hammersmith library or the character and appearance of the conservation area. The proposal would not result in the loss of protected open space or detriment to the amenities of adjoining occupiers, subject to conditions including controlling lighting and hours of usage. It is therefore considered that planning permission should be granted subject to a temporary two year permission, in order to ensure that the Council can monitor and control the use in such a sensitive location.

4.2 For these reasons, a temporary (2 year) approval is therefore recommended.

Ward: Addison

Site Address:

Romney Court Shepherd's Bush Green London W12 8PY



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For identification purposes only - do not scale.

Reg. No:
2012/03728/FUL

Case Officer:
Denuka Gunaratne

Date Valid:
07.11.2012

Conservation Area:
: Shepherds Bush Conservation Area - Number 21

Committee Date:
06.02.2013

Applicant:

CRD Partners LLP

1 Sion Court Twickenham Middlesex TW1 3DD

Description:

Erection of an additional floor at roof level to provide three self-contained flats (1 x 2 bedroom and 2 x 1 bedroom)

Drg Nos: 912:957PL205; 912:957PL 206; 912:957PL207;912:957PL20208;
912:957PL209

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be approved 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 approved drawings: 912:957PL205, 912:957PL 206, 912:957PL207, 912:957PL208, 912:957PL209.

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 Policy BE1 of the Core Strategy 2011.

- 3) Prior to the commencement of the development hereby permitted details and samples of all external materials to be used in the construction of the development shall be submitted to and approved in writing by the council. The development shall be carried out in accordance with the approved details and thereafter retained as such.

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with policies EN2, EN6 and EN8B 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 proposed additional floor, raised parapet and glazed balustrade, and no part of the development shall be occupied prior to the completion of the development in accordance with the approved details. The development shall thereafter be permanently retained in this form.

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

- 5) Prior to commencement of the development hereby approved the following shall be submitted to and approved in writing by the council:

(i) A Construction Management Plan.

Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of construction vehicles, provisions 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. Approved details shall be implemented throughout the project period.

(ii) A Construction Logistics Plan, in accordance with Transport for London (TfL) requirements. This should seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. Approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies TN8, TN13, EN20A, EN20B, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 6) The development shall not be occupied until full details of refuse storage, including provision for the storage of recyclable materials, have been submitted to and approved in writing by the Council and provided on site in accordance with the approved details. The refuse and recycling facilities shall thereafter be permanently retained for such use.

To ensure the satisfactory provision of refuse storage and recycling and to prevent obstruction of the highway, in accordance with Policy EN17 of the Unitary Development Plan, as amended 2007 and 2011.

- 7) No plumbing, extract flues or pipes, other than rainwater pipes, may be fixed on the front elevation of the building.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies EN2, EN6 and EN8B of the Unitary Development Plan, as amended 2007 and 2011.

- 8) No plant or other structures including water tanks, other than that shown on the approved plans, shall be erected upon the roofs of the development hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, in accordance with Policies EN2, EN6 and EN8B of the Unitary Development Plan as amended 2007 and 2011.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order with or without modification), no aerials, antennae, satellite dishes or related telecommunication equipment shall be erected on the elevations of the additional floor hereby approved.

To ensure a satisfactory appearance and prevent harm to the street scene, in accordance with Policies EN2, EN6 and EN8B of the Unitary Development Plan, as amended 2007 and 2011.

- 10) The development hereby permitted shall not commence until further details of the secure cycle storage have been submitted to and approved in writing by the Council, and such details as are approved shall be implemented prior to the first occupation or use of the development and permanently retained thereafter.

In order to promote alternative, sustainable forms of transport and to ensure a satisfactory external appearance, in accordance with Policies EN2 and EN8 and Standard S20.1 of the Unitary Development Plan, as amended 2007 and 2011.

- 11) Any changes to the external appearance of the building not shown on the approved drawings, shall first be submitted to and approved in writing by the Council prior to their installation.

