

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 10th April 2013

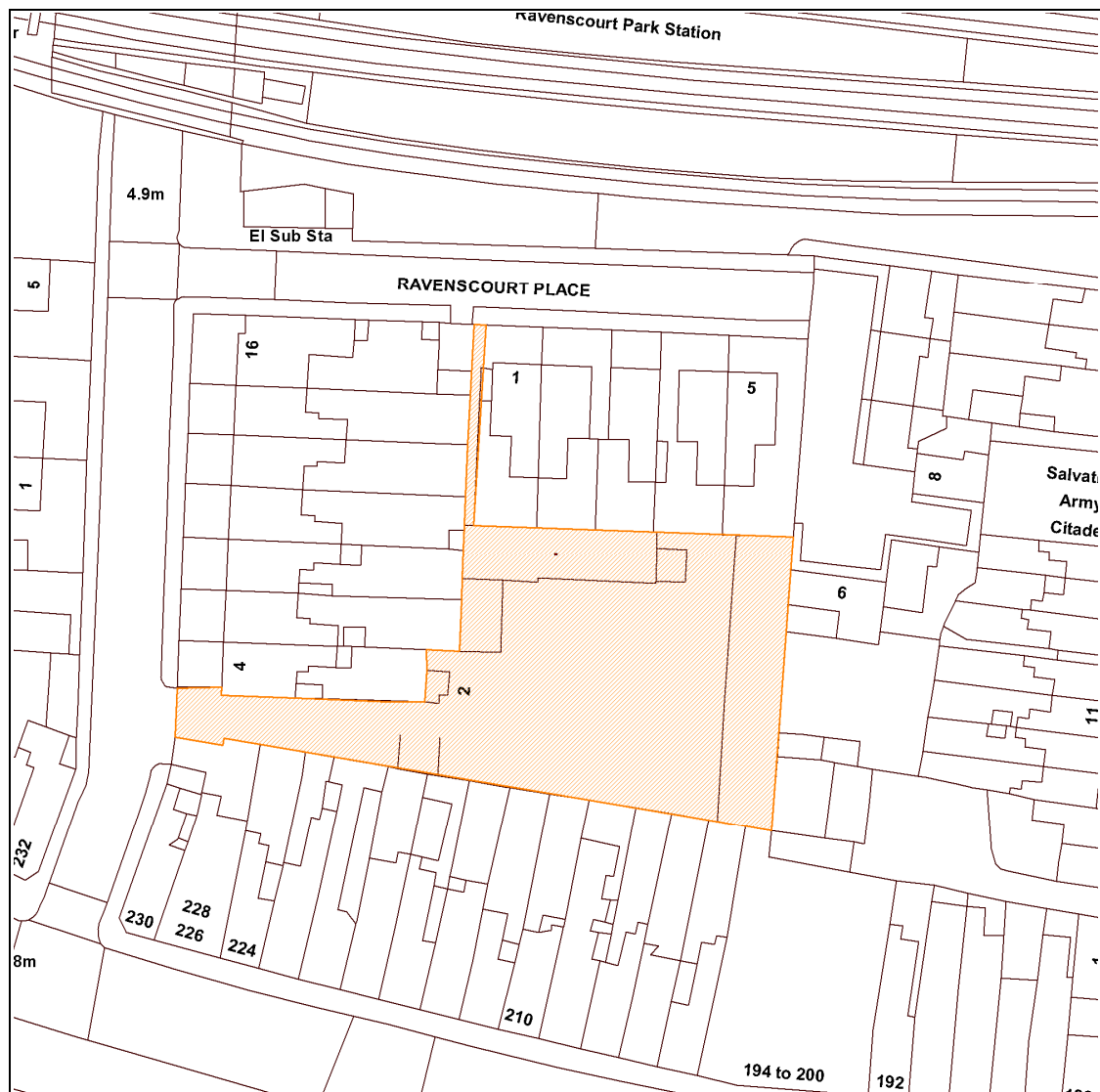
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Ward: Ravenscourt Park

Site Address:

Latymer House 2 Ravenscourt Road London W6 0UX



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For identification purposes only - do not scale.

Reg. No:
2012/02860/FUL

Case Officer:
Dale Jones

Date Valid:
31.08.2012

Conservation Area:
: Ravenscourt And Starch Green Conservation
Area - Number 8

Committee Date:
10.04.2013

Applicant:

Mr Alex Lifschutz

22 Island Studios St Peters Square London W6 9NW

Description:

Redevelopment consisting of re-use of Latymer House as a single family dwelling; erection of 5 x three storey terraced houses; associated landscaping, refuse and recycling storage and provision of 6 car parking spaces, following demolition of the southern facade and roof of Latymer House, the Latymer House annexe, outbuildings and garages

Drg Nos: A; P0162; P0165A; P8001A; P8005A; D0111; D0112; D0113; D0150 and D0161. P0101; P0111A; P0112A; P0113A; P0114A; P0150A; P0160A; P0161

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 hereby permitted shall not be carried out other than in accordance with the following approved plans: P0101; P0111A; P0112A; P0113A; P0114A; P0150A; P0160A; P0161A; P0162; P0165A; P8001A; P8005A; D0111; D0112; D0113; D0150 and D0161.

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

- 3) No demolition or construction works shall commence prior to the submission and approval in writing by the Council of a demolition method statement, a construction management plan and a construction logistics plan which shall include details of the steps to be taken to re-use and recycle waste, details of site enclosure throughout construction and details of the measures proposed to minimise the impact of the construction processes on the existing amenities of the occupiers of neighbouring properties, including monitoring and control measures for dust, noise, vibration, lighting and working hours, waste classification and secure off-

street loading and drop off facilities, and the measures proposed to prevent the passage of mud and dirt onto the highway by vehicles entering and leaving the site in connection with the demolition and construction processes. All construction works shall be carried out in accordance with the approved details.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the amenities of local residents and the area generally, in accordance with Policies 5.18, 6.3 and 7.14 of The London Plan 2011, Policies EN2B, EN8, EN19A, EN20A, EN20B, EN20C and EN21 and of the Unitary Development Plan, as amended 2007 and 2011 and Policy T1 of the Core Strategy 2011.

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

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

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

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

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

To ensure a satisfactory external appearance and to prevent harm to the conservation area, in accordance with policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) 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 granted.

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

- 8) With the exception of the roof terraces hereby approved at first and second floor levels, as indicated on the approved drawings: P0112A; P0113A and P0114A, no part of the any other roofs of the development hereby approved shall be converted into or be used as a terrace or other form of open amenity space. No railings or other means of enclosure shall be erected on any other roofs and no alterations shall be carried out to facilitate access onto any other roofs.

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

- 9) No part of the development hereby approved shall be occupied prior to the provision of the refuse and recycling storage enclosures, as indicated on the approved drawings: P0111A and P8001A. All refuse generated by the development hereby permitted shall be stored within these enclosures and they shall be permanently retained for these purposes, and no refuse shall be stored on the highway (except for on collection days).

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

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

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from approved plans, in accordance with policy 3.8 of The London Plan 2011, Policy H4 of the Core Strategy 2011, and the Council's adopted supplementary planning document 'Access for all'.

- 11) The development shall not commence prior to the submission and approval in writing by the Council of details of any proposed external lighting, including security lights, and no part of development shall be use or occupied until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2005' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties.

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

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

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

- 13) 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.

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) 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.

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, 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.

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, 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.

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) 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.

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.

- 18) 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.

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.

- 19) The development hereby permitted shall not commence until a surface water drainage scheme, based on sustainable drainage principles, and a maintenance programme for the sustainable urban drainage measures, have been submitted to and approved in writing by the council. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and thereafter permanently maintained in accordance with the agreed details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy CC2 of the Core Strategy 2011, Policy 5.13 of The London Plan 2011.

- 20) The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Infrastructure Design Studio (dated August 2012, Rev A).

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

- 21) The development shall not commence prior to the submission and approval in writing by the Council of full details of the proposed soft landscaping of the site, including planting schedules and details of the species, height and maturity of existing and new trees and shrubs. The approved scheme shall be implemented in the next winter planting season following completion of the building works, or before the occupation and use of any part of the building, whichever is the earlier.

To ensure a satisfactory external appearance, in accordance with Policies EN2, EN8 and EN26 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 22) Any tree or shrub planted pursuant to condition 22 being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

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

- 23) Prior to occupation of the development, details of the installation (including location and type) of one active and one passive electric vehicle charger points within the car parking areas shall be submitted to and approved in writing by the council. The electric vehicle charger points shall be installed and retained in working order for the lifetime of the development.

To encourage sustainable travel, in accordance with Policy 6.13 of The London Plan 2011.

- 24) The development shall not commence until detailed drawings of typical bays of the development at a scale no less than 1:20 in plan section and elevation have been submitted to and approved in writing by the Council. The development shall be implemented in accordance with the approved details.

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

- 25) The development hereby approved shall be constructed in accordance with the measures outlined in the submitted Sustainability Statement and shall be constructed to meet Code for Sustainable Homes Level 4.

To ensure the construction of a sustainable development, in accordance with Policy 5.3 of The London Plan 2011 and Policy CC1 of the Core Strategy 2011.

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

To avoid unduly affecting the amenities of the neighbouring premises by reason of overlooking or loss of privacy, in accordance with policies EN8B and EN21 and standard S13 of the Unitary Development Plan, as amended 2007 and 2011.

- 27) The development hereby permitted shall not commence until details and samples of the proposed metal 'privacy fins' on the northern building elevation of the townhouses at first and second floor level and on the northern building elevation of Latymer House at first floor level (as indicated on drawings P0160 Rev A and P0161 Rev A), including the position in context to the windows (including with 1.20 detail on plan), have been submitted to and approved in writing by the Council. The new residential unit at Latymer House shall not be used or occupied prior to the installation of the privacy fins, in accordance with the approved details. The development shall thereafter be retained in accordance with the approved details.

To ensure a satisfactory external appearance, and to prevent harm by virtue of overlooking and loss of privacy in accordance with policies EN2, EN8 and standard S13.2 of the Unitary Development Plan as amended 2007 and 2011.

- 28) The development hereby permitted shall not be used or occupied until the two windows in the south facing elevation at first floor level as indicated on the approved drawing P0160 Rev A have been installed with obscured glass, a sample of which shall have been previously submitted to and agreed in writing by the Council. The development shall not be used or occupied until these windows have been installed in this manner in accordance with the agreed details and these windows shall be permanently retained with obscured glass.

To ensure that the use of the development does not adversely affect the residential amenities of occupiers of the surrounding properties in respect of loss of privacy, in accordance with standard S13.2 of the Unitary Development Plan, as amended in 2007 and 2011.

- 29) No part of the development hereby approved shall be used or occupied prior to the provision of the secure bicycle parking store (for 12 spaces), in accordance with the approved drawing P0111 Rev A. Such spaces shall be permanently retained thereafter.

To ensure the provision of bicycle spaces in accordance with policy TN6 and standard S20.1 of the Unitary Development Plan, as amended 2007 and 2011, and policy T1 of the Core Strategy 2011.

Justification for Approving the Application:

- 1) Land Use: The proposed development would achieve a sustainable development with efficient use of brownfield land. The proposal would not result in unacceptable loss of employment land. The proposal would co-ordinate land use and transportation, conserving and enhancing environmental quality, ensuring a provision of good quality housing accommodation. The scheme would help to meet The London Plan target of 32,210 net additional homes delivered per annum in London and the local target in the Core Strategy of 615 net additional dwellings per annum. Policy HO1 of the Unitary Development Plan as amended 2007 and 2011 and policies H1 and LE1 of the Core Strategy and Policies 3.3B and 4.4 of The London Plan 2011 would be satisfied.

Design: The proposal would be of an acceptable standard of design, which would complement the character of existing development in the area and the site's setting. The proposal would preserve and enhance the character and appearance of the conservation area. The NPPF, Policies EN2, EN8 of the Unitary Development Plan as amended 2007 and 2011, Policy BE1 of the Core Strategy and Policies 7.1, 7.2 and 7.4 of The London Plan 2011 would thereby be satisfied.

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

Environmental Quality: The proposed units would have more than sufficient internal floor space, acceptable amenity space and acceptable aspect to meet the requirements of future users of the proposed units. The proposal is thereby in accordance with standards S7.A and S13.3 of the Unitary Development Plan as amended 2007 and 2011.

Access: The development would provide level access, suitable circulation space and a dedicated parking space for wheelchair users. Satisfactory provision is therefore made for all users, including those with mobility needs, in accordance

with policy BE1 of the Core Strategy 2011, the Council's SPD 'Access for All' and policies 4.5 and 7.2 of The London Plan 2011.

Flood Risk: A Flood Risk Assessment (FRA) has been submitted and is considered adequate in terms of incorporating preventative flooding measures into the scheme. The proposal would incorporate flood resilient design measures and a Sustainable Urban Drainage Strategy would be required by condition. It is considered that the development is not at risk from tidal flooding. Policies CC1 and CC2 of the Core Strategy 2011 and policies 5.1, 5.2, 5.3, 5.6 and 5.7 of The London Plan 2011 are thereby satisfied.

Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. In this regard, the development would be of high quality design which, amongst other things, respects the principles of good neighbourliness, and thereby satisfies policy EN8 and standard S13 of the Unitary Development Plan, as amended 2007 and 2011 and policy BE1 of the Core Strategy.

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

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 30th 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:

Environment Agency - Planning Liaison

Dated:

17.09.12

Neighbour Comments:**Letters from:****Dated:**

212A King Street London	26.09.12
1 Ravenscourt Place W6 0UN London	27.09.12
78 Buckingham Close Ealing London	24.09.12
214a king street London	01.10.12
196a King Street London	25.09.12
4 Ravenscourt Place London W6 0UN	15.10.12
4 Ravenscourt Road London W6 0UG	24.10.12
4 Ravenscourt Road London W6 0UG	02.10.12
208A King Street London W6 0RA	26.09.12
208A King Street London W6 0RA	28.09.12
208A King Street London W6 0RA	18.09.12

OFFICER'S REPORT**1.0 BACKGROUND**

1.1 The application property is a backland site of c.1,590 sq.m accessed from Ravenscourt Road. The site is bounded to the north by Ravenscourt Gardens, to the south by King Street and to the west by Ravenscourt Road. Ravenscourt Park Station is c.35 metres to the north, as the 'crow flies'. The immediately surrounding area is predominantly residential in character, with commercial uses occupying the ground floors of the properties located on the north side of King Street. There is a commercial yard area located beyond, to the south east of the site.

1.2 The site is located within the Ravenscourt and Starch Green Conservation Area. The properties located on the east side of Ravenscourt Road are subject to Article 4 Directions and the buildings located on the north side of King Street are Buildings of Merit (BoM) as designated within the Unitary Development Plan. The site is located within the Environment Agency's Flood Risk Zones 2 and 3. The site has a public transport accessibility level (PTAL) of 6, which is considered to be excellent.

1.2 The site was most recently occupied by a roofing materials manufacturing company, though the H&F Community Transport Project are operating from here on a temporary basis. A number of single storey buildings have been removed from the site over recent years, but a two storey building, which was used as offices, remains and is located on the north side of the site, abutting the rear gardens of 1, 2 and 3 Ravenscourt Place. There are single storey buildings located at the site's eastern perimeter. There is parking available for approximately 25 cars in the centre of the site.

1.3 There are a number of historic planning records pertaining to the site, most of which relate to temporary permissions granted for portacabin buildings on the site, a number of which have since been removed.

1.4 Applications for planning and conservation area consent were approved in August 2009 for the erection of a part single, part two, part three storey building to provide 1,605 sq.m. of office floorspace (Class B1) and associated landscaping, refuse and recycling storage, 30 cycle parking spaces and 3 car parking spaces following demolition of the existing buildings (refs. 2009/00978/FUL and 2009/00979/CAC). A further application (ref. 2011/04103/EFUL) was approved in March 2012 for renewal of the previous planning permission.

1.5 The current proposal seeks planning permission and conservation area consent for redevelopment consisting of the re-use of Latymer House as a single family dwelling and for the erection of five 3-storey terraced houses (with roof terraces to the rear of units 2, 3 & 4); associated landscaping, refuse and recycling storage, twelve cycle spaces and six car parking spaces, following demolition of the southern facade and roof of Latymer House, the Latymer House annexe, outbuildings and garages. The dwellings would be for sale on the open market.

1.6 The planning application has been revised since its original submission in order to reduce the building massing of house 1, which would be the western most building of the five new dwellings close to the site boundary with King Street. The massing of the building has been chamfered at upper levels in order to ensure that the impact of the development on the King Street properties, particularly that of 214 King Street is negated. Where the building has been chamfered, two small terraces (less than 6 sq.m.) would sit on the remaining flat roofs.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application has been advertised by means of a site notice and a press advert, and individual notification letters (112) have been sent to the occupiers of neighbouring properties along King Street, Ravenscourt Place, Dalling Road, Ravenscourt Park and Ravenscourt Road.

2.2 Nine responses have been received from residents. The responses are summarised below.

2.3 Five objections have been received from 1 Ravenscourt Place, 196A King Street, 212A King Street, 214A King Street and 78 Buckingham Road (freeholder of 214, 214a and 214b King Street). The issues they raise are:

- Loss of privacy to King Street properties and 1 Ravenscourt Place
- Noise and light pollution
- Increased overlooking, loss of light and outlook from King Street properties
- Detrimental impact on highways arising from the proposed off-street car parking spaces
- Negative impact on property values (officers' comments: this is not a material planning matter)
- Party wall issues (officers' comment: this is not a Planning matter; there is separate legislation on this - the Party Wall Act)

2.4 Four representations have been received in support of the proposal from 208A King Street (two responses) and 4 Ravenscourt Road (two responses). The issues they raise are:

- The existing site is run-down, dilapidated and does not contribute to the conservation area. The proposed scheme is of a high quality design in the surrounding context
- There would be an improvement in urban design terms over the previously consented office development scheme

2.5 The Environment Agency was consulted and they have written to advise that they have no objection to the proposal.

2.6 The Metropolitan Police Crime Prevention Officer was consulted and advises that he has no objection to the proposal, but he expects that the scheme would be built to secure by design standards (condition 5 relates).

2.7 The London Fire and Emergency Planning Authority and Thames Water were consulted on the proposal and did not respond.

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

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in the National Planning Policy Framework (2012), The London Plan and the Council's adopted Core Strategy and Unitary Development Plan include the acceptability of the demolition and the acceptability of a replacement residential use; quantum and intensity of the development; design and impact on the conservation area; impact on surrounding uses particularly on the amenities of occupiers of neighbouring residential properties (noise, outlook, light and privacy, traffic generation, parking), the impact on the highway network, energy/sustainability, contaminated land, access and flood risk. The draft Development Management Local Plan was submitted to the Planning Inspectorate for Examination and the Inspector's Report has been received. The draft Development Management Local Plan, when adopted in June 2013, will form part of the H&F Local Plan. When adopted, it will replace the remaining saved policies of the UDP and will be used, together with the Core Strategy and London Plan. Although not yet adopted, the draft Development Management Local Plan as an emerging policy document is also a material consideration in the determination of planning applications.