To ensure a satisfactory external appearance and prevent harm to the street scene and to avoid any disturbance detrimental to the enjoyment of neighbouring occupiers of their properties, in accordance with Policies EN2, EN6, EN8B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 12) 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 $L_{nT,w}$ for the floor/ceiling and wall structures separating different types of rooms/uses between proposed dwellings and between proposed and existing 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 and neighbours is not adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 13) No occupier of any of the three flats hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the council for a parking permit or retain such a permit and if such a permit is issued it shall be surrendered to the Council within seven days of written demand.

In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy TN15 and standard S18.1 of the Unitary Development Plan as amended 2007 and 2011.

- 14) The development hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the local planning authority to ensure that all occupiers of the three flats, other than those with disabilities who are blue badge holders, have no entitlement to parking permits from the council and to ensure that occupiers are informed, prior to occupation, of such restriction. The development shall not be used otherwise than in accordance with the approved scheme, unless prior written agreement is issued by the council.

In order that the prospective occupiers of the flats are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy TN15 and standard S18.1 of the Unitary Development Plan as amended 2007 and 2011.

- 15) The development hereby permitted shall not be occupied until the council has been notified in writing (and has acknowledged such notification) of the full postal address of the three flats. Such notification shall be to the council's Head of Development Management and shall quote the planning application number specified in this decision letter.

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new residential units hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy TN15 and standard S18.1 of the Unitary Development Plan, as amended 2007 and 2011.

- 16) The development hereby permitted shall not commence until a surface water drainage scheme for the roof terrace area, 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 National Planning Policy Framework.

- 17) Further details of the type, location and number of pv and solar panels shall be submitted to and agreed in writing by the council prior to commencement of development. The development shall be carried out in accordance with the details agreed and be available prior to occupation 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.

- 18) Prior to commencement of the development hereby approved, details and drawings at a scale of 1:100 demonstrating the development's compliance with the Lifetimes Home standards 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 the new flats are built to Lifetime Homes standards, in accordance with Core Strategy (2011) Policy H4, Policy 3.8 of The London Plan (2011) and the Council's Supplementary Planning Guidance (Access for All).

- 19) 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 or use of the development hereby approved and permanently maintained thereafter unless otherwise agreed in writing by the Council.

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

Summary of reasons for granting planning permission:

- 1) 1. Land Use: The proposed development would involve the redevelopment of an existing site, for use as a community centre and residential accommodation. The replacement community centre would be acceptable and meet the needs of the Irish Centre, and would provide facilities for use by the community. It is thus considered that the proposal complies with Policies CS5 and CS8 of the Unitary Development Plan as amended 2007 and 2011, Policy CF1 of the Core Strategy, and Policy 3.18 of The London Plan 2011.
2. Residential quality and quantum: The scheme would provide residential accommodation of an acceptable quantum for this town centre and highly accessible location, in accordance with Core Strategy Policy H1. The internal design and layout of the proposed residential units are considered acceptable. Subject to conditions, the proposed units would not be unduly affected by noise and could achieve acceptable air quality. The proposal is therefore considered acceptable having regard to Policy EN21 and Standards S5.A, S6.1, S7.A and S13.3 of the Unitary Development Plan as amended 2007 and 2011, Core Strategy Policy H3 and London Plan Policy 3.5.
3. Design: The development is considered to comply with UDP Policies EN2, EN2B and EN8B, which requires a high standard of design in all developments and that any scheme either preserves or enhances the conservation area. The proposal thus complies with Core Strategy Policy BE1 and London Plan policies 7.4 and 7.6 which seek a high quality in design and architecture.