DEMOLITION

3.2 The proposal would involve the demolition of the southern façade and roof of the main Latymer House building and the infilling of the majority of the window openings (including along the north facing façade); demolition of the single storey annexe building to Latymer House, and demolition of the single storey outbuildings and sheds. The demolition would facilitate the erection of the new buildings and is an integral part of the redevelopment of the site. The demolition works are considered to be acceptable as the existing buildings are not of any significant visual merit and as a replacement scheme would be in place (further discussion to follow in the report below). Condition 2 of the conservation area consent would require that the demolition shall not be undertaken before a building contract for the redevelopment of the site in accordance with the planning permission has been entered into, and notice of demolition in writing and a copy of the building contract have been submitted to the Council. This would 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 of the Unitary Development Plan. Condition 3 of the planning consent would require the submission and approval of a demolition method statement, which would include details of the steps to be taken to re-use and recycle demolition waste and details of the measures to minimise the impact of the demolition process on the amenities of the occupiers of neighbouring properties.

LAND USE and DENSITY

3.3 The application site was formerly in use as a roofing materials manufacturing company. The site is currently used, on a temporary basis, for small scale employment services (Hammersmith & Fulham Community Transport Project), predominantly for the parking of vehicles and for general office administrative purposes.

3.4 Policy LE1 of the Core Strategy 2011 seeks 'To ensure that accommodation is available for all sizes of business including small and medium sized enterprises by retaining premises capable of providing continued accommodation for local services or significant employment unless the tests set out within this policy are met and demonstrated: 1. continued use would adversely impact on residential areas; or 2. an alternative use would give a demonstrably greater benefit that could not be provided on another site; or 3. it can be satisfactorily demonstrated that the property is no longer required for employment purposes; or 4. an alternative use would enable support for essential public services and is otherwise acceptable.' The occupation of the existing buildings does not have a detrimental impact on the surrounding residential area, the area being close to Hammersmith Town Centre, located to the east where there are a variety of uses; however residential use would be in keeping with the use and character of the local streets. With regards to test 2 of policy LE1, there is no demonstrably greater benefit from the proposed residential use than could be provided elsewhere in the borough. In terms of test 4, the proposed residential use would not enable support for essential public services. The remaining test is therefore test 3 of the policy and it is on this basis that the applicants have made their case. It is stated that the existing site is not attractive for commercial users given that it is a back-land site with a narrow site access point and of which is surrounded by residential properties. Furthermore, it is claimed that the site is in isolation to the other similar facilities in the town centres, and marketing information presents clear evidence that the site is not sustainable for commercial users.

3.5 The roofing materials manufacturing company was last operational over 10 years ago and since this time there has been limited employment use of the land. The applicants have submitted marketing information. From the submitted information, it is clear that there has been a genuine attempt to market this site in advance of implementing the existing office permission. This marketing has been carried out since 2009. Furthermore, as the site is located in an out of town centre location and given the lack of interest from potential occupiers through marketing indicate that alternative uses including residential (as in this case) should be considered. In light of the marketing approach, the limited employment that currently exists, and its temporary positioning here, and the site's location and context, it is considered a residential scheme would accord with both Core Strategy Strategic policies B and LE1 sub para 3 and draft DM LP policy B1 and therefore officers raise no objections in principle to the loss of employment in this case.

3.6 Part 6 of the National Planning Policy Framework (2012) sets out the requirement for local planning authorities to deliver high quality homes. Policy 3.3 (Increasing London's Supply of Housing) of The London Plan sets minimum borough targets for housing provision up to 2021. Policy 3.3 states that 32, 210 net additional homes should be delivered per annum in London. The policy specifies a 10 year minimum target for LBHF of 6,150 dwellings, and an annual monitoring target of 615 dwellings. Core Strategy Policy H1 (Housing Supply) sets a minimum borough target for housing provision up to 2021 of 615 units per year. Policy DM A1 of the DM Local Plan 2013 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 proposed redevelopment to provide for 5 new build houses would contribute to these targets, albeit in a small way. Core Strategy Policy H1 also states that conversions (such as that proposed at Latymer House) will also be factors in relation to housing provision; and a further unit would be provided here, again adding to the council's provision.

3.7 Policy HO6 of the UDP requires new residential development to provide a mixture of units to meet the needs of family and non-family households. Paragraph 4.12 of the DM Local Plan 2013 states there is a particular need in this borough for more family sized housing (3 or more bedrooms). It is recognised that some sites may be more appropriate for families with children, particularly sites with safe access to amenity and play space, than other sites that are in town centres etc where access may be more difficult. The proposal, in this case, would provide for large family sized residential houses, which whilst not providing for a range of unit sizes (including non-family sized flats), it is considered that there are a number of residential schemes that provide for smaller non-family sized units in the vicinity, and that the number of units proposed is low. Furthermore, a higher number of smaller, including non-family units, could have the potential to create an un-neighbourly development given the site's close proximity to established residential properties.

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

3.9 The site has a public transport accessibility level (PTAL) of 6 and a site area of 0.1573 ha, and is considered 'urban' in relation to the GLA density matrix in Table 3.2, which gives an indicative acceptable density range of 200-700 habitable rooms per hectare (hrph) or 55-225 units per hectare (uph). The proposed development comprises a total of six residential units and would provide for 53 habitable rooms. This results in a residential density of 502 hr/ha and 46.4 units per hectare, which whilst being slightly below the normal London Plan guidelines in respect to units per hectare owing to the large family sized 'town house' accommodation that is proposed, is not considered to

be grounds for refusing planning permission in itself. Furthermore, taking into account the site's constraints and the sympathetic response to the historic appearance of the neighbouring buildings that surround the site in terms of the orientation and scale of the proposed residential buildings, it is considered that the development would optimise the housing capacity on this brownfield site, in compliance with Section 6 of the National Planning Policy Framework and Policy 3.4 of The London Plan (Optimising Housing Potential).

URBAN DESIGN and HERITAGE

3.10 A core planning principle of the NPPF is that proposals should 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 policies 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality design that responds to the surrounding context and contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood.

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

3.12 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.' 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'.

3.13 Policy DM G1 of the DM Local Plan 2013 builds on the aforementioned 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 DM Local Plan 2013 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.

3.14 The NPPF 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.

3.15 The site is temporarily being used for the parking of vehicles and for general office administrative purposes. The primary access route to the site is located to the west off Ravenscourt Road with a road access way that leads across the concrete hard-standing, to the southern flank elevation of 4 Ravenscourt Road. Latymer House which is located along the northern site boundary backs onto the rear garden boundaries with the Ravenscourt Place properties to the north, whilst the remaining site boundaries generally comprise of boundary walls of varying height.

3.16 The immediately surrounding buildings are generally 2 and 3 storeys in height and are of domestic scale. The larger scaled surrounding buildings are those located to the south of the site along the northern side of King Street, that generally comprise of commercial units at ground level with residential flats on the floors above. Ravenscourt Road to the west of the site comprises of a grand 3-storey Victorian terraces and Ravenscourt Place to the north of the site comprises of 2-storey pairs of Villas. Dalling Road, to the east, comprises of 2-storey residential properties. The previously consented redevelopment of the application site took the form of a contemporary design in the form of a 'tiered' building that was proposed to be centrally located on the site, with each of the levels stepping back at each of the three storeys in height. The consented office development for this site would have had smooth building lines and be of a rendered appearance predominantly across the main facades. The approved development was not designed to reflect adjacent building typology or detailed design.

Latymer House

3.17 Whilst the proposal is for an integrated residential scheme for redevelopment of the backland site, the proposal has two distinct elements, comprising of the conversion of Latymer House into a 4-bedroom dwellinghouse and the erection of five 3-storey townhouses that would be positioned closer to the southern site boundary. With regard to Latymer House it is proposed to demolish its southern building façade and roof. A total of three existing openings would be retained (one within the north facing elevation at first floor level and two within the eastern elevation). The existing doorway to the alleyway that is accessible to the north of the site would also be retained. Skylight and front dormers would be added, and the floor levels would be rationalised, in order to facilitate the proposed residential use of the former office building.

3.18 Two new windows would face south across the proposed courtyard of the site and the remaining windows would be concealed behind 'hit and miss' brickwork in order to provide privacy for the occupants of the residential building and those of the proposed town houses to the south. Access to the proposed residential dwellinghouse in this case would be via a gate at the north end of the proposed central courtyard area. The dwelling would include patio doors within the eastern building façade that would open out onto a relatively large soft landscaped garden area that would measure 54 sq.m, and would be surrounded by a 2m high fence with mature hedgerow which would soften the appearance of the site.

3.19 It is considered that the limited extent and design of the proposed alterations and additions (dormers and skylight) to Latymer House are acceptable. The new southern elevation would be constructed primarily of light London Stock Bricks and glazing. The refurbishment proposals would be relatively modest, whilst being in keeping with the character and scale of the style of the building, materials, detailing and proportions. The proposed refurbishment and upgrade of the Latymer House is considered to be acceptable in the interests of visual amenity and it would make a positive contribution to this backland site within the conservation area. The proposal is thereby in accordance with abovementioned UDP, London Plan, Core Strategy, UDP and DM Local Plan 2013 policies. It is, however, recommended that final details of the materials to be used in the external appearance of the building be conditioned for future approval (Condition 4).

Townhouses

3.20 There is an existing row of single storey buildings that were used for storage purposes that are positioned along the eastern boundary of the application site which would be demolished. This part of the site along with the land in proximity of the southern site boundary with King Street is the proposed location of a terrace of no 5 x 3-storey townhouse buildings. The proposed three storey dwellings would each have gardens and access to a communal area of soft-landscaped open amenity space in the north-east corner of the site. Access to the dwellings would be via two gates through the main courtyard area, one at the southern site boundary and one to the north (that would also be used by the proposed dwelling house created by the proposed conversion of Latymer House).

3.21 The residential dwellings would be of a similar design and scale, with the exception of the slightly larger 'bookends' that sit on the eastern and western sides of the terrace. The palette of materials used within the external building facades would comprise London stock brickwork with some zinc cladding and grassed walls to soften up the appearance of the development, thereby creating a symmetrical and punctuated building form. The design solution and scale (including the use of gables) would reflect that of the surrounding built environment.

3.22 It is considered that the terrace of houses would sit comfortably within the site in terms of its placement, scale, massing and proximity to surrounding buildings. Furthermore, it is considered that the opportunity has been taken to significantly enhance the view of the site from Ravenscourt Road to the west. In addition, the glimpsed view of the flank elevation has been designed to create a distinctive yet restrained focal point from the street entrance, with a three storey brick façade supporting a 2 storey feature window. From Ravenscourt Place views of the houses would largely be obscured by the roofline of Latymer House and from Dalling Road to the east there would be a glimpsed distant view into the site which would be improved by the placement of appropriately scaled and detailed houses in materials which are sympathetic to the surrounding conservation area.

3.23 It is considered that the predominant facing material (London Stock Bricks on all facades) is an appropriate treatment given the setting and pattern of existing facade treatments locally. The roof, which would be zinc, would partially extend down the western flank of the western-most house wall to create a wrapped effect. Chimneys on the north façade roof gables would reflect the industrial heritage of the site and high quality landscaping materials, including granite paving are proposed and these would also coordinate in their alignment and detailing with the houses to create an interesting

but restrained groundscape. It is thereby considered that as required by policy EN2 the character of the conservation area would be preserved and also enhanced by this sensitively designed new development which would also respect and improve views within the conservation area. The development would also be consistent with policy EN8 which requires development to be of a high standard of design compatible with the scale and character of existing development and its setting. Officers consider that the proposed development is acceptable in terms of design, bulk and appearance and would make a positive contribution to the appearance of the conservation area, in accordance with abovementioned London Plan, Core Strategy, UDP and DM Local Plan 2013 policies. It is however recommended final details of the materials to be used in the external appearance of the building be conditioned for future approval (condition 4 relates).

3.24 The redevelopment of the site would also involve the formation of soft landscaped gardens for use by the proposed family sized dwelling houses with direct access to the gardens from ground level. The introduction of the soft landscaped amenity areas (conditions 21 and 22 relate) and the removal of hard standing, which currently covers the entire site, is considered to represent a visual (and environmental) improvement, in accordance with policy EN8 of the UDP.

ENVIRONMENTAL QUALITY and ACCESSIBILITY

3.25 Standard S7A of the UDP relates to internal space provisions. A minimum of 98 sq m is ordinarily required for a 6-habitable room, three-storey dwelling house (proposed house 1); whilst a minimum of 94 sq.m. is normally required for a 5-habitable room, three-storey house (proposed houses 2-5). A residential unit within a converted property should be at least 32.5 sq.metres. There is no London Plan requirement for a three storey, 4-bed 8-person dwellinghouse (as the townhouses would be), but 113 sq.m. minimum is required for a three storey, 4-bed, 6 person dwellinghouse. All of the proposed dwelling houses would far exceed the requirements. House 1 would measure 254 sqm, House 2: 237 sqm, House 3: 238 sqm, House 4: 237 sqm, House 5: 283 sqm and the Latymer House converted unit would measure 240 sqm.

3.26 Standard S13.3 of the UDP relates to aspect, and states that no dwelling should normally have all of its habitable windows facing exclusively in any northerly direction. In this case, all the proposed residential units would be dual aspect and face principally in both northerly and southerly directions and are therefore acceptable in this respect. Therefore no objection is raised to the size or layout of these large family sized units in policy terms.

3.27 Standard S5A of the UDP requires every new family and non-family dwelling at ground floor level to provide adequate private open amenity space (36 sq.m. for family sized units and 14 sq.m. in the case of non-family units). In this instance, the following amenity space would be provided as follows:

Latymer House: soft landscaped private garden measuring 54sqm;

House 1: soft landscaped garden measuring 37sqm; terrace at first floor level measuring 3.5sqm and terrace at second floor level measuring 6sqm;

House 2: soft landscaped garden measuring 35 sqm; terrace at second floor level measuring 18sqm;

House 3: soft landscaped garden measuring 35 sqm; terrace at second floor level measuring 18sqm;

House 4: soft landscaped garden measuring 35 sqm; terrace at second floor level measuring 18sqm;

House 5: soft landscaped garden measuring 61sqm in area (this was increased from the initial planning application submission following an amendment to remove the single storey storage building within the north-east corner of the site). UDP standard S5A is therefore achieved in this instance with all of the family sized units have access to soft-landscaped private garden space and/or terraces at higher level.

3.28 Policy 3.8 of The London Plan requires new residential development to be built to lifetime homes standards. London Plan policy 7.3 advises that new development should seek to create safe, secure and appropriately accessible environments. UDP Policy EN10 requires new development to create a safe and secure environment. The development has been designed to be accessible. A condition would require that the residential units meet Lifetime Homes standards (Condition 10). Bathrooms in the townhouses are large enough to facilitate conversion to wheelchair accessible bathrooms if required, and provision has been made for through floor lifts within all of the residential units. Overall, it is considered that the standard of accommodation would give rise to a high quality internal living environment that would satisfactorily meet policy requirements.

IMPACT ON NEIGHBOURS

3.29 Policy EN8 of the UDP relates to the design of new development with an emphasis on the principles of neighbourliness. Standard S13 seeks to ensure developments protect existing residential amenities in terms of outlook, privacy and noise and disturbance. Standard S13.1 of the UDP relates to loss of outlook and states that 'a building's proximity can have an overbearing and dominating effect, detrimental to the enjoyment by residential occupiers of their properties'. Although dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. Where any part of the proposed building extends beyond these lines the UDP allows on-site judgement to be a determining factor in assessing the effect which the development will have on the existing amenities of neighbouring properties.

Impact on King Street

3.30 In this case, the main issue relates to the scale and massing of the townhouses that would be in proximity of the southern site boundary. The ground floor level of those properties to the south of the application site (located on the northern side of King Street) are generally commercial in nature, and any residential units are located on the floors above, with the exception of two properties (nos. 208 and 214), that have ground floor level residential accommodation. The scheme has been amended since the original submission to reduce the mass of proposed House 1, which was found to be in breach of the notional UDP standard relating to outlook (S13.1). In this respect, the proposed dwelling has been recessed at first and second floor levels to the south-west, in order to ensure that there would be no loss of outlook from the King Street properties

to the south. Adopting a notional 45- degree line from ground level on the southern site boundary the development would achieve the requirements of S13.1, in that there is now no breach, thereby indicating that the massing of the townhouses in context to the residential units to the south would be acceptable.

3.31 In considering impact on light officers have had regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 'Site Layout Planning for Daylight and Sunlight - A guide to good practice'. Although the document provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design. The applicants have submitted a Building Research Establishment (BRE) daylight/sunlight assessment (dated 23rd August 2012), that assesses and quantifies the potential loss of light to 194 to 214 King Street. The submission advises that the habitable rooms within the King Street properties would retain sufficient lighting.

3.32 Officers have considered the lighting analysis submitted and are satisfied that the development would have no significant adverse impact on lighting within properties on King Street.

3.33 Standard S13.2 of the UDP states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. In this case, whilst considering that the mass of the development is closer to the King Street properties (than the consented office development), it should be noted that the scheme has been designed in general uniformity with the provisions of UDP standard S13.2 (Privacy) retaining 18m separation distance from the north facing windows that are confined within the rear elevations of the King Street properties. However, there are two examples where the 18m distance is breached (at 214 and 212 King Street). The development has been designed to include the use of obscured glazing within the south facing building facades here which would negate the loss of privacy.

3.34 Officers consider that the use of obscured glazing in two of the rear facing windows, and by recessing and cutting back the mass of House 1, would ensure that those properties that face the development site to the south would not suffer a harmful loss of amenity, and as a result, the proposals would represent a neighbourly development in accordance with the provisions of UDP policy EN8.

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

3.36 The terraces are proposed at first and second floor levels at House 1 would measure only 3.5 sqm and 6.0 sqm, so would be small in size. There are also terraces proposed at second floor level at Houses 2, 3 and 4 that would measure 18 sqm in area. The terraces would include fixed planters that would measure 0.9 metres in height. These planters would form the boundary to the extent of the terraces and would be 18 metres in distance from the rear facing windows within the facades of the King

Street properties and, as a result of the separation distance and barriers, it is not considered that the terraces would result in overlooking or loss of privacy. Furthermore, given the large separation distances involved to the King Street properties to the south it is not considered that the terraces would result in demonstrable harm as a result of noise and disturbance. In addition, it should also be noted that the existing use and the previous use of the site involves parking of motor vehicles with comings and goings of vehicles and people to and from the development site (7 days a week), and so, the commercial use of the site does generate some noise. Whilst the proposed terraces could be used in evenings, beyond the 5pm closing time of the current use there is no existing planning condition restricting hours of use of this site, and officers consider that the site context (in terms of the separation distances) is sufficient to mitigate against harm arising from noise and disturbance from the terraces. Accordingly, the terraces in this case are not considered to represent an unneighbourly aspect of the development.