4. Residential amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. In this regard, the proposal would accord with UDP Policy EN8B, which requires developments to be of high quality design which, amongst other things, respects the principles of good neighbourliness, and with Policy EN21 which seeks to prevent noise and disturbance to neighbouring occupiers and Standard S13 which states that there be no significant loss of amenity to neighbouring properties in terms of loss of outlook or privacy or the creation of additional noise and disturbance from roof terraces and balconies
5. Safety and Access: The development, subject to conditions, would provide a safe, secure and accessible environment for all users in accordance with Policy EN10 of the UDP, Core Strategy Policy H4, London Plan Policies 3.8 and 7.2 and the Council's Adopted Supplementary Planning Document (SDP) 'Access for All'.
6. Highways matters: It has been demonstrated that the scheme would not have a significant impact on the highway network or local parking conditions and is thus considered to be acceptable. Adequate provision would be made for the storage of bicycles and the storage of refuse and recycling. The development thereby accords with UDP Policies EN17, TN6, TN13 and TN15 and standards S18 and S20.
7. Sustainability: The proposal would seek to minimise its environmental impact, including measures that would conserve energy, materials and water, reduce air, noise and water pollution, and promote sustainable waste behaviour. It is not considered that the development would have an adverse impact on a watercourse, flood plain or flood defences, and the implementation of a sustainable urban drainage strategy would be required by condition to ensure there is no adverse impact on localised flooding. Policies CC1, CC2, CC3, and CC4 of the Core Strategy 2011 and Policies 5.2, 5.7 and 5.13 of The London Plan are thereby satisfied.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 6th November 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:
Thames Water - Development Control

Dated:
28.11.12

Neighbour Comments:

Letters from:

NAG

Petition

Flat 33 Romney Court London W12 8PY

4 Granville Mansions Shepherds Bush Green W12 8QA

68 Romney Court Shepherd's Bush Green London W12 8PY

37 Romney Court Shepherd's Bush Green London W12 8PY

44 Romney Court Shepherd's Bush Green London W12 8PY

60 Romney Court Shepherd's Bush Green London W12 8PY

19 Roseford Court 34 Shepherd's Bush Green W12 8RA

NAG

Dated:

03.12.12

24.11.12

23.11.12

05.12.12

07.12.12

27.11.12

28.11.12

26.11.12

10.12.12

21.11.12

OFFICERS' REPORT

1.0 BACKGROUND

1.1 This application relates to a six-storey building containing 70 flats and a ground floor restaurant, located on the south side of Shepherd's Bush Green. The property, which was built in 1928, is a locally listed Building of Merit. The site is within the Shepherd's Bush Conservation Area and the Town Centre. The conservation area boundary follows the east boundary of the application site. It is also located within the Environment Agency's Flood Risk Zone 1, the lowest risk category.

1.2 The terrace (nos. 47,49,51 Shepherd's Bush Green) immediately to the west of the site is 3-4 storeys in height and the property within it also listed as a Building of merit. These buildings are in use as a language school at nos. 47-48 and a hotel at nos. 50-51. A six storey Victorian mansion block (Granville Mansions) is situated adjacent to that, on the corner with Shepherd's Bush Road. The ground floors of Granville Mansions are in retail and office use, with residential on the upper floors. Granville Mansions and Shepherd's Bush Baptist Church (to the south west of the site) are also listed as Buildings of Merit. To the east are two high rise blocks of flats. Roseford Court and Woodford Court which are 19 storeys high, set on a podium base with commercial uses at the ground and set back from the main road. Opposite (to the north) is Shepherd's Bush Common public open space. To the south (rear) of the application site is offices/residential. The Old Mill House and the Mill House there are to the east of Shepherd's Bush Baptist Church, and accessed from Miller's Way. The Old Mill House is a four storey industrial building dating from 1894 which is on the Local Register of Buildings of Merit. The Mill House is a modern two storey building.

1.3 The application proposal is for the erection of an additional floor at roof level to provide three self-contained residential units (1x 2 bedroom flat and 2x 1 bedroom flats) for market sale. There have been two previous schemes for flats at roof level; neither of which have been considered to be acceptable.