3.37 The proposal is therefore considered to be consistent with policy EN21. In addition, conditions are recommended (Conditions 8, 26, 27 and 28) to prevent any other roofs of the proposed residential development from being converted or used as terraces, and to secure details of the proposed obscured glazed screens, planters and privacy fins.

Impact on Ravenscourt Road

3.38 The general mass of the terrace of townhouses would be separated by 20.1 metres (at its closest point) from the rear building line of the back additions of 4, 6 and 8 Ravenscourt Road, and as a result, the development accords with the BRE guidelines where assessing the potential loss of daylight, and so officers do not consider that the bulk and mass of these proposal would have any impact in terms of loss of daylight/sunlight in this instance. It is also for these same reasons, given the significant separation distance that there would not be any loss of privacy to these residential properties.

3.39 With regard to outlook, there would be an infringement against the provisions of UDP standard S13.1 where measured against 6 Ravenscourt Road, although the infringement against the 45 degree line is minimal, with 1.1 m of dwelling dissecting the 45-degree line (adopted at 2m 45 degree) from the rear garden boundary. Given the marginal infringement in this case and given the fact that there is no other infringement in terms of daylight or privacy; officers do not consider that there would be demonstrable harm in this case with regards to 6 Ravenscourt Road.

Impact on Ravenscourt Place

3.40 Given that the mass of the townhouses would be separated from the rear building line of the properties to the north of the site that front Ravenscourt Place by over 18.2 metres (at the closest point), the development accords with both the daylight/sunlight assessment and also the prescribed test in relation to loss of outlook (S13.1) in the case of these neighbouring residential properties, with the exception of one window at ground floor level that is contained within the rear building line of 6 Ravenscourt Place. This window in question would experience a loss of daylight equating to 0.77 of its former value, and so falls just outside of the 0.8 former value prescription of the BRE guidance. Given this limited shortfall, whilst also factoring in that the room in question serves a non-habitable room in the form of a kitchen that is served by both a window and glazed access door, officers do not consider that the daylight levels would be harmfully reduced

as a result of the redevelopment proposal. Furthermore, given the fact that the additional massing of Latymer House (in proximity to these properties) would be confined to the proposed dormers and skylight on the front facing (southern) roofslopes, it is not considered that there would be any harmful impact upon the amenities of Ravenscourt Place in this instance.

3.41 With regard to privacy, the rear (northern facing) building elevation within Latymer House would be retained and includes one existing window that would be enlarged at first floor level and of which would be within 9 metres of the building elevation of No 1 Ravenscourt Place, in breach of UDP standard S13.2. However, the window opening would face directly down the narrow alleyway along the flank of No 1 Ravenscourt Place, and would also include metal fins angled to ensure that any views towards the neighbouring properties are limited so that there would not be a harmful loss of privacy from these neighbouring properties.

Impact on Dalling Road

3.42 The existing terrace of residential properties that are located on the west side of Dalling Road would be located over 32 metres from the eastern façade of the new terraced dwellings, and so this significant separation distance ensures that there is no harm upon the amenities of the properties to the east of the development site in terms of loss of daylight/sunlight, outlook or privacy. As such, no objections are raised in respect to the impact of the development in terms of neighbourliness and therefore accords with the provisions of UDP policy EN8.

PARKING, TRAFFIC GENERATION, WASTE

3.43 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.

3.44 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. The policies also provide guidance for the establishment of maximum car parking standards.

3.45 Core Strategy Policy T1 supports The London Plan. Policy TN4 of the UDP requires new development to incorporate ease of access by disabled people and people with mobility impairment. Policy TN13 states that the arising traffic generation of development will be assessed along with the contribution to traffic congestion. Policy TN15 requires new development to accord with the car parking standards set out in the Plan. UDP Standard S18 requires compliance with the Council's car parking standard except in exceptional circumstances. Standard S19 provides detailed guidance on expectations for the overall layout of a car parking area and the dimensions of each space. Policies DM J2 and DM J3 of DM Local Plan 2013 set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met.

3.46 UDP Policy TN15 and Standard S18 outline parking requirements for different types of development. The site is within Controlled Parking Zone L, which operates restricted parking Monday to Friday 9:00am - 5:00pm. Table 12.1 of the UDP requires that 1.4 resident spaces and 0.2 visitor spaces per unit are provided in this case (factoring in the number of habitable rooms per unit) equating to a requirement of 9.6, so 10 car parking spaces should be provided.

3.47 In this case 6 off-street car parking spaces are proposed within the development site, one of which is suitable for use by disabled users. Officers consider that given the site's location in proximity to Ravenscourt Park Station and the multiple bus routes that run along King Street that the shortfall in car parking can be accepted, subject to restrictions on future occupiers from applying for on-street car parking permits. This approach is considered necessary and reasonable given the parking stress in the area and the number of potential occupiers of the family sized units in this instance. This measure would prevent an unacceptable demand on existing parking spaces, and protect existing residents. Officers would thereby be satisfied that the proposal would be unlikely to generate any material increase in trip generation or parking pressure in the vicinity. The proposal is considered acceptable on this occasion and in general accordance to UDP policy TN15 and standard S18.

3.48 Standard S20.1 of the UDP requires the provision of secure cycle parking, in accordance with Table 12.2 of the UDP. The application identifies cycle parking provision at ground level within the courtyard area, with storage capacity for 12 cycles to serve the residential component (2 cycle spaces per residential unit). This provision, together with the location of the cycle storage is judged to be acceptable (Condition 29), and in full accordance with Table 12.2.

3.49 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3, UDP Policies EN17 and HO14, Policy DM H5 of the DM Local Plan 2013 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. The proposal would make adequate provision for refuse and recycling storage in accordance with UDP policy EN17. In this respect a communal refuse/recycling storage area would be provided within the site boundary, close to the main front entrance, and accessible on collection days. This arrangement is considered appropriate to meet the needs of the development, and would be secured by planning condition (Condition 9).

Contamination

3.50 Core Strategy Policy CC4 states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place. This is supported by UDP Policies EN20A and EN21. Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. As such, planning conditions (Conditions 13, 14, 15, 16, 17 and 18) 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.

Energy & Sustainability

3.51 London Plan Policy 5.2 states that major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction are to be met within the framework of the Mayor's energy framework. Although this is a relatively small development, comprising of 6 units in total, so not a major scheme, a Code for Sustainable Homes assessment has been submitted, which details the sustainability measures that would be implemented. Measures would be taken to save energy and reduce CO2 emissions, to conserve water use, to use building materials with low environmental impacts, to provide internal and external storage space for rubbish and recyclables, to manage waste sustainably during the construction phase and to reduce pollution by using low emission gas boilers. The site is expected to meet level 4 of the Code, which would comply with the requirements of London Plan policy 5.3 on sustainable design and construction. This would be secured by planning condition (Condition 25).

Flood Risk

3.52 Policy CC1 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water. The site lies within Flood Zones 2 and 3. The applicant has submitted a flood risk assessment which identifies flood resilience and flood resistance techniques, and measures to mitigate the effects of flood. The Environment Agency has considered the flood risk assessment and do not object to the development. In this respect the development is considered to be acceptable in the context of Policy H3 of the draft DM DPD and CC1 of the Councils Core Strategy, which requires development to minimise flood risk. (Condition 20) would ensure that the development be carried out in accordance with the Flood Risk Assessment. Also, condition 20 would require that a sustainable urban drainage scheme be submitted and agreed for the site.

Secure by Design

3.53 Policy EN10 of the UDP requires a safe and secure environment to be provided. It is considered that the scheme would not have any adverse affect upon the narrow passageway to the north of the site which provides for private pedestrian access between the development site and Ravenscourt Place. In addition, the scheme has been designed following dialogue between the Crime Prevention officer and the developers with measures to be incorporated such as lockable security gates within the site with integrated personal access controls, stopcock water and Eurobin outlets, SBD compliance rated doors to the houses, secure cycle storage and natural surveillance points. A condition would require the proposal to achieve Secured by Design status (Condition 5).

Mayoral CIL

3.54 This development would be subject to a London-wide community infrastructure levy, charged at a rate of £50 per square metre for development in Hammersmith & Fulham. This would 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 8.3.

Planning obligations

3.54 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. 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 would include the following obligations:

- Repaving of the footway on Ravenscourt Road
- That no occupiers of the residential units, other than residents who are Blue Badge holders would be eligible to obtain residents' parking permits to park on-street in the controlled parking zone
- The development shall not be occupied until the accessible parking space for wheelchair users has been fully demarcated; and the accessible parking space shall be permanently retained for the life of the development

4.0 CONCLUSION and RECOMMENDATION

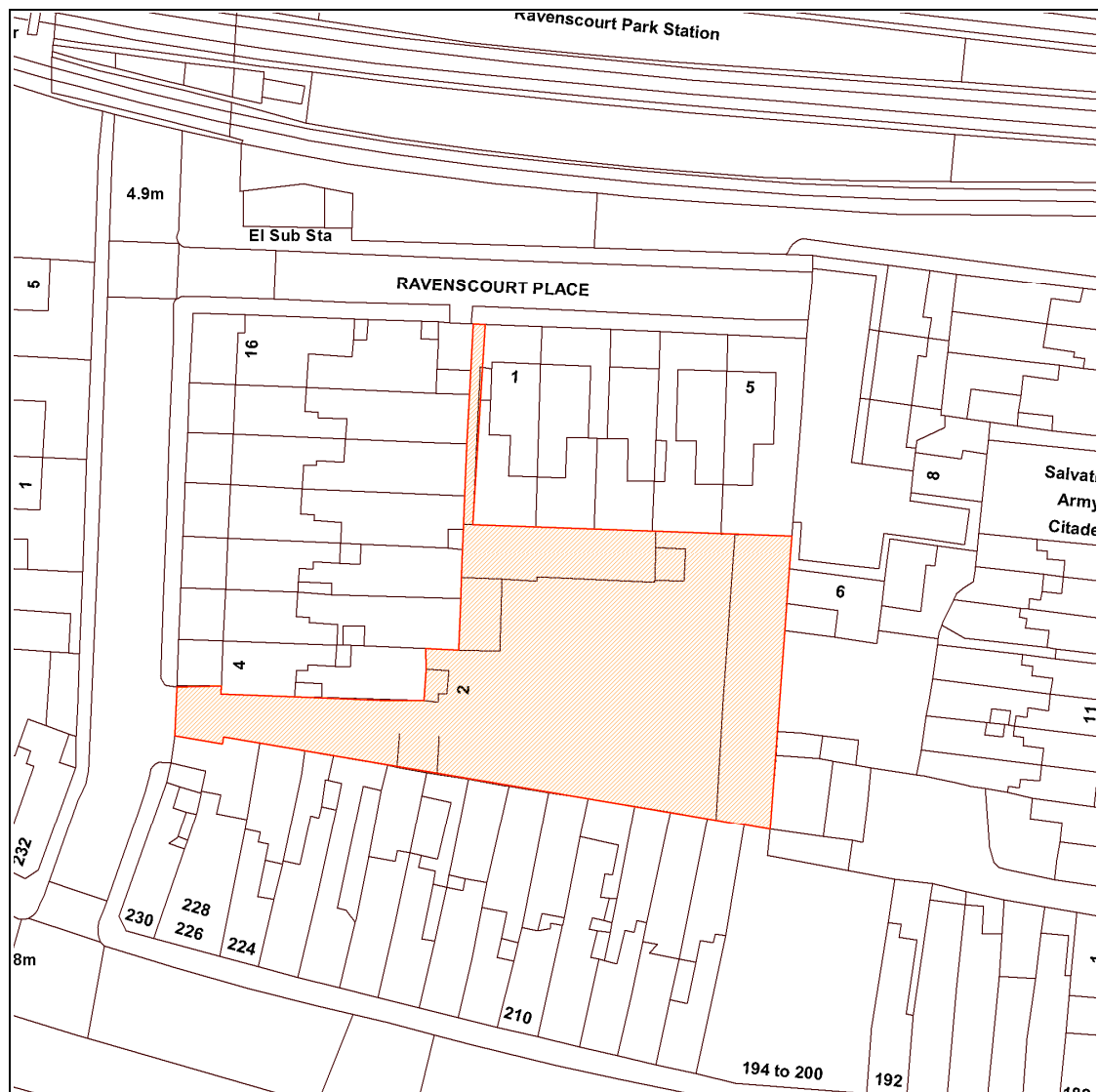
4.1 Taking the above considerations into account, officers consider that the proposed redevelopment would be acceptable in land use terms and would provide a satisfactory standard of accommodation for its future occupiers without prejudice to the amenities of existing surrounding occupiers. The proposal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

4.2 It is therefore recommended that planning permission and conservation area consent be granted, subject to a legal agreement and subject to conditions.

Ward: Ravenscourt Park

Site Address:

Latymer House 2 Ravenscourt Road London W6 0UX



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For identification purposes only - do not scale.

Reg. No:
2012/02861/CAC

Case Officer:
Dale Jones

Date Valid:
31.08.2012

Conservation Area:
: Ravenscourt And Starch Green Conservation
Area - Number 8

Committee Date:
10.04.2013

Applicant:

Mr Alex Lifschutz
22 Island Studios St Peters Square London W6 9NW

Description:

Demolition of the southern facade and roof of Latymer House, the Latymer House annexe, outbuildings and garages
Drg Nos: TO FOLLOW

Application Type:

Conservation Area Consent

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 demolition of the buildings hereby permitted shall not be undertaken before:

- (i) a building contract for the redevelopment of the site in accordance with planning permission reference 2012/02860/FUL has been entered into, and;
- (ii) notice of demolition in writing and a copy of the building contract has been submitted to 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 of the Unitary Development Plan as amended 2007 and 2011.

- 3) The demolition hereby permitted shall be undertaken before a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details and retained for the duration of the building works.

To ensure that the site remains in a tidy condition and to prevent harm to the street scene, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011.

Justification for Approving the Application:

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

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

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

Application form received: 30th 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:

Dated:

Neighbour Comments:

Letters from:

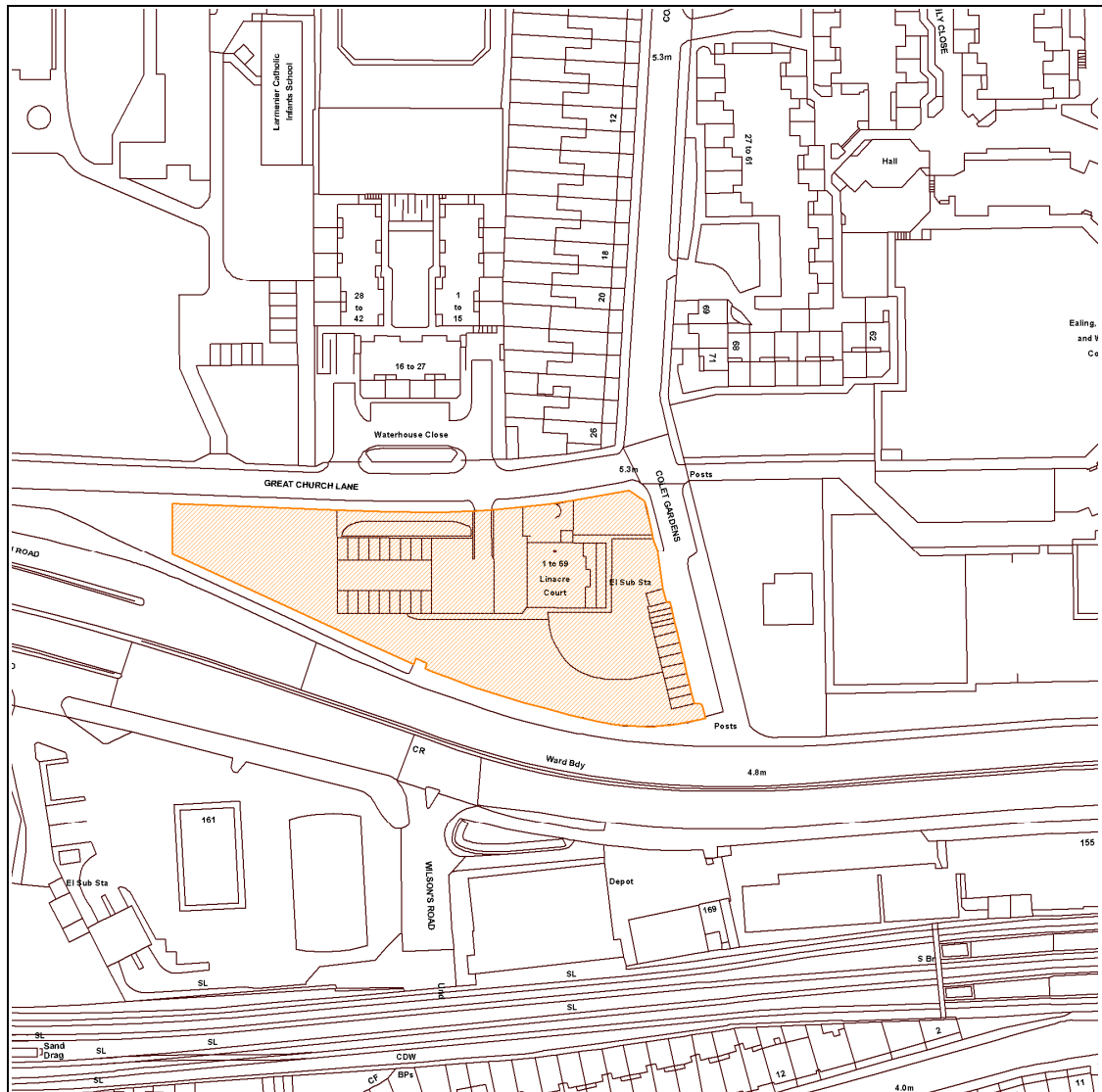
Dated:

Refer to ref. 2012/02860/FUL for officers' report on this application.

Ward: Avonmore And Brook Green

Site Address:

Linacre Court Great Church Lane London W6 8DE



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For identification purposes only - do not scale.

Reg. No:
2012/04144/ADV

Case Officer:
Alison Coster

Date Valid:
18.12.2012

Conservation Area:

Committee Date:
10.04.2013

Applicant:

London Borough Of Hammersmith And Fulham
Town Hall Extension King Street London W6 9JU

Description:

Display of an internally illuminated freestanding advertisement hoarding (7.5m high x 5m wide) on land fronting Talgarth Road
Drg Nos: PY1861-003, PY1861-004, PY1736-005, PY1861-006, Tree Plan (dated 07.03.2013)

Application Type:

Display of Advertisements

Officer Recommendation:

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

- 1) The period of this consent shall expire 5 years from the date of this notice.