1.4 Planning permission was refused in September 2008 for an additional floor at roof level to provide eight 1-bedroom and two 2-bedroom flats (2008/01545/FUL). This proposal was considered unacceptable on visual amenity grounds. More particularly, the proposed development, by virtue of its scale, design, location and choice of materials was considered to constitute an inappropriate and unneighbourly form of development that would be harmful to the appearance of the Building of Merit, the group

of buildings to the south of Shepherd's Bush Green and the conservation area. This development proposed to replicate in scale and form a style which would generally replicate that of the lower residential floors. Thus the metal (aluminium) windows and whitish-rendered external walls of the existing were to be repeated in the new works. At the top a lead-clad lift motor room was proposed. A subsequent appeal against refusal was dismissed by the Planning Inspectorate in July 2009. In dismissing the appeal the inspector supported the council's reasons for refusal and stated:

"I consider that the proposed increase in height would make Romney Court appear out of scale with its lower neighbours in the terrace (also Buildings of Merit), and would create an awkward visual relationship with them. In addition, the relatively unattractive flank walls of the building would appear more prominent in some views. Thirdly, I agree with the Council that the loss of the existing stepped profile at the top of Romney Court (and its "replacement" by the lift motor room) would tend to undermine its distinctive contribution to the local townscape. Despite the seasonal effects of some screening by trees, there are many places, particularly on Shepherds Bush Common, from which these effects would be seen. To my mind and eye, they would neither preserve nor enhance the character or appearance of the conservation area and would therefore be contrary to the relevant UDP policies (Para 12)".

1.5 The current application has been revised from what was proposed in a previously withdrawn proposal (July 2012) in that the number of units at roof level has been reduced from four to three; and the extension would be further set back from the edges of the building. Officers raised objection to the withdrawn proposal on the grounds of the excessive height of the extension, and the dominant rear wing which was considered to create an unevenly balanced floor plan.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The proposal was publicised by way of a press notice and site notice. Residential owners/occupiers and commercial operators were also notified by letter.

2.2 Eight individual responses were received (which includes 4 from Romney Court, 1 from Roseford Court, 1 from Granville Mansions and 2 with no addresses given) as well as an 89-signature petition from residents of Romney Court raising objections to the proposal. The grounds of objection are as follows:

- Loss of light, outlook and views to flats in adjoining residential blocks; loss of privacy
Officers' response: - Loss of views is not in self a planning issue that can be considered.
- The apartments would be small and cramped
- The art déco appearance of Romney Court will be altered. The proposal harms the special character and appearance of the conservation area and damage a locally listed Building of Merit
- The development would conflict with the provisions of the Councils Unitary Development Plan (UDP), the Conservation Area Character Profile, and the NPPF 2012.
- Would make the height, mass and proportions of the building excessive

- Would cause significant loss of amenity to the block (Romney Court), by putting increased pressure on services which will not be able to cope. The building's infrastructure and facilities, such as the lift and boiler, would not be able to cope with any additional demands. The existing roof was not designed for the added weight; the fire escape (now decaying for lack of maintenance) would need complete replacement. The facilities for clearance of dustbins would be overwhelmed. Dust and air pollution would arise from construction and the construction work would damage the newly refurbished park at the front of Romney Court as well as to residents in the block. Officers' response: - The building's infrastructure and services issues are not generally planning matters for consideration. Refuse issues are addressed below under section 3.1 of this report. A planning condition is attached requesting details of a Construction Management Plan which among others include control measures for dust, noise, and vibration.

- The new height would result in an unacceptable shadow impact on surrounding properties

- This would be a clumsy intrusive alteration to a listed building

Officers' response: - This building is not listed.

- The developers have not consulted the residents of Romney Court on their proposals.

Officers' response: - The application form submitted with the application lists a schedule of owners including leaseholders of the building. This states that notice was served on these owners on 31st October 2012. Officers have been made aware of disagreements between the leaseholders and the landlords but that these are not planning matters. All planning issues raised will be addressed below under section 3.1.

2.3 Hammersmith and Fulham Historic Buildings Group and Hammersmith Society were consulted on the application. No responses have been received.

2.4 Thames Water have commented that with regard to sewerage and water infrastructure they have any objection to the planning application.

3.0 PLANNING CONSIDERATIONS

3.1 The main issues are considered to be the acceptability of the proposal in land use terms, whether the proposal is of acceptable design, scale, bulk, whether it is acceptable in terms of traffic and parking, sustainability, energy generation, flood risk and contamination and its likely impact on amenities of surrounding occupiers and whether it is acceptable in terms of tenure and quality of accommodation.