Condition required to be imposed by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 2) The advertisement hereby approved shall be erected and displayed only in accordance with the approved drawings, and shall thereafter be retained in this form.

In order to ensure full compliance with the advertisement consent application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies EN2B, EN8, EN14, EN20C and EN21 of the Unitary Development Plan as amended 2007 and 2011 and policy BE1 of the Core Strategy 2011.

- 3) The advertisement hereby approved shall be illuminated to a maximum luminance of 600cd/sq.m in accordance with the recommendations of the Institution of Lighting Engineers 'Technical Report No 5, 2001 - Brightness of Illuminated Advertisements'.

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.

- 4) The advertisement shall only face towards the highway and no moving parts, moving feature, animation or exposed cold cathode tubing shall be used in either the structure or in the advertising content of the advertising panel hereby permitted.

In the interests of highways safety and visual amenity, in accordance with policies TN8 and EN14 of the Unitary Development Plan, as amended 2007 and 2011.

- 5) Any illumination shall not be intermittent and there shall be no changing light patterns.

An intermittent illumination would be unacceptable in the interests of public safety as it is likely to distract the attention of drivers of vehicles, in accordance with Policy TN8 of the Unitary Development Plan, as amended 2007 and 2011.

- 6) The development hereby approved shall not commence until details of tree planting to replace the felling of the Lombardy Poplar tree are submitted to and approved in writing by the Council. The replacement tree shall be semi-mature, planted in a position and of a species as has been approved by the Council's Arboricultural officers. If the tree is removed, dies, or becomes seriously damaged or seriously diseased within 5 years of planting, it shall be replaced with a tree of a similar size and species to that originally required to be planted.

To ensure a satisfactory provision for tree planting, in accordance with Policy EN25 of the Unitary Development Plan as amended in 2007 and 2011.

- 7) Details of external materials shall be submitted to and approved in writing by the Council prior to works commencing and the development shall be implemented in accordance with the approved details.

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

- 1) It is considered that the proposal would not be detrimental to visual amenity or public safety. The impact of the advertisement in terms of scale, character and appearance would be limited as would any harm to the setting and views of the conservation area on the southern side of Talgarth Road. The proposal is thereby in accordance with paragraph 67 of the NPPF, Core Strategy policy BE1, UDP policies TN8, EN2B, EN8, EN20C, EN21 and Standards S14.1 and 16.5, and policy G8 of the emerging Development Management Local Plan.

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

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

Application form received: 17th December 2012

Drawing Nos: see above

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

Consultation Comments:

Comments from:

Dated:

Linacre Court Tenants Residents Association	14.01.13
Transport For London - Land Use Planning Team	13.02.13
Transport For London - Land Use Planning Team	13.02.13
Transport For London - Land Use Planning Team	23.01.13

Neighbour Comments:

Letters from:

Dated:

21 Linacre Court Great Church Lane Hammersmith W6 8DE	20.02.13
60 Linacre Court Great Church Lane London W6 8DF	06.02.13
60 Linacre Court Great Church Lane London W6 8DF	28.01.13
55 Linacre Court Great Church Lane London W6 8DF	25.02.13
17 Linacre Court Great Church Lane London W6 8DE	14.01.13

OFFICERS' REPORT

1.0 BACKGROUND

1.1 The application site is located to the south western side of the communal land associated with the residential development known as Linacre Court. The site is sited on the northern side of Talgarth Road, to the west of Colet Gardens. Linacre Court and the surrounding land is bounded by Talgarth Road to the south. Great Church Lane is to the north and west.

1.2 The application site is located within the Environment Agency's flood risk zones 2 and 3. Baron's Court Conservation Area is located to the south east of the site, around 60 metres away at its closest point, to the south of Talgarth Road.

1.3 The application, which has been made by the Council, seeks advertisement consent for a free standing monopole made of steel and aluminium, with a PVC, single

sided LED illuminated billboard on top. The advert would be located on the communal land located to the west of Linacre Court. The steel monopole would measure 3m in height and would be 1m wide at ground level and 2m wide where it meets the billboard. The billboard would be installed on top of the pole and would measure 7.5m in height and 5m in width. The structure would be 500mm deep. The top height of the display would be at 11m. The internally illuminated advertisement would be orientated such that the advert would be visible to the east bound traffic, facing away from the Baron's Court Conservation Area. The advertisement would be displayed as static images.

1.4 There is no relevant planning history pertaining to the property.

2.0 CONSULTATIONS (INTERNAL AND EXTERNAL)

2.1 Local residents were notified of the application by letters (88 sent) a site and press notice were also posted. Two responses were received from the Linacre Court Tenants' Association and two from individual residents of Linacre Court. Grounds for the community's objections are summarised as follows:

- i. The proposal would have a detrimental impact on highway safety with cars distracted by the advert, which could lead to accidents
- ii. Displaying a hoarding this size would downgrade the environment
- iii. There are already a number of adverts nearby which will cause visual clutter and would result in the highway looking similar to 'Las Vegas' - adverts are an eyesore (officers' comment: whilst there are existing adverts in the vicinity of the site, none are located on the northern side of Talgarth Road and adverts to the east of the site by LAMDA have been granted temporary consent whilst building works are undertaken)
- iv. Putting up the billboard may lead to anti-social behaviour e.g. graffiti (officers' comment: the applicant will regularly maintain the advertisement and structure; the ongoing maintenance would ensure that issues such as graffiti would be readily addressed).
- vi. No prior consultation or discussions were held with residents from Linacre Court (officers' comment: there is no requirement under planning legislation to undertake consultation prior to the submission of a planning application. Residents were notified of the planning application by officers, as required).
- vii. The advert would restrict the flow of air, leading to additional air pollution (officers' comment: the advert would not, in officers' view, given its dimensions and location, restrict air flow; air could flow freely around the structure)
- viii. The proposal would restrict the use of the communal area (officers' comment: the advert would be located at the edge of the communal land, result in a loss of a small area of green land associated to Linacre Court. No play facilities would be affected by the proposal).
- ix. The proposal is an unnecessary expense to the council and tenants (officers' comment: this is not a material planning consideration).
- x. The board could advertise Linacre Court as being up for sale (officers' comment: this is not a material planning consideration)
- xi. The proposals could devalue property (officers' comment: this is not a material planning consideration)
- xii. The council ignores the opinions of the local residents

2.2 Transport for London (TfL) were consulted and have not raised objections to the application subject to standard conditions relating to level of illumination and how the advert would function (conditions 3 and 4 relate).

3.0 PLANNING CONSIDERATIONS

3.1 The issues in this case are whether the advert would be detrimental to visual amenity and/or detrimental to public safety. The Advert Regulations (2007) restrict assessment of adverts to these two matters. Visual amenity and public safety are assessed against the policies and standards of the National Planning Policy Framework (NPPF) and the Unitary Development Plan (UDP). Weight should also be afforded to the emerging Development Management Local Plan (DM LP). Paragraph 67 of the NPPF is relevant in this case. Policies TN8, EN2B, EN8, EN14, EN20c and EN21 and Standards S14.1 and S16.5 of the UDP are material considerations, as is policy BE1 of the Core Strategy. Weight is also afforded to emerging policy G8 of the Development Management Local Plan (DM LP).

VISUAL AMENITY

3.2 Paragraph 67 of the NPPF sets out that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. The document states that advertisements, where considered acceptable, should have an appreciable impact on their surroundings, taking account of the cumulative impacts of other adverts in the surrounding area.

3.3 UDP policy EN14 requires development to be assessed in accordance with the Advert Regulations as well as having regard to standards S15 and S16 (standard S15 relates to adverts on premises and is not relevant in this case. S16 relates to Advert Hoardings). UDP policy EN8 and Core Strategy policy BE1 set out 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. UDP policy EN2B states that development (including development outside 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. UDP standard S14.1 states that the council will normally refuse consent for advertisements where the preservation of visual amenity is of prime importance. UDP standard S16.5 (free standing hoardings) states that hoardings would be unacceptable where they are out of scale with their surroundings or are located within or adjacent to areas especially sensitive to the visual impact of hoardings such as residential areas or open spaces. Additionally, hoardings must not prejudice road safety. Policy DM G8 of the emerging Development Management Development Plan Document reiterates the points of UDP standard S16.5.

3.4 The structure would be located on the communal land associated with Linacre Court. The gradient of the wider site (comprising Linacre Court and the communal land) falls from east to west. The ground at the location of the advert is lower than the ground height at Linacre Court. The advert would be directly to the west of the existing ground level car park and enclosed high level, playground and adjacent to the footpath of Talgarth Road. The advertisement would be set at the edge of the communal area, ensuring that there is a minimal reduction in usable communal space. The advertisement would be single sided and the illuminated side would face towards the eastbound traffic coming off Hammersmith flyover, this would be at some distance to residents (the nearest residents, who would be in Linacre Court, would be some 47 metres away), and face away from that property. The rear elevation of the advert, which would face towards Linacre Court would consist of a plain steel and aluminium panel.

3.5 The surrounding area for the proposed advert is mixed in character, with surrounding uses including the Novotel, offices, a petrol station, a substation, The London Academy of Music and Dramatic Arts (LAMDA), West London Magistrates Court, London and Ealing, Hammersmith and West London College, and Linacre Court. Talgarth Road forms the dominant feature within the surrounding context. The advert would be viewed by drives of vehicles travelling eastbound from the Hammersmith Flyover and would be seen within the context of Talgarth Road, the petrol station and the substation.

3.6 There are existing advertisements in close proximity to the proposed site. These are all located on the southern side of Talgarth Road. To the southwest of the advert site is a double-sided, internally illuminated panel tower (7.5m x 5m) at the Guinness Trust (granted advertisement consent under ref: 2008/01189/ADV). To the southeast of the advert site there are two internally illuminated advertisements hoardings (3m x 12m) and one externally illuminated advertisement hoarding (6m x 7.5m) outside LAMDA. These adverts were recently granted temporary advertisement consent (to be displayed until January 2014) in order to screen building works at LAMDA. These adverts are within the Baron's Court Conservation Area. There is also a small hoarding on the front elevation of the Transport for London substation on the opposite side of Talgarth Road. This advert is also within the Barons' Court Conservation Area.

3.7 The surrounding area is dominated by a large trunk road. Immediate views are of the BP petrol station (located opposite), Transport for London substation, existing adverts as detailed above and Linacre Court. Officers consider that the design, size and location of the proposed advert would not be out of character with the surrounding context. The view of the advert from residential properties in Linacre Court would be minimised by the distance of the advert from the residential properties, the orientation of the advert (facing towards the road), and the change in ground levels across the Linacre Court site which fall from east to west. The residential building of Linacre Court is located at a higher ground level to the proposed advert. The advert, when viewed from properties in Linacre Court would be seen behind the existing raised games court.

3.8 The proposal would not impact on the views into or out of the Baron's Court Conservation Area. The advert would have minimal visibility from the conservation area given the distance between the conservation area and the site, and the fact that there is a busy highway in between. The orientation of the advert, facing southwest, is such that views of it would be from the traffic approaching from the west. The development would be positioned such that the side of the structure could be visible from the conservation area, but with a total width of 1.3 metres, it would be have a slim line profile.

3.9 This site is not considered to be in a location where the preservation of visual amenity is of prime importance. The proposal would not, given its location and dimensions and relationship to other adverts in the locality, result in advertisement clutter. The application is therefore considered to be in accordance with UDP policies EN2B, EN8 and EN21 and standards S14 and S16.5. The proposal is also in accordance with policy G8 of the emerging DM LP. As such, it is considered that the erection of this advertisement, outside of the conservation area and adjacent to Talgarth Road could be supported on visual amenity grounds.

PUBLIC SAFETY

3.10 The sign would be located to face toward the eastbound direction of travel of traffic on Talgarth Road at the point where the eastbound Hammersmith Flyover connects at grade to A4 Talgarth Road. The A4 Talgarth Road and the Hammersmith Flyover are identified in the UDP as a strategic route. It forms part of the Transport for London (TfL) Road Network (TLRN). UDP policy TN8 sets out that development affecting the strategic road network will not be permitted if it would prejudice the effectiveness of the strategic route network. TfL were consulted on the application and raised no objections in relation to public safety subject to the imposition of conditions relating to level of illumination and how the advert would function (conditions 3 and 4 relate)

3.11 The advert would be installed on top of a 3m high monopole. There would be adequate clearance under the advert to ensure that it would not have a detrimental impact on pedestrians.

3.12 No objections are therefore raised on public safety grounds.

OTHER MATTERS

Light Pollution

3.13 UDP policies EN20C and EN21 relate to the detrimental impact that developments can have on residential amenity as a result of light pollution. It is proposed that the advert would be internally illuminated to 600cd/m² (candela per square metre) and face towards the highway. Guidance on appropriate levels of illumination are set out in The Institution of Lighting Engineers Technical Report Number 5 'Brightness of Illuminated Advertisements' (2001) which advises that in medium and high district brightness (as is the case here), adverts over 10sqm (as the case here - the proposal is 37.5sqm) should have a maximum luminance of 600 cd/m². Officers consider that the location and orientation of the advert, away from residents in Linacre Court, and the proposed level of luminance are appropriate in the context. The level of luminance has been controlled via condition 3.

Trees

3.14 There are 14 trees located on the communal land associated to Linacre Court. Three Lombardy Poplar trees are in close proximity to the proposed location of the advert. It is proposed that one tree would be felled (this is identified as tree A) as part of the proposal. This tree is not within a conservation area, and has no protection in Planning. The applicant has indicated that funding has been set aside to replace this tree, at an alternative location within the grounds of Linacre Court. UDP policy EN25 is concerned with the protection of trees. The supporting text to the policy sets out that if a tree is felled it should normally be replaced with a tree of a similar species. Condition 6 of the advertisement consent is recommended to ensure the provision of a suitable semi-mature tree.

3.15 There is a group of London Plane trees on TfL land, located on Talgarth Road. None of these trees would be affected by the proposal.

3.16 Officers consider that owing to the location of the site, outside of a conservation area and the number of existing mature trees on the communal area and the London Plane trees to the west of the site, the replacement of the tree at an alternative

location on the site would not be detrimental to the overall character and appearance of the communal area.

4.0 CONCLUSION and RECOMMENDATION

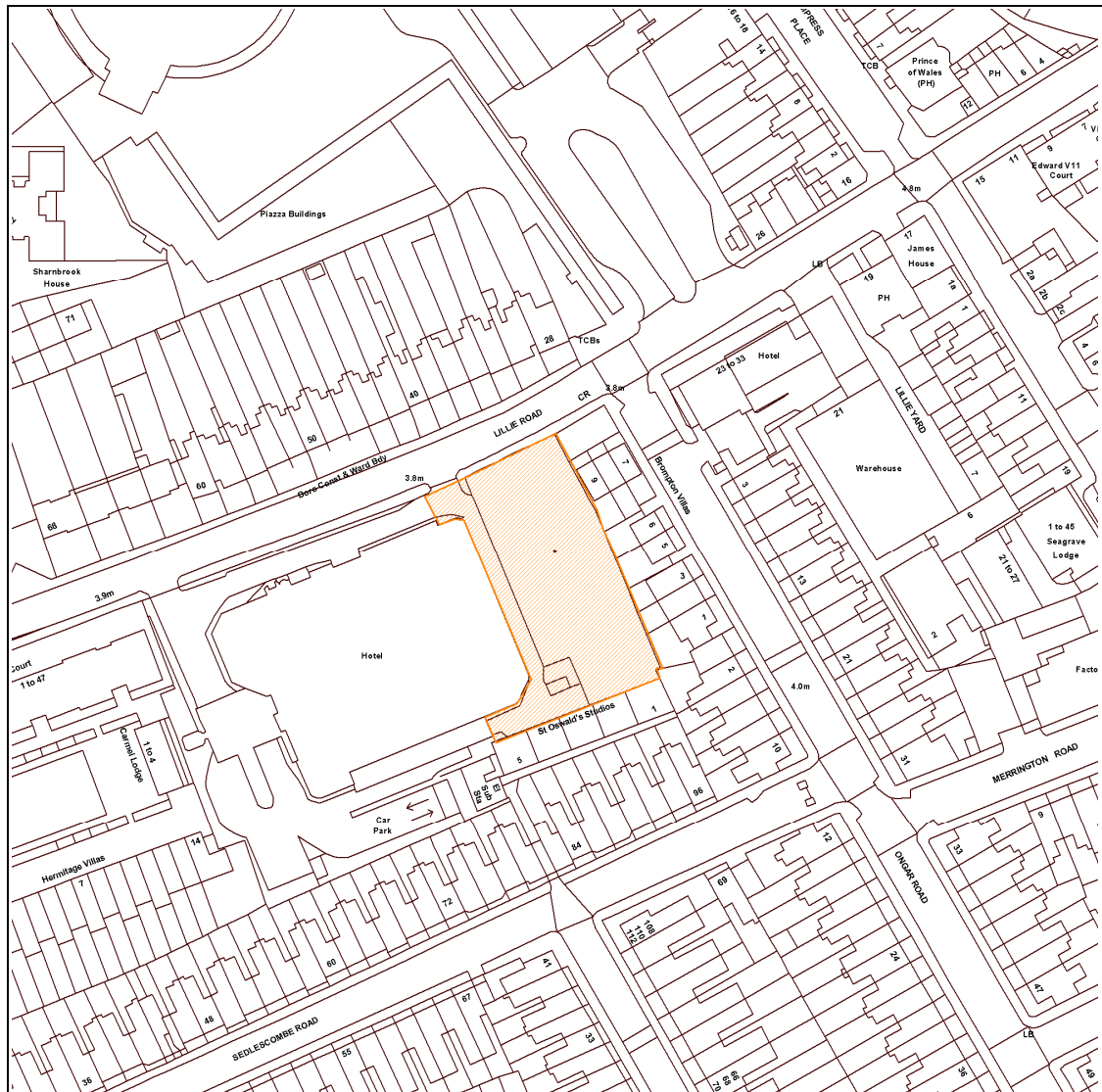
4.1 It is considered that the proposal would not be detrimental to visual amenity or public safety. The impact of the advertisement in terms of scale, character and appearance would be limited as would any harm to the setting and views of the conservation area on the southern side of Talgarth Road. The proposal is thereby in accordance with paragraph 67 of the NPPF, Core Strategy policy BE1. UDP policies TN8, EN2B, EN8, EN20C, EN21 and Standards S14.1 and 16.5, and policy G8 of the emerging Development Management Local Plan.

4.2 It is recommended that advertisement consent be granted, subject to conditions.

Ward: Fulham Broadway

Site Address:

Land At 39 - 45 Lillie Road London



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Reg. No:
2012/03034/FUL

Case Officer:
Aisling Carley

Date Valid:
24.09.2012

Conservation Area:
: Sedlescombe Road Conservation Area - Number
17

Committee Date:
10.04.2013

Applicant:

Favor Well Limited
C/o Indigo Planning Chancery Lane WC2A 1ET

Description:

Redevelopment of site involving the erection of part three, part four storey building to provide 9 houses (1x 2 bed, 2 x 4 bed and 6 x3 bed) including roof terraces and balconies, on - site car parking facilities and associated landscaping; provision of refuse storage and storage areas (148 sqm) associated with adjoining hotel; access to basement car parking serving adjacent hotel.

Drg Nos: A-200-001 P0; A-100-001 P0; A-100-002 P0; A-100-003 P0; A-110-001 P1; A-110-002 P0; A-025-001 P0; A-025-002 P0; A-000-002 P0; A-000-003 P0; A-120-001 P0

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 not be erected otherwise than in accordance with the following approved drawings: A-100-003 P0; A-110-001 P1; A-110-002 P0; A-100-003 P0; A-110-001 P0; A-110-002 P0; A-025-001 P0; A-025-002 P0; A-000-002 P0; A-000-003 P0 and A-120-001 P0

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

- 3) None of the demolition works shall be undertaken before a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details.

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harms to the street scene and character and appearance of the adjoining conservation area, in accordance

with policies EN2 and EN8 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 4) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details and samples of all materials to be used on the external faces of the new building and all surface treatments, including boundary walls, railings, gates and fences and no part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

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

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

a) Front elevation of 9 dwellings

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

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

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

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

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

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

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

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

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

- 10) No part of the development shall commence prior to the submission and approval in writing by the Council of details of the privacy screens used in connection with the balconies at first and second floor level, and the terrace at roof level, as indicated on drawing A -110-001 P1, hereby approved, and no part of the residential unit shall be used or occupied prior to the installation of the privacy screen in accordance with the approved details. The privacy screens shall thereafter be retained in accordance with the approved details.

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

- 11) The development shall not commence prior to the submission and approval in writing by the Council of full details of the proposed landscaping of the site, including planting schedules and details of the species, height and maturity of existing and new trees and shrubs. The approved scheme shall be implemented in the next winter planting season following completion of the building works, or before the occupation and use of any part of the building, whichever is the earlier.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policy EN2B, EN8 and EN26 of the Unitary Development Plan, as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 12) Any tree or shrub planted pursuant to condition 11 being 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 policy EN2B, EN8 and EN26 of the Unitary Development Plan as amended 2007 and 2011 and Policy BE1 of the Core Strategy 2011.

- 13) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing A-200-001 Rev P0. All refuse generated by the development hereby permitted shall be stored within these enclosures, shall only be brought to the front of the premises on the day of collection and shall be permanently retained for these purposes.

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

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

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

- 15) A minimum of 10% of all dwellings hereby approved shall be capable of meeting the needs of wheelchair users and shall be designed and capable of adaptation, in accordance with the Council's Supplementary Planning Guidance (Access for All).

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

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

To ensure that future occupiers of those the flats are able to insert a trapdoor or "through-the-floor" lift between the ground and basement floors in accordance with 'Lifetime Homes' standards, and Policy H4 of the Core Strategy 2011, Policy 3.8 of

The London Plan (2011) and the Council's Supplementary Planning Guidance (Access for All).

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

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

- 18) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the residential development hereby approved, as indicated on the approved drawing A-200-001 Rev P0, and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

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

- 19) The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by RSK LDE (August 2012).

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

- 20) The development hereby permitted shall not commence until a surface water drainage scheme, based on sustainable drainage principles, and a maintenance programme for the sustainable urban drainage measures, have been submitted to and approved in writing by the council. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and thereafter permanently maintained in accordance with the agreed details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy CC2 of the Core Strategy 2011 and Policy 5.13 of The London Plan 2011 and PPS25.

- 21) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the

surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

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

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

- 23) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies EN20A and

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

- 24) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

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

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

- 26) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

- 27) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$, as appropriate, for the floor/ceiling /wall structures separating different types of rooms in adjoining dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 28) Details shall be submitted to and approved in writing by the Council, of building vibration levels, together with appropriate mitigation measures where necessary. The criteria to be met and the assessment method shall be as specified in BS 6472:1992. No part of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

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

- 29) The noise level in rooms at the development hereby approved shall demonstrate how the development meets the 'Good' noise standard specified in BS8233:1999 for internal rooms and external amenity areas. External noise and vibration from existing and or proposed industrial/ commercial noise sources, building services plant shall be 10dBA Leq below background LA90, as assessed according to BS4142:1997 at the development site, with all machinery operating together.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise/ vibration from industrial/ commercial

noise sources, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007 and 2011.

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

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

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

To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the amenities of local residents and the area generally, in accordance with Policies 5.18, 6.3 and 7.14 of the London Plan 2011, Policies EN2B, EN8, EN19A, EN20A, EN20B, EN20C and EN21 and of the Unitary Development Plan, as amended 2007 and 2011.

- 32) Pursuant to Article 3(1) and the provisions of Article 3(2) of the Town and Country Planning (General Permitted Development) Order 1995 Part 1 and Part 2 of Schedule 2 of the said Order (being development within the curtilage of the dwellinghouse) shall not apply to the dwellinghouses to which this planning permission relates, and no such development within the curtilage of the dwellinghouses shall take place without planning permission first being obtained.

Due to the limited size of the site and the proximity to neighbouring residential properties the Council wish to exercise future control over development which may affect residential amenity or the visual amenity, in accordance with policies EN2B,

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

- 33) 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 granted.

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

- 34) Both the existing and proposed service access road and yard hereby approved shall be used solely for the servicing of the development and no part of it shall be used for the parking of private or staff motor cars.

To ensure adequate function of the servicing areas and avoid interference with the free flow of traffic around the hotel, in accordance with Policy TN5, TN13, TN15 and Standard S21 of the Unitary Development Plan, as amended 2007 and 2011.

- 35) The development shall not commence until a Servicing Management Plan has been submitted and approved in writing by the Council, and the servicing of the development shall be carried out in accordance with the approved details.

To ensure satisfactory servicing arrangements and to minimise the risk of harm to the existing amenities of the occupiers of neighbouring properties, in accordance with policy EN21 and Standard S21 of the Unitary Development Plan, as amended 2007 and 2011.

- 36) Deliveries and servicing to the site shall only take place between 07:00 hours and 23:00 hours, Mondays to Saturdays, and not at any time on Sundays and/or Bank holidays unless otherwise agreed in writing with the Council.

In order to protect the amenity of surrounding residential occupiers, in accordance with Policy EN21 of the Unitary Development Plan, as amended 2007 and 2011.

- 37) The development hereby permitted shall not be occupied until the windows to the front elevations of the 7 properties facing Brompton Villas have been installed with obscure glazing to a height of 1.7m, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. Thereafter the window(s) shall be retained in the form approved.

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

Justification for Approving the Application:

- 1) 1. The development of the site for residential is considered acceptable, in accordance with the NPPF (2012), London Plan 3.3, Core Strategy H1 and H4, UDP Policy H06 and Policy DM A1 and DM A3 of the DM Local Plan 2013. The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to London Plan Policies 3.4, 3.5 and 3.8, Core Strategy Policies H2, H3 and H4, UDP Policy H06 and Standards S7.A and S13.3 and Policy DM A2 of the DM Local Plan 2013, and the amenity space provision is also considered satisfactory, having regard to the physical constraints of the site, judged against UDP Policy EN23 and Standard S5.A.
2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8, Core Strategy Policy BE1, UDP Policy EN2B and EN8 and Policy DM G1 of the DM Local Plan 2013, which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.
3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with UDP Policies EN8, EN20A, EN20B, EN20C and EN21 and Standard S13 and Policy DM H9 and H11 of the DM Local Plan 2013.
4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and UDP Policy EN10. The proposal would provide ease of access for all people, including disabled people, in accordance with London Plan Policy 3.8, Core Strategy Policy H4, UDP Policy H06, Policy DM A4 of the DM Local Plan 2013 and the Council's Adopted Supplementary Planning Document (SDP) 'Access for All'.
5. Transport: Subject to a satisfactory legal agreement there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will secure satisfactory provision cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, Core Strategy Policy T1 and CC3, UDP Policies TN4, TN5, TN6, TN8, TN13,

TN15, TN21, EN17 and Standards S18, S19 and S20 and Policy DM J2, DM J3 and DM J5 of the DM Local Plan 2013.

6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted. In this respect the proposal is therefore in accordance with the NPPF (2012), London Plan (2011) Policies 5.11, 5.12, 5.13, 5.14 5.15; Core Strategy 2011 Policies CC1 and CC2, Policy DM H3 of the DM Local Plan 2013 and the NPPF (2012).

7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with policy 5.21 of the London Plan, Policy CC4 of the Core Strategy and Policy DM H7 DM Local Plan 2013.

8. Planning Obligations: The application proposes that its impacts are mitigated by way of financial contributions to fund improvements that are necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with London Plan Policy 8.2.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 20th September 2012
Drawing Nos: see above

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

Consultation Comments:

Comments from:

Environment Agency - Planning Liaison

Dated:

29.10.12

Neighbour Comments:

Letters from:

Flat A 2 Ongar Road London SW6 1RJ

3 Hamilton Villas, Ongar Road, London

St Oswald's Studios Sedlescombe Road London SW6 1RB

40 Lillie Road London SW6 1TN

The Whitehouse Belvedere Road London SE1 8GA

Dated:

17.10.12

17.10.12

20.10.12

17.10.12

22.10.12

3 Hamilton Villas, Ongar Road	06.10.12
3 Hamilton Villas, Ongar Road	19.10.12
FLAT 3, HAMILTON VILLAS ONGAR RD	17.10.12
NAG	07.12.12
Nag	07.01.13

OFFICER'S REPORT:

1.0 BACKGROUND

1.1 The application relates to a 0.21 hectares (0.51 acres) overflow car park, site accommodation and storage of construction material for the refurbishment of the large conference centre to the adjacent Ibis Hotel. The site is bounded to the north by Lillie Road, to the east by Brompton Villas, to the south by the Building of Merit(s) St Oswald Studios and to the west by the Ibis Hotel.

1.2 A mature sycamore tree is located in the southwest corner of the site, the subject of a Tree Preservation Order (TPO). There are other trees on the site also subject to TPO's.

1.3 Vehicular access to the site is currently off Lillie Road. The site is not located in a conservation area, but the rear southern boundary of the site adjoins the Sedlescombe Road conservation area. The site is located just 150 metres from the boundary of Fulham Town Centre and is situated within Flood Zone 3. The site has good accessibility to public transport, with an accessibility level of PTAL 5.

1.4 Relevant planning history:

- In May 2008, committee resolved to grant outline planning permission, 2007/00608/OUT, for the demolition of existing residential buildings fronting Lillie Road and Ongar Road (Hamilton and Brompton Villas) and the redevelopment of the site in the following manner: The erection of part five-storey, part six-storey plus basement buildings, the erection of an extension at third and fourth floor level above the existing hotel fronting Lillie Road, an extension at thirteenth and fourteenth floor level to the existing hotel tower fronting Lillie Road and alterations to the existing hotel facade (Lillie Road), to provide 260 additional hotel rooms, 12 hotel suites, ground floor retail and cafe/restaurant uses, a health club facility (basement level), 9 replacement residential units (fronting Ongar Road) with 11 associated off street parking spaces, together with related access, servicing, parking and landscaping. This was granted subject to no contrary direction being received from the Mayor of London, and to the completion of a satisfactory legal agreement, both of which have been secured.

- In May 2012, committee recommended for approval 2011/03655/EFUL, a renewal of planning permission 2007/00608/OUT. The application was subsequently supported by the Greater London Authority. Planning permission has not yet been granted due to outstanding Section 106 agreements.

1.5 Current proposal:

1.6 The current application is for the redevelopment of site involving the erection of part three, part four storey building to provide 9 houses (1 x 2 bed, 2 x 4 bed and 6 x 3 bed) including roof terraces and balconies, on - site car parking facilities and associated landscaping; provision of refuse storage and storage areas (148sqm) associated with adjoining hotel; access to basement car parking serving adjacent hotel.

1.7 The application proposes 2 x four storey, four bedroom residential dwellings fronting Lillie Road (Property Type A1 and Property Type A2). Directly to the rear of these two houses will be 7 residential dwellings which run north to south within the interior of the site. The seven houses, consists of 6 x four storey three bedroom properties and 1 x three storey two bedroom dwelling (Property C) located immediately adjacent to the St Oswald's Studios. All the houses will have private terraces and balconies.

1.8 Two main access points are evident from Lillie Road: one is located to the side of the Ibis Hotel and serves ancillary storage area located underneath part of the 7 rear properties. This entrance will be solely for the use of the Ibis Hotel. The existing pedestrian fire exit will be retained.

1.9 The main pedestrian access for the nine houses would be off Lillie Road as would vehicular access. 9 car parking spaces are provided on site for the residential units with 2 visitor parking spaces provided to the rear of the site, adjacent to St Oswald's Studio. Individual refuse storage areas are located internally for the seven rear properties and two storage bays are located to the front of the two properties facing Lillie Road.

2.0 PUBLICITY AND CONSULTATION

2.1 On 4th December 2012, the applicant held a public exhibition on the submitted proposal at the Ibis Hotel for local residents which was attended by approximately 12 people. The main issues raised were related to the differences between the current application and the May 2011 outline approval (2011/03655/EFUL) referred to in paragraph 1.5 above. In response to the exhibition, two letters of support from local residents have been submitted to the Council

2.2 The current application has been publicised by means of statutory site and press notices. Individual notification letters (222 letters) were also sent to occupiers adjoining the site in Lillie Road including the Brompton Villas, Sedlescombe Road including St Oswald's Studios and Ongar Road including Hamilton Villas.

2.3 Seven objections were received (four from one property). Reason's for objection are summarised below:

- Scale of development;
- Park space should be provided;
- Arboricultural report;
- Party Wall;
- Noise and dirt during construction;
- Obstructed view;
- Daylight;
- Privacy;

- Overlooking;
- Traffic during construction; and
- Security.

2.4 Environment Agency raise no objection to the proposed scheme.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations to be considered in light of the London Plan and the Council's adopted Core Strategy and Unitary Development Plan, include the principle of the residential use in land use terms; quantum and intensity of development in terms of the height, scale and massing; impact on surrounding uses particularly on the existing amenities of occupiers of neighbouring residential properties in terms of noise, outlook, light and privacy and potential for traffic generation, and the impact on the highway network.

3.2 The draft Development Management Local Plan was submitted to the Planning Inspectorate for Examination and the Inspector's Report has been received. The draft Development Management Local Plan, when adopted in June 2013, will form part of the H&F Local Plan. When adopted, it will replace the remaining saved policies of the UDP and will be used, together with the Core Strategy and London Plan. Although not yet adopted, the draft Development Management Local Plan as an emerging policy document is a material consideration in the determination of planning applications.

Residential Development:

3.3 The NPPF seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy 3.3 (Increasing London's Supply of Housing) of the London Plan and Core Strategy Policy H1 (Housing Supply) sets minimum borough targets for housing provision up to 2021. The policies specifies a 10 year minimum target for LBHF of 6,150 dwellings, and an annual monitoring target of 615 dwellings.

3.4 Policy DM A1 of the DM Local Plan 2013 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 9 family dwellings would contribute towards these targets.

3.5 Core Strategy Policy H4, UDP Policy H06 and Policy DM A3 of the DM Local Plan 2013 requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. In particular there should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.

3.6 The proposal would provide 2x4 bed, 6x3 bed (with provision for 4 bedrooms), 1x2 bed (with provision for 3 bedrooms) houses, thus complying with Council policy.

3.7 The application site relates to a 0.21 hectares (0.51 acres) overflow car park, site accommodation and storage of construction material for the refurbishment of the large conference centre to the adjacent Ibis Hotel. Storage space for the hotel is proposed in the undercrofts of the seven houses running north to south within the envelope of the site. Further, an existing fire exit to the underground car park of the hotel will be

maintained. A service access road will be located to the west of the site immediately adjacent to the hotel. The proposed storage space is considered adequate to meet the needs of the hotel, replacing the existing single storey storage building to be demolished.

3.8 In land use policy terms, Officers consider that a residential scheme on this site secures the redevelopment of a long term vacant site and is acceptable in principle.

Residential Density:

3.9 Core Strategy Policy H2 (Affordability), Core Strategy Policy H3 (Housing Quality and Density) and Policy DM A2 of the DM Local Plan 2013 seeks to optimise the potential of sites. Policy H3 states that acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity.

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

3.11 The site is located in PTAL 5 using Transport for London's methodology, indicating that it has a good level of accessibility by public transport. According to the London Plan density matrix, the site under previously applications, was considered to be in a 'central area' with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre whereby this location would support a density of between 650 and 1100 habitable rooms per hectare (Hrh).

3.12 However, following the examination of the Development Management Development Plan Document, officer's note that the following minor change has been made to Para. 4.11 where it is suggested that 'the higher density ranges of the 'London Plan 'Central' setting will only be appropriate in those parts of Regeneration Areas identified in the Core Strategy as being suitable for higher density development.'

3.13 As this site is not designated within a regeneration area, the site, under Table 3.2 of the London Plan it is more appropriate to consider the site to be within an 'urban' setting where the characteristics are 'predominantly dense development such as terraced houses, mansions blocks, mix of uses, medium building footprints within 800m walking distance of a District Centre or along main arterial routes.'

3.14 The proposed residential development site comprises 0.17 hectares (excluding the hotel service access route which is not developable) and would have a total of 53 habitable rooms (including bedrooms, living rooms, dining rooms and large kitchens). This would result in a residential density of 312 hr/ha, falling within the London Plan's optimal housing output for urban sites which ranges from 200 - 700 habitable rooms per hectare.

Affordable Housing:

3.15 The number of residential units proposed is below the threshold of 10 for which affordable housing is required under London Plan Policy 3.13 and Core Strategy Policy H2. Paragraph 3.28 of The London Plan states that 'it is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential - local context, design and transport capacity are particularly important, as well as social infrastructure (Policy 3.16)'. Furthermore paragraph 3.29 of The London Plan states that higher density provision for smaller households should be focused on areas with good public transport accessibility (measured by Public Transport Accessibility Levels (PTALs)).

3.16 Paragraph 4.12 of the DM Local Plan 2013 states there is a particular need in this borough for more family sized housing (3 or more bedrooms), particularly affordable housing. However, some sites may be more appropriate for families with children, particularly sites with safe access to amenity and playspace, than other sites that are in town centres where access may be more difficult.