LAND USE and TENURE

3.2 In considering this application the Council is guided by London Plan Policy 3.3, which states that 'Boroughs should identify and seek to enable development capacity to be brought forward to meet [borough housing targets]. This is consistent with one of the core planning principles of the NPPF (2012) which supports the 'effective use of land by reusing land that has been previously developed'.

3.3 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 3 units would contribute towards these targets.

3.4 Core Strategy Policies H1, H3 and H4, UDP Policy H06 are also relevant. In particular it is stated that there should be a mix of housing types and sizes in development schemes. The proposed scheme would provide a mix in that there would be one 1-bedroom flat and two 1-bedroom flats. Policy H4 of the Core Strategy states that 'the precise mix in any development will be subject to the suitability of the site.....in terms of site characteristics, the local environment and access to services'. In this case, the type of accommodation provided would reflect the existing pattern of accommodation in the building; it is considered that the proposed mix of units would accord with Policy H4 of the Core Strategy.

3.5 The number of residential units proposed is below the threshold of ten for which affordable housing is normally required under London Plan Policy 3.13 and Core Strategy Policy H2. It is considered that the provision of affordable housing is not required in this instance.

3.6 The London Plan target for LBHF is to deliver 615 additional dwellings a year up to 2021; though the Core Strategy aims to go beyond that. There are 70 flats within the existing complex. This proposal seeks consent for only 3 additional flats, an increase of 4%. There are no apparent further development options or capacity at the property beyond the current proposal, in officers' view. The site is a highly accessible area, with excellent connections to public transport and services. The site is in the town centre, and is surrounded by dense development including some tall residential blocks. The development would provide an acceptable standard of accommodation with space standards that meet the London Plan requirements, good aspect and amenity space that would benefit future occupiers. In officers' view, the quantum of development proposed is therefore considered to be acceptable; and is in accordance with Core Strategy Policy H1.

DESIGN

3.7 The core planning principles of the NPPF require developments to be of high quality design and provide a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively towards making places better for people`. It goes on to state that `Developments should respond to local character and history, and reflect the identity of local surroundings.....and (be) visually attractive as a result of good architecture and appropriate landscaping`. It also states that `design policies should avoid unnecessary prescription or detail and concentrate on guiding the overall scale, density, massing, height, landscape, materials and access.....Planning policies and decisions should not attempt to impose architectural styles or particular tastes.`

3.8 London Plan Policies 7.1, 7.2, 7.4, 7.5 and 7.6 require all new development to be of high quality and responsive to the surrounding context. It is also required that new development would contribute to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. In addition policy 3.5 of The London Plan states that housing

development should be of the highest quality, internally, externally and in relation to context and the wider environment.

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

3.10 Policy EN8B of the UDP require new developments and extensions to buildings to have a high standard of design, and states that the physical character of new development should respond to that of the surrounding area, taking into account historical context, height, scale, massing, form, grain and use of materials. Although use of innovative and contemporary materials is encouraged, these must be sensitively integrated into the existing built form and townscape. Policy EN2 states that development within conservation areas, including alterations or additions to existing buildings, will only be permitted if the character or appearance of the conservation area is preserved or enhanced. Policy EN2B of the UDP states that 'development, including development outside of conservation areas, will only be permitted if the character or appearance of the conservation areas in terms of their setting and views into or out of them is preserved or enhanced'.

3.11 Policy G1 of the Draft Development Management Development Plan Document (DM DPD) 2011 builds on UDP policy EN8 and other design policies, seeking that development is of a high standard of design and compatible with the scale and character of existing development and its setting.