3.17 There is a requirement to consider whether there is any capacity for 10 or more units, applying the density guidance set out in Policy 3.4 (maximising the potential of sites) and Table 3A.2. Officers have considered an additional 5 habitable rooms or the equivalent of 1 x 2 bedroom house (with provision for 3 bedrooms) on site which would bring the number of units to 10 for which affordable housing would be applicable. This would result in a density of 341hr/ha. However, due to site constraints, providing an additional property would have implications on visual and residential amenity, specifically sunlight and daylight issues and issues of outlook. As a result of a larger/higher development, and the additional units could not be provided within the envelope of the building proposed without jeopardising the quality of the living environment. In this respect, given the sites constraints set out above and the nature of the family housing accords with demand in the Borough, it is considered not appropriate to require the provision of affordable housing in this case. The application is therefore compliant with the London Plan.

DESIGN AND APPEARANCE:

3.18 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.

3.19 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.' UDP Policy EN2B states that 'development, including development outside conservation areas, will only be permitted if the character or appearance of the conservation area in terms of their setting and views into and/or out of them is preserved or enhanced.' UDP Policy EN8 relates to the design of new development and states that 'development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting. Schemes must be formulated to respect the historical context of the area and its sense of place, the scale, mass, form and grain of the surrounding development, relationship to the existing townscape, rhythm and articulation of frontages, local building materials, sustainability objectives and the principles of good neighbourliness'.

3.20 Policy DM G1 of the DM Local Plan 2013 builds on the aforementioned policies and other design and conservation policies, seeking new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting.

3.21 The existing site relates to a 0.21 hectares (0.51 acres) and is used for storage. This function will be retained in an undercroft which will not be visible to the public being located in a proposed undercroft.

3.22 There is a variety of architectural styles and typologies surrounding the site although it does border the Sedlescombe Road Conservation Area along its southern edge and the St.Oswalds Studios which are Buildings of Merit on the Council's list. The south of Lillie Road is one of contemporary buildings, with its immediate neighbours being the 14 storey Ibis Hotel and the 2 storey houses on Brompton Villas which turn the corner into Ongar Road. The buildings opposite on the north side of the street, 30 to 60 Lillie Road are fine grained, 3 storey, Victorian, terraced houses which are Buildings of Merit on the Council's local list.

3.23 The development of 9 houses creates active frontage along Lillie Road whilst doing so in an architectural style that creates an appropriate transition between its surrounding context of contemporary buildings and its position opposite the traditional Victorian terrace on the north side of the street.

The seven terraced houses which run north to south within the interior of the site are of a modern design on both the front and rear elevations, but a substantial amount of brick is used in the facades to reflect the predominant material used in its Victorian neighbour. Reconstituted stone is the other main material used in these elevations and overall the facades have a modern style of articulation. The back and front of the 7 house terrace will not be prominent as they are set back from Lillie Road and would be recessive in views from the public realm along parts of Lillie Road and between some houses in Ongar Road.

3.24 The two, 4 storey houses fronting onto Lillie Road are much wider than other houses in the development and also wider than typical Victorian terraced premises. The north, east and west elevations of this pair of houses employ a number of traditional elevational treatments to create a comfortable relationship with 30-60 Lillie Road. Elevations are primarily of brick with reconstituted stone lintels and cills. The ground floor elevations have been rendered with banding to give a traditional treatment and more emphasis to the ground floor storey. The proportion and relationship of windows within the overall composition is not entirely traditional because they have been adapted to the unusual width of the pair of buildings and to incorporate openings for 3rd storey

roof terraces. Despite these circumstances, vertical emphasis is maintained and this helps the development to reflect the fine urban grain of the traditional terrace opposite. It is considered that the proposal will enhance the setting of the Buildings of Merit 30-60 Lillie Road. The height and massing of the development is also respectful of the scale of its lower rise neighbours whilst responding to the vastly greater height of the adjacent Ibis hotel. At its southern end the terrace steps down by one storey and is set back from the rear of the St.Oswalds Studios. It is considered that the proposal will not harm the setting of the back of the St.Oswalds Studios which were originally built in a landlocked site, surrounded by buildings and hidden from view from the public realm. Views of the premises will now be more apparent from Lillie Road.

3.25 In this respect, Officers consider that the proposed development is acceptable in terms of design, bulk and appearance and would make a positive contribution to the appearance of the streetscene and adjacent Conservation Area, in accordance with abovementioned London Plan, Core Strategy, UDP and DM Local Plan 2013 policies. It is however recommended final details of the materials to be used in the external appearance of the building be conditioned for future approval. (Condition 4).

RESIDENTIAL AMENITY:

3.26 Policy EN8 of the UDP and Policy DM G1 of the DM Local Plan 2013 states all proposals must be formulated to respect the principles of good neighbourliness. Standards S12 and S13 of the UDP seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

Sunlight/Daylight:

3.27 The proposed development could potentially impact the residential properties, notably, the Brompton Villas on Ongar Road and St Oswald's Studio off Sedlescombe Road.

3.28 In considering this, the Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance sets out advice on site layout planning to achieve good sunlighting and daylighting within buildings and in the open spaces between them. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design. If any or part of a new building in a vertical section breaches an angle of more than 25 degrees to the horizontal, then the daylight and sunlight to an existing building may be adversely affected.

3.29 The proposed scheme, marginally protrudes beyond the 25 degree envelope in one location, on the eastern elevation of the Type A2 property nearest to No. 9 Brompton Villas. This marginal protrusion is not a solid part of the building - it is a recessed balcony space with a feature 'ring beam' around it. Officers have considered the daylight and sunlight analysis submitted by the applicant and are satisfied that the development would have no significant adverse impact on No. 9 Brompton and overall the proposed envelope achieves the maximum potential massing that can be placed on site, without adversely impacting on neighbouring residential properties in Ongar Road, Lillie Road and Sedlescombe Road. Officers consider that the habitable rooms and

windows in these adjoining properties would have sufficient access to daylight and sunlight after the proposed residential development has been constructed.

Outlook and privacy:

3.30 UDP Standards S13.1 and S13.2 respectively require that there is no significant loss of outlook and privacy. Standard S13.2a states that development would not be permitted for roof terraces or balconies if their use would cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance.

3.31 The proposed siting and mass of the building would not breach a line at an angle of 45 degrees from a point of ground level and therefore complies with standard S13.1 (outlook).

3.32 Standard 13.2 states that 'the proximity of new development can result in overlooking of existing residential windows. New windows should normally be positioned so that the distance to any residential window is not less than 18 metres as measured by an arc of 60 degrees taken from the centre of the proposed new window.' if this standard cannot be met then windows should be designed to ensure that no loss of privacy will occur. In this case, there are five properties where the proposed development would be within 18metres from habitable rooms at No.1 (15m), No.2 (14m), No.3 (13.5m), No. 5 (16m) and No. 6 (15m) Brompton Villas. Due to the confines of the site it is impossible for the proposed windows to be set back to a distance of 18m and in this case those habitable windows within 18m would include obscure glazed glass to a height of 1.7m to prevent overlooking. (Secured by Condition 37)

3.33 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. The main open space for the proposed development are located to the rear of the proposed properties addressing the side elevation of the hotel.

3.34 Six terraces (3sqm) are proposed to the front elevations of the 6, Type B houses which run north to south within the site. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas, however, on balance, having regard to the modest size of the proposed areas (approximately 3sqm) which would limit the capacity to accommodate a high number of people, together with the location at high level and the relationship with adjoining properties, it is not considered that its use would, in the normal course of events, be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance or overlooking or loss of privacy to a degree that would justify refusing planning permission. Further, the proposed terraces facing Ongar Road, including the 10sqm terrace located to the side elevation of the property fronting Lillie Road will incorporate 1.7metres obscured glazed screening to mitigate the potential for overlooking. Condition 10 has been attached to secure the installation of the opaque glass.

3.35 The proposed scheme has been designed with consideration to the Oswald's Studios, located to the south of the site. Property Type A3 has been designed a storey lower than the rest of the proposed scheme. As a result, the siting and height of the proposed development would not have any impact in on St Oswald's studios that would be sufficient to withhold planning permission. Officers therefore consider that the

development would have no detrimental impact on the residential amenities of the neighbouring properties. The proposal would accord with S13.2 and S13.2a.

3.36 UDP Policy EN20B and Policy EN21 and Policy DM H11 of the DM Local Plan 2013 deals with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties particularly where commercial and service activities are close to residential properties.

3.37 In this case it is not considered that the proposed development would be likely to have an unacceptable impact on neighbouring occupiers in terms of noise and disturbance. The processed vehicular and pedestrian access would serve the proposed 7 houses within the confines of the site, whilst the servicing entrance will be located adjacent to the hotel.

3.38 Officer's consider that the proposed development would have no significant adverse impact on residential amenity in accordance with Policy EN8 and Standards S13.1, S13.2 and S13.2A of the UDP.

Quality of the proposed residential environment:

3.39 Policy 3.5 and Table 3.3 of the London Plan, Core Strategy Policy H3, UDP Standard S7A and S13.3 expect all housing development to be of a high quality design and be designed to have adequate internal space. UDP Policy EN23 and Standard S5 requires all new developments to make provision for open space to meet the needs of the occupiers and users (ground floor family and non family dwellings should have at least 36m² of amenity space respectively). Policy DM A2 DM Local Plan 2013 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.

3.40 All 9 proposed houses would be at least of dual aspect and would exceed the minimum dwelling size requirements of both the London Plan and UDP: two-bed (148 sqm), three bed (191 sqm) and four bed (150 - 159sqm). Due to site constraints, providing an additional property would have implications on visual and residential amenity, specifically sunlight and daylight issues and issues of outlook. As a result of a larger/higher development and associated additional units could not be provided within the envelope of the building proposed without jeopardising the quality of the living environment.

3.41 All 9 houses would be provided with outdoor amenity space: two- bed (40sqm), three-bed (45sqm) and four-bed (14sqm). Although the proposed private amenity space for the front two four bedroom properties would fall short of the requirements of Standard S5 and the balconies are small, this reflects the physical constraints of the site and the desire to ensure that there is no overlooking/loss of privacy or noise and disturbance to neighbouring properties.

3.42 In this case, the amenity space provided is considered to be an acceptable arrangement, and would not justify a refusal of planning permission. In view of the above the proposed residential units would be of adequate size and layout to provide an acceptable outlook and sunlight and daylight levels, and external space to occupiers of the houses.

3.43 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 DM Local Plan 2013 . All 9 dwellings would have accessibly sized main bathrooms, bedrooms and kitchen areas that meet Lifetime Homes standards.

3.44 Details of the location of 'soft spots' at ground floor level of one house will be secured by condition (condition 16) , to enable a future occupier to be able to insert a trapdoor or 'through-the-floor' lift between the ground and first floors, if wished.

CAR PARKING, CYCLE PARKING AND ACCESS:

3.45 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.

3.46 Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

3.47 Core Strategy Policy T1 supports the London Plan. Policy TN4 of the UDP requires new development to incorporate ease of access by disabled people and people with mobility impairment. Policy TN13 states that the arising traffic generation of development will be assessed along with the contribution to traffic congestion. Policy TN15 requires new development to accord with the car parking standards set out in the Plan. UDP Standard S18 requires compliance with the Council's car parking standard except in exceptional circumstances. Standard S19 provides detailed guidance on expectations for the overall layout of a car parking area and the dimensions of each space. Policies DM J2 and DM J3 of DM Local Plan 2013 set out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met.

3.48 The proposed parking arrangements includes seven private parking spaces within the seven properties located within the site. Two external parking spaces have been designated for the two properties addressing Lillie Road whilst two further parking spaces have been designated to the rear of the site for visitor use. The proposed parking provision is compliant against the requirements of the UDP, the Core Strategy 2011 and the DM Local Plan 2013.

3.49 The site has a PTAL score of 5 using Transport for London's methodology, indicating that it has a good accessibility to public transport. However the surrounding on-street parking network experience high levels of parking stress. The proposed development will be car permit free and this would minimise the impact of the development on the on-street parking. This will be secured through a Section 106 agreement

Cycle Parking:

3.50 Cycle parking is proposed on the basis of one space per dwelling. These are shown to be provided internally within the seven garages and within internal storage areas for the two properties with external parking spaces. The provision of covered, safe and secure cycle parking should be in accordance with the London Plan Policy 6.9, Table 6.3.

3.51 Officers are satisfied that there is sufficient space within the designated area for the satisfactory storage of cycle parking, although a condition is proposed to ensure the cycle parking implemented before the use is occupied and is maintained for the life of the development (Condition 18).

3.52 The Council are currently seeking to extend the London Cycle Hire Scheme within the Borough. The proposed development is located in close proximity to two potential docking stations. In accordance with the Draft SPD Transport Policy 14, Council will be seeking a financial contribution towards the cost of implementation of the cycle hire scheme to be secured through a Section 106 agreement. A contribution has been negotiated to a sum of £25,000.

Pedestrian and Vehicular Access:

3.53 The proposed access is located some 30 metres from the adjacent junction of Ongar Road and 19 metres from the hotel access at the location of an existing crossover.

3.54 Council has previously indicated a preference for the access to be located further to the west towards the existing hotel access. The applicant's transport consultant has put forward a range of arguments why the proposed access scheme is more desirable than the Council preferred scheme. These include having no impact on the existing pedestrian refuge and road safety concerns regarding the operation of the two (hotel and proposed residential) adjacent accesses.

3.55 The width of the proposed access road at its narrowest point is 5.2 metres wide. The applicant has provided swept path analysis which indicates that two vehicles can safely pass travelling in opposite directions (entering and existing the development simultaneously).

3.56 The footway along the subject site frontage to Lillie Road is tarmac. The applicant would be required to upgrade the footway to the typical residential footway details outlined in the Street Smart Guidelines. The crossover design should be in accordance with the domestic driveway shown within the Street Smart Guidelines. The driveway should be designed to provide sufficient width to enable two cars to simultaneously pass with appropriate clearance whilst entering and existing.

3.57 No vehicle or pedestrian visibility splays are indicated on the site layout plan. No specific pedestrian access is shown on the layout plan. However, low level of vehicular usage is forecast and as such there is potential for low vehicle speeds on the short section of access road.

3.58 Swept path drawings for service vehicular access has been included in the proposal which demonstrates a 9.0 metre medium refuse vehicle forward in by left turn,

reversing to the end of the development access road and forward out. Swept path analyses have been presented for the proposed Hotel service vehicle access adjacent to the residential access. The drawings indicate that satisfactory space is available to accommodate the spatial requirements of both a large refuse vehicle (of about 12 metres length) and the FTA Design HG Rigid Vehicle to enter and exit the site the Hotel access in a forward direction.

REFUSE STORAGE:

3.59 London Plan Policy 5.16 outlines the Mayors approach to waste management. Core Strategy Policy CC3, UDP Policies EN17 and HO14, Policy DM H5 of the DM Local Plan 2013 and the Storage of Refuse and Recyclables SPD sets out the Councils Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

3.60 Individual refuse storage areas are located internally for the seven rear properties and two storage bays are located to the front of the two properties facing Lillie Road. Officers are satisfied that there is sufficient space within the designated area for the satisfactory storage of refuse, although a condition is proposed to ensure the refuse storage is implemented before the use is occupied and is maintained for the life of the development. (Condition 13).

3.61 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 London Plan Policy 6.3, UDP Policies EN19A, EN20A, EN20B, EN20C and EN21 and DM Local Plan 2013 policies DM H5, DM H9 and DM H11.

ENVIRONMENTAL QUALITY:

Flood Risk:

3.62 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 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water. This is supported by Policy DM H3 of the DM Local Plan 2013 .

3.63 A detailed Flood Risk Assessment (FRA) has been submitted with the application. The site is in the Environment Agency's (EA's) Flood Zone 3, which indicates a high risk of fluvial flooding from the River Thames. However, this rating is calculated without taking account of the high level of protection provided to the site by the Thames Barrier and the local river wall defences. These defences provide protection to a 1 in 1000 year level and an assessment of potential water levels in the Thames under different tidal scenarios show that risks to the site from over-topping of the defences or from a breach of flood defences are negligible. Officer's note that the EA has not objected to the redevelopment of the site as proposed.

3.64 Council maps showing indicative surface water flow paths and areas of ponding following an intense storm show that the site could be more susceptible to surface water flooding. This could be because ground levels at the site are lower than the surrounding areas. It is also made up mostly of hard-standing at the moment which is impermeable.

3.65 The FRA includes calculations of the current surface water flow rates and has assessed possible Sustainable Drainage Systems (SUDS) for implementation to help attenuate run-off from the new development. The FRA suggests that the most likely approach will be to provide attenuation storage on-site, with further details to be submitted at detailed design stage.

Contamination:

3.66 London Plan Policy 5.21, Core Strategy Policy CC4 and Policy DM H7 of DM Local Plan 2013 states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place. This is supported by UDP Policies EN20A and EN21 and DM Local Plan 2013 DM H7.

3.67 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 22 - 26)

MAYORIL CIL:

3.68 This development will be subject to a London-wide community infrastructure levy, charged at a rate of £50 per square metre for additional floorspace in Hammersmith & Fulham. An estimate of £98,300 has been calculated for the additional floorspace. 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 the London Plan Policy. 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.

Planning Obligations:

3.69 London Plan Policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability. Core Strategy policy CF1 requires that new development makes contributions towards or provides for the resulting increased demand for community facilities.

3.70 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) Developer to pay for Highway Works comprising of the following:
 - (i) Resurfacing of the footway along the frontage of the site on Lillie Road;
 - (ii) Upgrading and repairs of existing entrances on Lillie Road.
- (2) That no occupiers of the 9 residential dwellings, other than residents who are Blue badge Holders are eligible to obtaining residents' parking permits to park on-street in the controlled parking zone;
- (3) Developer to pay a £25,000 contribution towards the provision of London Cycle Hire Scheme in order to support sustainable transport routes to and from the site.
- (4) Developer to pay a £3,000 contribution towards the cost of planting trees and maintenance in the area.