3.12 Romney Court is a six storey block of flats. It was built in 1928 in a modernist style. Romney Court is on the local register of Buildings of Merit, and lies within the prominent frontage of the Shepherd's Bush Conservation Area. It has a strong period character, and is described in the conservation area character profile as:

'Romney Court (BOM) is a boldly simple six storey block of flats in the 'International Style' from the 1930's. Shops at ground floor level flank an 'Art Deco' entrance porch. The Shepherd's Bush Green frontage is geometric and unadorned, with flat parapets. A full height window to the central, projecting bay, expresses the lifts and main stairwell. Flanking bays have corner windows with multi-paned metal casements. The bulk of the building to the rear is designed in a more utilitarian manner'.

3.13 The existing building makes a positive contribution to this part of the conservation area. The narrow front elevation of the existing building rises taller than the neighbouring terrace [also buildings of merit] which are the only remaining buildings representing the scale of the houses which once aligned the south side of the green prior to the Second World War.

3.14 The surrounding townscape has a variety of individual building styles and also a mix of heights, massing and materials. The main issue is the effect of the proposed roof top extension on the character and appearance of the building and its immediate surroundings which fall within the Shepherd's Bush Conservation Area.

3.15 The existing building has an individual and distinctive front façade. In contrast the flank elevations are plain and undistinguished. There is a clear distinction between the

important front part of the building addressing the Green, and the utilitarian flank elevations which are visible in oblique views along the street.

3.16 An earlier proposal was dismissed on appeal in July 2009. A subsequent further application was withdrawn last year, due to officer concerns. In considering the withdrawn application, officers were of the view that the scheme would not meet all of the concerns raised by the Inspector into the previous appeal. The height of the extension, which would have risen above the front part of the building, was considered to be unacceptable. It would have detracted from the architectural composition of the building, the front part is the important piece of the composition, and the rear wing is fairly plain. The proposal, despite the set backs, would have made the rear wing more dominant and the proposed extension would not have been set back on its western side. The form of the building is strongly symmetrical, and the uneven floor plan would have gone against that.

3.17 The current proposal seeks to address the fundamental issues raised over the refused and withdrawn schemes. The current proposal would not impact upon the front part of the building. The proposal would be set back 7.5m from the rear of the existing stair tower at the front of the building and back 1.5m from the parapet. The roof level has been reduced in height by 0.5m. Therefore, the most significant part of the building would retain unaltered. Its relationship with the street and Green would be unaffected. It would remain and appear as the predominant element of the building. The extension would be confined to the rear roof section and would be set back and detached from the front façade and the return parapets on the flank elevations, such that the visual impact of the extension would be minimised. The revised design would not make the return elevations more prominent in the oblique views to the site from within the conservation area. The main public views of the extension from outside the conservation area would be blocked by the 19-storey Roseford Court situated to the east; therefore there would be no material harm to views from outside the conservation area.

3.18 The proposed materials include lightweight render panels (white) for the walls, asphalt with chippings or sedum finish for the roof and aluminium windows and timber doors. The materials would be similar to the materials of the refused application which was dismissed at appeal (2008/01545/FUL), however in dismissing that appeal the Inspector did not specifically object to the proposed materials.

3.19 Officers consider that the design of the roof extension would be sympathetic to the character of the main building and would have string courses and fenestration design and pattern which are informed by the style and character of the building. The current scheme has addressed earlier concerns with regard to the impact of a roof extension on the architectural character of the building and its relationship to its neighbours and is considered to be acceptable in design terms, subject to conditions requiring details and samples of materials and a 1:20 details in plan section and elevation of the proposed additional floor, raised parapet and glazed balustrade (condition nos. 3 and 4).

3.20 Overall the development would be of a high standard of design and would be compatible with the scale and character of its existing development and its setting and materials and would preserve the character and appearance of the conservation area and would comply with UPD policies EN2, EN8B and Policy G1 of the Draft Development Management Development Plan Document (DM DPD) 2011 and would comply with the Core Principles of the NPPF and London Plan Policies 7.1, 7.2, 7.4, 7.5 and 7.6.

STANDARD of ACCOMMODATION

3.21 Policy H3 of the Core Strategy requires new residential development to provide high quality living conditions for future occupiers. Policy 3.5 of The London Plan requires new residential development to provide a high quality living environment internally. Table 3.3 of this policy specifies unit sizes for new development. Standard S7A of the UDP specifies minimum internal floorspace standards for new residential units.

3.22 The sizes of the proposed units would exceed the UDP minimum size standards and would be consistent with the more recent London Plan size standards expressed in table 3.3. The proposed unit 2 bed would have 67.4sq.m floor area and units 2 and 3 which are 1-bed units would have 50sq.m floor area. The plans indicate that all the units would be dual-aspect, with rooms facing east and south, as required by standard S13.3 of the UDP; such that aspect to the flats would be acceptable.

3.23 Standard S5A.1 of the UDP requires only dwellings at ground level to be provided with amenity space, and there is no requirement for dwellings at upper floors to be provided with any. Notwithstanding this the application provides private balconies/terraces of approximately 16sq.m for flat 1, 11sq.m for flat 2 and 11sq.m for flat 3 set on the north elevation of the building. In addition a communal terrace area of 78 sq.m is provided in the area between the stair tower and the proposed roof extension. This amenity space provision is considered to be a positive element, as it would benefit future occupiers of the proposed flats. It is also accessible to existing occupiers of the property.

3.24 A planning condition is also recommended requiring details to be submitted to and approved in writing, of an enhanced sound insulation for the floor/ceiling/wall structures. This is to ensure that the amenity of occupiers of the development site and existing occupiers would not be adversely affected by noise, in accordance with Policies EN20A, EN20B and EN21 of the Unitary Development Plan. Condition 12 relates.

3.25 Overall, it is considered that the standard of accommodation would result in an acceptable living environment for future occupiers.

IMPACT ON NEIGHBOURS

3.26 In considering the protection of adequate daylight and sunlight to existing buildings, the Council has had regard to UDP Policy EN8B in respect of neighbourliness and the guidance set out in Building Research Establishment's (BRE) Report 1991 - Site Layout Planning for Daylight and Sunlight - A guide to good practice. Policy EN8B outlines that development should respect the principles of good neighbourliness and ensure that extensions are designed so that the amenities of existing residential properties are not unacceptably harmed. Standards S13.1, S13.2, S13.2a and S13.3 provide guidance on loss of outlook, loss of privacy to neighbouring properties.

3.27 The nearest affected residential properties at Roseford Court are sited c.18m to the east. The proposed extension would be set back from the roof edge, which would minimise its impact on neighbours. In officers' view the siting of the extension and its distance from neighbours is such that it is materially unlikely to result in loss of light and outlook residential neighbours over and above the impact from the existing building.

3.28 The proposed front roof terrace on the 6th floor would be situated at a distance of greater than 18m from Roseford Court; therefore there would not be any unacceptable overlooking from this terrace to occupiers of Roseford Court. Due to the distances and relationships with adjoining residential properties officers do not consider the use of the roof terrace to result in any undue noise and disturbance to adjoining residential occupiers. The walkway on the east of the roof giving access to the new flats would be closer to Roseford Court, however in officers' view the level of overlooking would not be significant, and not greater than currently experienced from windows of the flats in the floors below in Romney Court. The new windows to the flats on the east side of the building are situated at distances greater than the 18m required by standard S13.2. The proposed private balconies/terraces to the flats are sited to the west, away from any residential properties. The existing four storey property to the west is in use as a language school; there are no residential occupiers that would be affected.

3.29 For the above reasons the proposal is not considered to be unneighbourly and not result in material loss of light to neighbours, in accordance with Policy EN8B and the guidance of the BRE. Neither, given the separation distances involved, would there be unacceptable loss of outlook or privacy or any unacceptable overlooking to, or overshadowing of, adjoining neighbours in accordance with standards S13.1, S13.2, 13.2A and S13.3 of the UDP.

HIGHWAYS

3.30 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 people. Policies 6.1, 6.3, 6.10, 6.11 and 6.13 of The London Plan set 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.