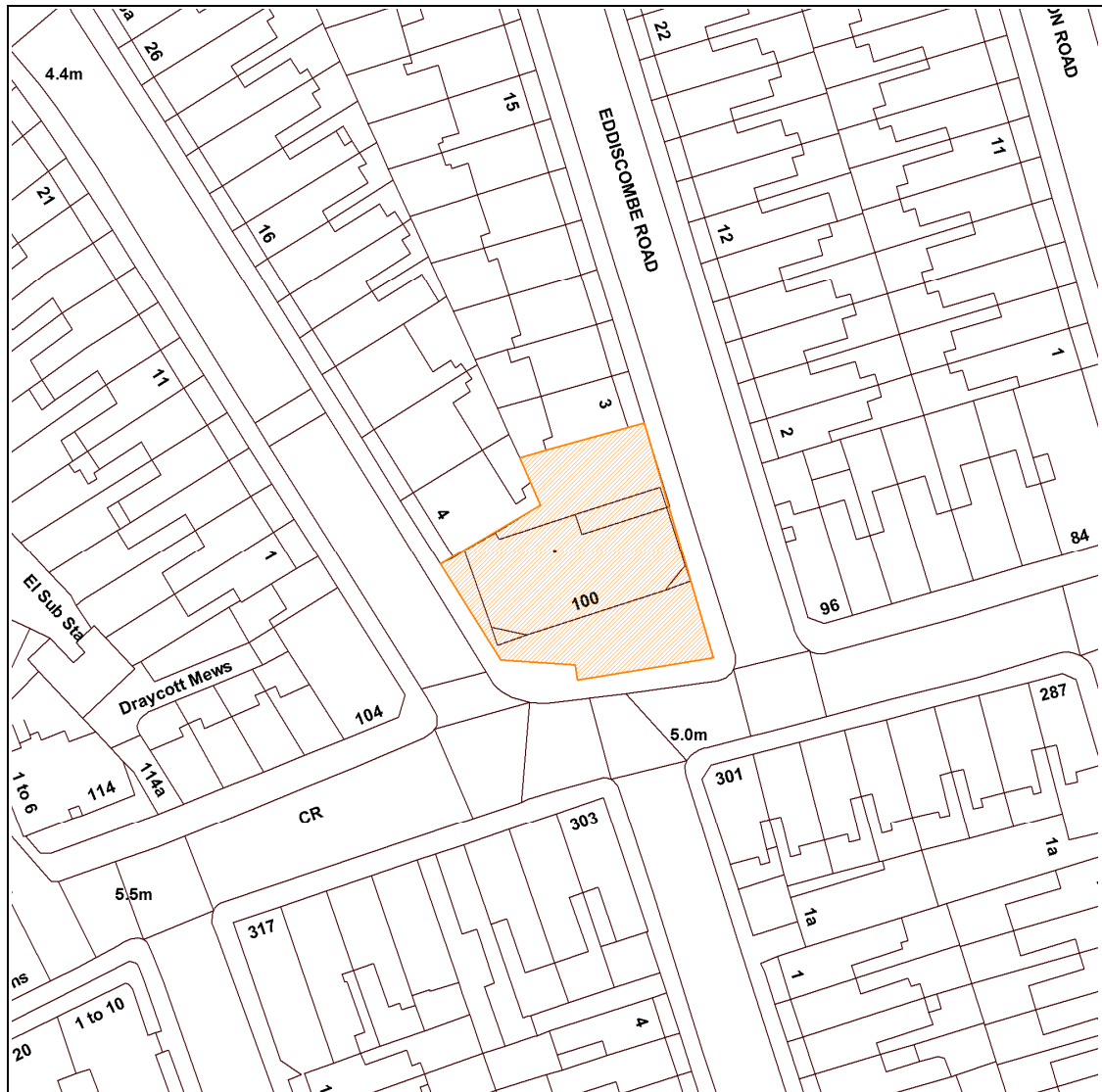
4.0 RECOMMENDATION

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

Ward: Town

Site Address:

London House 100 New King's Road London SW6 4LX



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For identification purposes only - do not scale.

Reg. No:
2012/03855/FUL

Case Officer:
Roy Asagba-Power

Date Valid:
05.12.2012

Conservation Area:

Committee Date:
10.04.2013

Applicant:

c/o AGENT

Description:

Demolition of the existing building; erection of a part six, part three storey building to provide a mixed use development comprising retail at ground floor level and 24 residential units (8 x 1 bedroom flats, 14 x 2 bedroom flats, 2 x 3 bedroom flats) on the upper floor levels, with associated cycle parking, refuse store and installation of satellite dish at roof level.

Drg Nos: 2923: 549E; 551B; 552B; 553B; 554B; 555B; 556B; 560B; 561B; 562B; 570B; 573B; 580B; 582B; 583B Design and Access Statement (Amended); Sustainability Energy Report (Amended); Noise Report; Air Quality Report; Daylight and Sunlight Report; Transport Assessment (Amended)

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:

2923: 549E; 551B; 552B; 553B; 554B; 555B; 556B; 560B; 561B; 562B; 570B; 573B; 580B; 582B; 583B

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 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), gates 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 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 of each elevation of 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 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 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 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 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 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.

- 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 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 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 EN8, EN20A, EN20C and EN21 of the Unitary Development Plan, as amended 2007 and 2011, and Policy BE1 of the Core Strategy 2011.

- 16) The development shall not be occupied until details of the secure cycle storage hereby approved for the residential and commercial units 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.

- 17) The development shall not be occupied before details of the refuse storage for the residential and commercial units 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 and the SPD on Recycling and Disposables.

- 18) 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.

- 19) 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.

- 20) Neither music nor amplified voices emitted from the 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.

- 21) No tannoy 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.

- 22) The retail facilities shall not be used other than between the hours of 2200 and 0700 Monday to Sunday, including Bank Holidays.

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.

- 23) No part of the ground floor retail 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.

- 24) 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 DnT,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.

- 25) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating any plant rooms, or other communal facilities from dwellings. Details shall demonstrate that the sound insulation value DnT,w and LnT,w are sufficiently enhanced and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:1999 within the dwellings/ noise sensitive premises. 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 are 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 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.

- 27) 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.

- 28) 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.

- 29) 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.

- 30) 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).

- 31) 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.

- 32) 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.

- 33) 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.

- 34) 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.

- 35) 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.

- 36) 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.

- 37) 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.

- 38) 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.

- 39) The development permitted by this planning permission shall only be carried out in accordance with the approved Sustainability Statement including Energy Assessment. 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.

- 40) The development permitted by this planning permission shall only be carried out in accordance with the approved Sustainable Urban Drainage System (SUDS). 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 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

- 41) The development permitted by this planning permission shall only be carried out in accordance with the approved Air Quality Report. 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 that surface water run-off is managed in a sustainable manner, in accordance with policy 7.14 of The London Plan 2011 and Policy CC4 of the Core Strategy 2011

- 42) The proposed windows in the upper floors in the northern rear elevation of the main building and at first and second level of the west facing rear flank elevation of the link building fronting Eddiscombe Road shall be designed to be non-opening or

top opening only and glazed with obscure glass to a height of 1.7m from the floor level, a sample of which shall be submitted to and approved in writing by the Council before development commences. The dwellings shall not be occupied until the obscure glazing as approved has been installed as approved and the windows shall be permanently retained in this form.

To prevent loss of amenity to neighbouring properties as a result of overlooking and loss of privacy, in accordance with Standard S13.2 of the Unitary Development Plan as amended 2007 and 2011.

- 43) Prior to commencement of development, details of the methods proposed to identify any radio and television interference to residential properties caused by the proposed development, including periods during the construction phases, and the measures proposed to ensure that any television interference that might be identified is remediated in a satisfactory manner has been submitted to and approved in writing by the Local Planning Authority. If any television interference to residential properties is identified, the approved remediation measures shall be implemented as soon as reasonably practicable.

Reason: To ensure that television interference caused by the development is remediated, in accordance with policy 7.7 of the London Plan (2011) and policy EN21 of the London Borough of Hammersmith and Fulham Unitary Development Plan, (as amended 2007 and 2011).

Justification for Approving the Application:

- 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 an outmoded office development 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, 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: 22nd 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:

Fulham Society

Dated:

03.01.13

Neighbour Comments:

Letters from:

Dated:

19 Eddiscombe Road London SW6 4TZ	20.12.12
22 Ashington Road Parsons Green London SW6 3QJ	20.12.12
3 Munster Road London SW6 4ER	21.12.12
14 Guion Road London SW6 4UE	03.01.13
76 St Dionis Road London SW6 4TU	02.01.13
12 Broomhouse Dock Carnwath Road London SW6 3EH	15.12.12
9 Eddiscombe Road London SW6 4TZ	02.01.13
8 Harbord St London SW6 6PJ	04.01.13
15 Bradbourne Street London SW6 3TF	04.01.13
Eddiscombe Road	02.01.13
NAG	02.01.13
22 Eddiscombe Road London SW6 4UA	27.12.12
76 St Dionis Road Parsons Green London SW6 4TU	02.01.13
14 Guion Road London SW6 4UE	03.01.13
12 Doria Road London SW6 4UG	04.02.13
10 Colet Gardens London W14 9DH	15.01.13
14 Doria Road London SW6 4UG	05.01.13
11 Foscett Road London SW6 3LY	06.01.13
10 Colet Gardens London W14 9DH	08.01.13
4C Munster Road London SW6 7QY	11.01.13
4 Munster Road London SW6 4EN	14.01.13
20 Eddiscombe Road London SW6 4UA	09.01.13
16 CORTAYNE RD LONDON SW6 3QA	03.01.13
9 Munster Road London SW6 4ER	22.01.13
390 Fulham Road Fulham London Sw6	05.01.13
28 Ashington Road London SW6 3QJ	08.01.13

3 Eddiscombe Road London SW6 4TZ	03.01.13
9 Racton Road Fulham Sw6 1lw	04.01.13
2 Eddiscombe Road Fulham London SW6 4UA	20.12.12
Fabian Road London SW6 7TZ	07.01.13
13 Doria Road London SW6 4UF	02.01.13
13 Doria Road London SW6 4UF	02.01.13
84 St. Dionis Road London SW6 4TU	04.01.13
NAG	04.01.13
NAG	04.01.13
Nag	03.01.13
23 Guion Road London SW6 4UD	03.01.13
Nag	03.01.13
9 Guion Road London SW6 4UD	03.01.13
42 Munster Road London Sw6 4ew	10.01.13
NAG	21.12.12
47 Quarrendon Street London SW6 3ST	09.01.13
Flat D 4 Munster Road London SW6 4EN	11.01.13
14 The Coda Centre 189 Munster Road London SW6 6AW	10.01.13
9 Eddiscombe Road London SW6 4TZ	02.01.13
2 Eddiscombe Road Fulham London	20.12.12
Flat C 4 Munster Road London SW6 4EN	11.01.13
27 Eddiscombe Road London SW6 4TZ	03.01.13
17 Eddiscombe Road London SW6 4TZ	04.01.13
13 Eddiscombe Road London SW6 4TZ	05.01.13
18 Eddiscombe Road London SW6 4UA	03.01.13
10 Eddiscombe Road London SW6 4UA	04.01.13
6 Eddiscombe Road London SW6 4UA	08.01.13
68 St Dionis Road London Sw6 4tu	03.01.13
46 Doria Road London SW6 4UG	03.01.13
14 Eddiscombe Road London SW6 4UA	02.01.13
10 Doria Road London SW6 4UG	05.02.13
13 Cortayne Road London SW6 3QA	31.01.13
NAG	06.01.13
32 Langthorne Street London SW6 6JT	07.01.13

1.0 SITE DESCRIPTION AND RELEVANT HISTORY

Site

1.1 The site relates to a four storey commercial building comprising a mix of office space on the ground, first, second and third floor with an estate agents part of the ground floor. The front of the site has an irregular shaped forecourt with paved surfaces and a soft landscaping that includes two London Plane trees that are subject to a Tree Preservation Order. The rear of the site includes a small car park / servicing area which is accessed from Eddiscombe Road.

1.2 The site lies on the northern side of New Kings Road which at ground floor is lined with shops and offices, many with residential uses above. The site occupies the whole of the block between the residential streets at Munster Road to the west and

Eddiscombe Road to the east and is directly opposite Cortayne Road on the south side of New Kings Road. The site is not located within a conservation area.

Relevant History

- 1.3 1979 - continued use of ground floor as an office.
- 1.4 1987 - change of use from office to estate agents' office.
- 1.5 1988 - alterations to the front elevation at ground floor level and installation of a new shopfront.
- 1.6 1993 - change of use of part of ground floor to use as a cafe/snack bar (Class A3).
- 1.7 1997 - installation of an equipment cabin and 3 No. cross polar panel antennas on the roof.
- 1.8 1999 - change of use of ground floor from kitchen showroom to an estate agents office (Class A2).
- 1.9 2001 - permission refused for erection of a two storey building (over the existing ground level car park) to form a self-contained two bedroom maisonette) refused on the following grounds: exceeding maximum permissible plot ratio; design and choice of materials; noise, disturbance, overlooking and loss of privacy from a roof terrace and on street car parking demand in the vicinity of the site.
- 1.10 2002 - planning granted for change of use of part of ground floor from office (Class B1) to an Estate Agents (Class A2).
- 1.11 2005 - consent refused for felling of two London Plane trees to the front of the building, subject to Tree Preservation Order. The application was dismissed on appeal.
- 1.12 In January 2012, the applicants submitted a pre-application enquiry for a redevelopment of the site comprising a seven storey building to provide commercial at ground floor and 29 flats above. Following subsequent meetings with officers the proposals were amended to include alterations to the footprint, the elevations, a one storey reduction in the height of the main building, a reduction in the number of residential units from 29 to 25 and the replacement of the existing TPO trees. In summary the original submissions were considered unsatisfactory for the following reasons: no justification for the loss of employment; an overdevelopment of the site in visual terms; no financial appraisal to justify the lack of affordable housing provision; the loss of trees; parking and servicing; and accessible homes. There were also concerns about the impact on the residential amenity of the occupiers of adjoining residential property in terms of loss of privacy, outlook, daylight/ sunlight and noise/ disturbance.

Current proposal

- 1.13 The current application involves the following elements: the demolition of the existing building; erection of a part six, part three storey building to provide a mixed use development comprising retail at ground floor level and 24 residential units (8 x 1 bedroom flats, 14 x 2 bedroom flats, 2 x 3 bedroom flats) on the upper floor levels, with associated cycle parking, refuse store and the installation of satellite dish at roof level.

2.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

Pre-application

2.1 A Statement of Community Involvement 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 the following: letters sent to approximately 2,100 local residents and businesses; two day public exhibition to explain the proposals for the site, identify key local issues and provide an opportunity for residents to communicate their feedback.

2.2 The exhibition was attended by approximately 65 people and a total of 21 questionnaires were completed by attendees of the exhibition. Following the exhibition, one further letter was received from the Fulham Society, together with two additional questionnaires.

2.3 Overall the feedback from the exhibition showed support for a new mixed-use development. Many attendees felt that the existing building is an eyesore and in need of redevelopment. The provision of retail space at the ground floor was welcomed. There was also support for the replacement of the existing mature frontage trees on New Kings Road. Concerns were raised over the design of the building, in particular its relationship with surrounding properties. The most notable concerns were in respect of the additional to for existing on street parking.

Formal Consultation

2.4 A site notice and press advert were issued. Individual notification letters sent to 285 neighbouring properties in New King's Road, Eddiscombe Road, Munster Road, Cortayne Road and other nearby streets.

2.5 Nine letters of support and thirty-eight objection letters have been received. The objections are on the following grounds:

- Building too high;
- Link building has an inappropriate building line and scale;
- Out of keeping with the character;
- Loss of open space and mature trees along frontage;
- Density;
- Privacy and overlooking;
- Loss of outlook and increased enclosure;
- Daylight and sunlight;
- Noise and disturbance;
- Loss of view;
- No off-street parking;
- Net loss of parking spaces;
- Exacerbate parking problems;
- Adverse impact on traffic;
- Increased demand for local public transport;
- Lack of affordable housing;

- No community benefit from redevelopment;
- No need for ground floor retail;
- Misinterpretation of loss of employment floor space policy;
- Previous application (2000/00758/FUL) on rear car park refused
- Adverse impact on property values;
- Disruption during construction;
- satellite dish and TV reception and
- Obstructed access to maintenance of end terrace wall in Munster Road

2.6 The Fulham Society object to the proposals on the following grounds:

- Proposed buildings are out of scale with the existing;
- Overall design is bland and of poor quality and does not justify the significantly larger volume proposed.
- The dominant new building should be of the highest quality design if the larger scale were to be permitted.
- The proposal does not relate well to the adjacent houses in Eddiscombe Road and increased front footprint would dominate views to existing front gardens;
- Loss of mature trees;
- replacement trees on the highway would become the Council's responsibility to maintain;
- proposed enlarged footprint results in loss of open space;
- an element of affordable housing should be included and
- lack of parking facilities.

2.7 English Heritage Archaeological Service raise 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; 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.

The planning application has been assessed against the Development Plan which comprises the London Borough of Hammersmith and Fulham Core Strategy (2011), the Unitary Development Plan (UDP amended 2007 and 2011) and the London Plan (2011). With regards to this application, all planning policies in the London Plan, Core Strategy, UDP, the draft Development Management Local Plan and National Planning Policy Framework (NPPF) which have been referenced where relevant in this report. The draft Development Management Local Plan, which has now had the final Inspector's report issued. When adopted, the Draft Development Management Local Plan will replace the remaining saved policies of the UDP. The Draft Development Management Local Plan will then be used, together with the Core Strategy and London Plan as part of the Development Plan in the consideration of planning applications. Although not yet adopted, the draft Development Management Local Plan as an emerging policy document is a material consideration in the determination of planning applications.

LAND USE

3.2 The main policy issues relate to the loss of the existing office space, the acceptability of the residential use and the impact of a proposed supermarket in this out of centre location.

Loss of employment floorspace

3.3 The proposed demolition results in the loss of the existing office space (872 sqm) as a result of this proposal will need to be considered against Policy LE1 of the Core Strategy, Policy 4.2 of The London Plan and Policy B1 of the draft DM Local Plan seeks to resist the loss of employment space, unless certain criteria are addressed including supporting marketing evidence then the loss may be considered appropriate.

3.4 Officers are of the opinion that the marketing evidence provided, the long term vacancy of the site, the out of centre location, the condition of the premises and the regeneration and employment benefits of an alternative use are sound reasons to allow the loss of employment on this site. In particular, the marketing evidence which has been carried out since 2001 indicates that there is little to no demand for the premises with only 6 expressions of interest in 12 years with no take up. Based on the evidence put forward, officers are satisfied that the proposed loss of employment use on this site is acceptable and would accord with the NPPF, Policy 4.2 of the London Plan, Policies LE1 of the Core Strategy and Policy B of Strategic Policy B1 of the draft DM Local Plan.

Housing

3.5 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.

3.6 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 draft DM Local Plan 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 24 units would contribute towards these targets.

3.7 Furthermore Core Strategy Policy H4, UDP Policy H06 and draft Policy DM A3 of the DM Local Plan 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 24 flats (8 x 1 bed, 14 x 2 bed and 2 x 3 bed flats). 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

3.8 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 draft DM Local Plan.

3.9 The site is located in Public Transport Accessibility Level (PTAL) 4 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 700 habitable rooms per hectare (Hrh).

3.10 The proposed development site comprises 0.064 hectares and would have approximately 66 habitable rooms which would result in a residential density of 1,034 hr/ha, above the acceptable density range stipulated in the London Plan. The London Plan and GLA Housing Supplementary Planning Guidance (November 2012) make it clear that where proposals are made for developments above the relevant density range, they must be tested rigorously, balancing concerns for overall housing output against policies which are relevant to higher density development. These include different aspects of 'liveability' related to proposed dwelling mix, design and quality, amenity provision and space, physical access to services, sustainable design and construction, car parking. In addition, the wider context of the proposal taking account of its contribution to local 'place shaping' is relevant.