3.31 The Core Strategy Policy T1 supports The London Plan policies. UDP 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 standard S18 of the UDP. Standard S18 requires compliance with the parking standard in Table 12.1, except in exceptional circumstances. Standard S18.2 states that the parking standards will normally be applied as set out, but when reducing a particular standard, the Council will need to be satisfied that the lesser provision will not contribute to the creation of unsafe traffic conditions, additional on-street parking stress or other problems of traffic management.

3.32 No car parking is provided. However the site lies within PTAL 6, and has excellent accessibility to a variety of public transport, and is a suitable location, therefore, for a car permit free agreement. The site is also well served by numerous shops and other services in the town centre. The applicant has agreed to conditions to ensure that occupiers of the flats would not be eligible to obtain permits to park on-street. (condition nos. 13, 14 and 15)

3.33 No formal cycle parking provision exists on site. The submitted plans indicate a proposed cycle rack at ground level at the rear (south) of the site, which could accommodate 10 bicycles. The current scheme would require a space per flat so 3 spaces; and the remainder could be used by existing residents. This area is considered

to be acceptable to officers, and specific details would be secured by condition, in line with London Plan Policy 6.9 and standard S20.1 of the UDP, which requires at least 1 safe and secure cycle space per dwelling (condition 10).

REFUSE AND RECYCLING

3.34 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3, UDP Policies EN17 and HO14 and the Storage of Refuse and Recyclables SPD sets out the Council's waste management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

3.35 The applicant has stated that the existing refuse/recyclables storage and collection area at the south east of the site would be utilised and that extra wheelie bins would be provided if necessary. This area is accessed via the access way along the eastern boundary of the site. Specific details of refuse and recycling arrangements would be secured by condition (Condition 6).

CONSTRUCTION

3.36 A Construction Management Plan (CMP) would be required to ensure that there is no harmful impact on neighbours and on the local highways network. The CMP shall include contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions 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. A CLP shall also be required and 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 matters would be secured by condition in accordance with UDP Policies EN19A, EN20A, EN20B, EN20C and EN21 and London Plan Policy 6.3.

ACCESS ISSUES

3.37 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. The applicants have stated that the development would comply with lifetime homes standards. The applicants have stated that the pedestrian access would be from a forecourt fronting the street to the south of Shepherd's Bush Green. The upper floors of the building have lift access which terminates at the sixth floor. The existing staircase would be extended to the new floor. Access for wheelchairs would be via a stair lift and ramps. Access to the units themselves would be through an open walkway and entrance doors. The units would have flush thresholds and comply with Lifetime homes and Part M of the Building regulations in terms of door widths. There would be sufficient space within the units allow for wheelchair use.

ENERGY, SUSTAINABILITY, FLOOD RISK

3.38 The development would incorporate a number of energy saving measures including photovoltaic and solar panels to be positioned on the new parapet to the rear south elevation to each side of the escape stair. Further details of photovoltaic and solar panels would be required by planning condition (condition no. 17). The new flats would be constructed to current standards of insulation; and all fittings would be energy efficient.

3.39 The site is in the Environment Agency's Flood Zone 1 and the site area is below 1ha in size. The site has a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). The development would be at roof level. There are no sea/river flood risk issues arising from the scheme.

3.40 Romney Court is close to an area that could be more susceptible to surface water flooding. The proposed roof terrace area provides an opportunity to attenuate some of the surface water run off from the roof. It is also noted that water use in the new flats would be minimised by using water efficient appliances. Further details of a proposed sustainable drainage systems (SUDS) would be required by condition (no.16), to ensure compliance with London Plan policy 5.13.

MAYORAL CIL

3.41 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at 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.

4.0 CONCLUSION and RECOMMENDATION

4.1 The proposed development accords with Council's Unitary Development Plan, London Plan policies and Government guidance. The provision of three flats is considered to be acceptable and a compatible land use to existing and neighbouring properties, subject to conditions. The standard of proposed accommodation and quantum of development is acceptable. The scheme would have minimal impact on residents and on local traffic conditions and parking stress, subject to no on-street permits being allowed for future occupiers. The design and layout of the proposed development is considered acceptable, and it would not harm the character or appearance of the existing building of merit, the conservation area or the streetscene.

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