3.11 The applicants have taken a design led approach to the redevelopment of the site. The existing 1970's office building appears out of keeping with the surrounding buildings on this prominent corner location and this is largely due to its outmoded appearance. The proposed building envelope is comparable with the established height of the existing buildings and has been designed to have a more sympathetic traditional brick and render appearance that would be in keeping with the surrounding buildings. In respect of density, officers consider that the proposals are acceptable in this case.

Affordable Housing

3.12 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.

3.13 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.

3.14 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.

3.15 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.'

3.16 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.

3.17 The affordable housing provision proposed in the applicant's original submissions which included 25 flats was 0%. In order to justify this non-provision the applicant submitted a financial viability assessment which concluded that the proposed scheme could only afford to make a S106 contribution of £150,000 with no provision for affordable housing. Lambert Smith Hampton (LSH) carried out an independent assessment of this appraisal and they concluded that there was financial headroom for a £600,000 s106 contribution with 0% affordable.

3.18 Since the original plans were submitted, the height of the proposed 'link' building fronting Eddiscombe Road has been reduced from 4 to 3 storeys in order to address concerns about loss of outlook and daylight / sunlight to neighbouring residential property. The applicants revised their financial appraisals to reflect this change which resulted in a reduction in the number of flats from 25 to 24. The revised independent viability appraisal from LSH confirmed that the scheme was at the margins of viability. Although the financial appraisal confirmed that the scheme is unviable if affordable housing is provided on site, further negotiations with the applicant resulted in the s106

contribution rising from £150,000 to an increased offer of £550,000 and most of this would be used to provide 2 (8%) off-site affordable housing units in lieu of on site provision.

3.19 In this particular instance, given the high land values and that no affordable housing units that could be secured on site, officers have given careful consideration to the merits of accepting the payment in lieu of on-site provision. The Council's Housing & Regeneration officers has assisted officers in considering the merits of securing on site affordable housing or utilising a payment in-lieu of this to go towards securing affordable housing elsewhere in the borough. Housing & Regeneration officers estimate that a financial contribution of between £200,000 and £250,000 would assist in the provision of one new affordable home off site. One option includes the Council's local 'Hidden Homes' programme which has already led to delivery of two new discount market sale homes in Becklow Gardens Estate and is set to develop further discount market sale homes on Council owned sites in the borough.

3.20 As stated above, the NPPF (para.50) advises that financial contributions in lieu of on site provision can be justified when it would improve or make more effective use of the existing housing stock and where the financial contribution is of equivalent value. The supporting text to London Plan policy 3.12 at paragraph 3.74 also refers to exceptional circumstances when payments in-lieu of on site affordable housing may be acceptable stating the following circumstances:

- secure a higher level of provision
- better address priority needs, especially for affordable family housing
- secure a more balanced community
- better sustain strategically important clusters of economic activities, especially in parts of CAZ and the north of the Isle of Dogs where it might be part of a land 'swap' or 'housing credit' (Policy 2.11).

3.21 In this case, there is the potential opportunity to realise new affordable housing by way of financial contribution to other housing schemes including those schemes which form part of the Council's local housing company. The Council would have more control over the type and location of affordable units whilst providing more than could be provided on site in this particular instance.

3.22 London Plan policy 3.11 seeks that 60% of new affordable housing is provided for social rent. However, the preference for intermediate and affordable rented housing in the Borough is supported by Core Strategy policy H2 as the council seeks to reduce social and economic polarisation in the borough and to encourage social mobility. This approach is also supported in London Plan policy 3.9 which seeks mixed and balanced communities. The preference for low cost housing is considered to contribute to the objective of creating more mixed and balanced communities in areas which have been identified by the Council as being in need of regeneration. Accepting a financial contribution in lieu of on site provision of affordable housing, in this case, is considered to be supported by the NPPF.

3.23 In line with London Plan Policy 3.12, the affordable housing negotiations have taken account of the individual circumstances including development viability. Given the financial viability circumstances, i.e. no affordable units could be provided on site, a commuted payment is considered acceptable in accordance with the objectives in the

NPPF, Core Strategy policy H2 and London Plan Policies 3.11 and 3.12, the former setting out the Borough wide targets for affordable housing.

3.24 The proposed development may result in a reduced number of dwellings being built, which are financially accessible to some residents, younger people, BME groups and single women. For example, younger people who have had less time in their careers to build up capital to purchase a property. However, there would be other age groups who would benefit from the provision of this new housing stock, and this is likely to include parents with small children because the development proposes a number of larger units. This doesn't mean that younger people and other protected groups will not be able to access the stock entirely but that they may be disproportionately less likely to access it. As such, the housing mix would be considered not to result in any discrimination to any particular equality group in this regard. Having regard to the overall benefits of the scheme and the commuted sum towards affordable housing, on balance, any potential adverse effect is not considered significant to lead to the proposal being refused. In summary, the proposed contribution the proposed contribution of in lieu of on site provision is considered to represent exceptional circumstances and to be acceptable in accordance with policies 3.8, 3.10, 3.11, 3.12, 3.13 of the London Plan, and policies H4 of the Core Strategy.

Retail

3.25 The NPPF does not require an impact assessment to be carried out on proposals for less than 2,500 sqm. The NPPF does however require applicants to carry out a sequential test for retail use outside of town centres and Core Strategy Strategic Policy C states that impact and scale of retail uses will be of concern.

3.26 The site is located out of centre and although retail uses exist on the ground floor the applicants intend to demolish the building and replace the retail with a single large retail store (some 390 sqm). The retail store proposed is larger in scale compared to the small scale traditional units of New King's Road, but the uplift in retail floorspace is considered to be minimal with only enough space for a limited range of goods and therefore officers consider that it is unlikely to detrimentally impact on the neighbourhood parade. The applicants have carried out a sequential test focussed on the adjacent neighbourhood parade and no sequentially preferable sites were identified. Officers are satisfied that no sequentially preferable sites exist within the neighbouring centre and acknowledge that retail use of the site has already been established.

DESIGN and CONSERVATION

3.27 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.

3.28 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.

3.29 Policy EN8 of the UDP relates to the design of new development and states that 'Development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting. Schemes must be formulated to respect the historical context of the area and its sense of place, the scale, mass, form and grain of the surrounding development, relationship to the existing townscape, rhythm and articulation of frontages, local building materials, sustainability objectives and the principles of good neighbourliness'.

3.30 Policy DM G1 of the draft DM LP builds on the abovementioned policies and other design policies, seeking new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting.

Site

3.31 The site, known as London House comprises a part 4, part 5 storey predominantly B1 office building with some retail at ground floor at a prominent location on the north side of New Kings Road. The site occupies the whole of the street block between two corner locations at the junctions with New Kings Road, Eddiscombe Road to the east and Munster Road to the west. Cortayne Road lies directly opposite.

3.32 The building was built in 1974 and has a two-toned glass box appearance. The building is clad with a mixture of dark glass and blue opaque panels. The building was designed to be a prominent monolithic rectangular block that sits proudly at the end of two residential terraces. The 1970s architectural language of the building is out of date with the surrounding context. Furthermore the existing 40 year old cladding materials have a weathered and tired appearance which means that the buildings appear in poor condition and therefore detracts from the surrounding context. The existing overgrown mature London Plane trees on the front private forecourt along New Kings Road largely obscures views of the building from Cortayne Road which to the south and directly opposite the site and partially obscures the building from long views to the east and west from New Kings Road. In principle the proposed demolition of the existing buildings is welcome.

Proposed Design

3.33 The existing building is already large and sits on the end of the terraced residential streets of Munster Road and Eddiscombe Road which comprise mainly 3 storey houses. However the building is not unusual along the Kings Road where, nearby, there are other examples of larger buildings which project above the more generally prevailing 3 storeys at for example Churchfield Mansions and Ranelagh Mansions both on Kings Road.

3.34 The design proposals have been through a number of iterations since the original pre-application submissions which included a contemporary predominantly glazed building. Since those submissions the proposals have been fundamentally changed in

order to better respond to the existing context. The elevations now include now include mainly brick materials and the height together with the building line of the 'link' building along Eddiscombe Road have been reduced to reflect the existing height and building line of the adjacent Eddiscombe road terrace.

Bulk and footprint

3.35 The development is comprises of a mainly 5 storey main building with a 6 floor that is set back and a 3 storey link building between it and the terrace of 3 storey houses on Eddiscombe Road. Although the building would include six floors rather than five, overall the proposed building would be no higher than the existing building. The proposed footprint of the main building is larger than bigger than the existing office block as it would include part of the existing front forecourt and rear car park. Officers consider that the resulting new alignments on Munster Road, New Kings Road and Eddiscombe Road would be much more sympathetic to this location.

3.36 The frontage of the existing building on to New Kings Road is set well behind the building line along the north side of New Kings Road and the area in front creates a pause in the street scene and an informal public space. That space is occupied by two trees which have visual amenity but the ground space around them offers little to the public in terms of useable space. The tree canopies are rather constrained by their close proximity to the building facade. The new footprint eliminates the pause in the street scene and takes the opportunity to improve the continuity of frontage along the north side of New Kings Road. The new frontage will be angled to respond to the building line of the terraces on either side on New Kings Road and for the majority of its length will be set back very slightly behind the prevailing building line. This alignment will help to improve the definition of the street edge whilst providing a generous wide pavement which is large enough to accommodate pedestrian activity and 3 large street trees with room for canopy growth. Its alignment also makes a contribution, (together with other design measures) to ensuring that the new building will not project into the street and dominate views along its length. The new trees along the pavement edge will, once established have similar amenity value to the existing trees they are replacing but in the new position will be more visible in their entirety in views along the street and have a more positive effect in marking the bend.

3.37 On Munster Road, the existing building has a splayed frontage which does not align with the street and results in an awkward junction with the end of the housing terrace. The proposed building is set forward of the existing terrace but follows the alignment of the street and this will improve continuity and definition of the street edge.

3.38 On the Eddiscombe Road frontage the footprint of the existing building is slightly splayed in relation to the alignment of the street and has the same building line as the terrace. The new building line for the main block (not the link building) will be in a similar position but rotated slightly to align with the street. This will improve continuity and definition of the street edge.

3.39 The footprint of the building is larger than the existing and this contributes to its greater mass, however a number of devices have been used to reduce the impact of that mass on the street scene and views. The overall height of the main block of the building is no higher than the existing building, the footprint of the top storey is set back significantly from the parapet and will be recessive in views. The top storey has a glazed lightweight appearance using employing glass and metal panels. Views from all

round will be improved as the roof line will be far more ordered than the existing roof which is cluttered with highly visible communications equipment and outbuildings. The corners of the street elevations will be splayed to make them less dominant and receding in views.

Design and appearance

3.40 The exterior treatment is well mannered. The building has a clear architectural language of bottom, middle and top with well articulated facades that respond to the local vicinity. The ground floor is clad in Portland Stone which will form a distinct plinth for the floors above and continues the band of retail at ground floor typical of New Kings Road. The four upper floors, above ground floor and below the sixth floor on all three street facades are very well detailed and employ a simple palette of materials to create a highly layered response to the local context.

3.41 The New Kings Road elevation is broken down into 3 vertical facets which are reflective of the context of fine grain Victorian buildings with narrow frontages along most of the street. All facets are set on slightly different splays to one another and this helps to reinforce the effect of a finer grain. The narrow middle facet is set back slightly and this helps to create depth in the frontage. Each façade is further broken up by a series of brick piers which reinforce the rhythm of all facades. Within this a uniform glazing pattern will be created which maintains vertical alignment, incorporating winter gardens and recessed windows to create further depth. The splayed corners soften the edges of the block and create corner interest to add to the richness of the facade. The simple palette of materials, with predominant use of brick, detailed brickwork and stone will create a contextual yet modern building sensitive to its location.

3.42 The rear northern facade of the main building is predominantly of brick and visible in views along Munster Road and Eddiscombe Road has incorporated recessed panels to add depth and interest to what is a predominantly a windowless facade. The proposed 3 storey block on Eddiscombe Road forms a link building between the three storey terrace with pitched roof and the five storey flank elevation of the main block. The proposed link building is no higher than the roofline of the adjoining house on Eddiscombe Road and the mansard roof with dormers will reduce the impact of the third storey in views along the street. The building is set on the same building line as the terrace and this will assist the transition between the terrace and the main block which extends further into the street.

3.43 Overall, the proposal for the main block has produced a larger building than existing but one which is responsive to its context in its massing and alignment, rhythm and articulation of its facades and its materials. Furthermore, the proposed building will enhance the sense of place by improving the continuity of the frontage on all three streets and provide replacement trees which create a point of interest at the bend in the street. The replacement building would improve the appearance of the street scene is compliant with Policies.

QUALITY OF THE PROPOSED RESIDENTIAL ENVIRONMENT

Internal layout and amenity space

3.44 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 draft DM Local Plan 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.

3.45 All new dwellings should be built at or above the following 44.5sqm for one-bed, 57sqm for two-bed and 70sqm for three-bed flats. All of the proposed units would exceed the minimum dwelling size requirements of both the London Plan and UDP: 8 one-bed flats (50sqm - 55sqm), 14 two-bed flats (69sqm - 84sqm), 2 three bed (110sqm - 117sqm).

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

3.47 Where practicable, private amenity space is provided in the form of outdoor roof terraces (34sqm to 45 sqm) for the top floor units and enclosed winter gardens (up to 5sqm) for 16 of the 22 flats between the first and fourth floors. Overall the proposals result in the provision of some 149 sqm of amenity space which falls short of the UDP requirement of 252 sqm for this development. No amenity space would be provided for 6 units which would include Juliette Balconies however this reflects the physical constraints of the site which is in close proximity to open space at Parsons Green. In view of this shortfall the applicants have agreed to make a financial contribution to the enhancement of nearby local open space including Parsons Green and Hurlingham Park.

3.48 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

3.49 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.

3.50 The applicants have confirmed that all the flats 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. (Conditions 29 and 30).

3.51 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

3.52 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

3.53 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 for the retails unit which would be accessed from the Munster 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 17)

IMPACT ON NEIGHBOURS

3.54 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.

Outlook

3.55 Policy S13.1 acknowledges 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 where it adjoins residential properties. If any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

3.56 The nearest adjacent properties are: to the north at Nos 3 Eddiscombe Road and Nos 4 Munster Road. No.3 Eddiscombe Road, is a two storey end of terrace house with

accommodation at roof level which contains no windows in the opposing flank elevation which faces the application site. The proposals have been amended so that the building line of the proposed link building matches the existing building line at No.3 Eddiscombe Road and the proposed building envelope would not project in front of that property. No 4 Munster Road is a three storey building with permission for additional accommodation at roof level (currently under construction) which is divided into flats and contains a number of windows in its rear elevation facing the proposed link building which fronts Eddiscombe Road. At ground floor it appears that one window may serve a non-habitable area; the first floor contains 1 habitable which would be furthest away from the development and would not directly oppose the proposed building and at the second floor rear is currently under construction and would include a kitchen and bedroom window which at that level would not be affected by loss of outlook.

3.57 Following a site inspection officers consider that the principal aspects to the adjoining Eddiscombe Road and Munster Road properties are to the east and west, and the proposed main building would essentially replace in the existing building which has a comparable height from the rear. The main concern therefore is the impact of the proposed link building which has been reduced in height from four to three storeys so that it is now no higher than the height of the existing terrace in Eddiscombe Road. Officers acknowledge that the proposed erection of the link building on the existing rear car park at the application would result in a loss of view to the occupiers at No.4 Munster Road, the loss of a view is not a material consideration in assessing the acceptability of built development. No.4 Munster Road has a relatively small garden some 4m deep and the proposed alignment of the link building to would contribute to a sense of enclosed space. However given that the proposed rear building line would match the existing adjoining terrace at No 3 Eddiscombe Road and the reduced overall height three storey height, officers consider that the link building would not be out of keeping with the existing pattern and scale of development in this urban location scale. In these circumstances it would be unreasonable to withhold planning permission on the basis of loss of outlook to one window. 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).

Daylight and Sunlight

3.58 There are no specific policies with regard to the impact of development on daylight and sunlight or overshadowing either within the saved UDP or the Core Strategy. UDP Policy EN8 does however refer to impact generally and the principles of 'good neighbourliness'.

3.59 The applicant submitted a daylight and sunlight assessment as part of their original proposals in line with the guidance provided in the Building Research Establishment (BRE) document entitled 'Site Layout Planning for Daylight and Sunlight' (2011). The BRE guide recommends that windows and rooms within only residential properties need to be assessed, and does not require any assessment of commercial or business properties, although it states that they may also be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight - no such buildings have been identified in this case.

3.60 Following the reduction in the height of the proposed link building fronting Eddiscombe Road an amended daylight and sunlight assessment has been submitted.

In this case, those residential properties most likely to experience impacts from the development include the following: Nos. 96, 301 and 303 New King's Road, 2 and 4 Eddiscombe Road and 4 Munster Road. The assessment has been undertaken using a 3D computer model and specialist accredited software which is acknowledged by the BRE.

3.61 The applicant has used the Vertical Sky Component method to calculate daylight to or within a room. This is the most common method and it measures the sky visibility from the outside face of a window and compares the amount of sky that would still be capable of being seen from that same position following the erection of the development. The VSC does not rely on internal calculations and assesses the amount of sky that can be seen by converting it into a percentage. An unobstructed window will achieve a maximum level of 40%. The BRE guide advises that a good level of daylight is considered to be 27%. The BRE guide state that daylight will be noticeably reduced if after the development the VSC at the centre of a window is both less than 27% and less than 80% of its former value.

3.62 Officers have assessed the submissions and conclude that 29 of the 32 windows tested windows pass the VSC test. Following an officer site visit it is clear that 2 of the 3 windows that marginally fail the test relate to windows at ground and first floor and these serve non-habitable kitchen areas. The third window is at first floor in the flank elevation of No. 96 New Kings Road and serves what appears to be a non-habitable bathroom or toilet. The proposed development would result in that window receiving daylight with a ratio of 0.77 of its former value which only marginally fails the minimum guideline of 0.80 of the former value. Officers consider that this difference minor and would be imperceptible to the occupiers of that dwelling if it were a habitable room.

3.63 To assess loss of sunlight to an existing building, the BRE guidance suggests that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. The guidance states that kitchens and bedrooms are less important, although care should be taken not to block too much sun.

3.64 The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room that faces 90 degrees of due south. The summer analysis covers the period 21 March to 21 September, the winter analysis 21 September to 21 March. The BRE Guidance states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the annual probable sunlight hours including at least 5% of the annual probable sunlight hours during the winter months and the percentage reduction of APSH is 20% or more.

3.65 In this case, the results of the sunlight testing demonstrate that although 3 windows at No 3 Eddiscombe Road already fail to conform with the existing requirement of 25% annual probable sunlight hours and 5% of the annual probable sunlight hours during the winter months. Significantly, none of the 12 windows tested would be less than 0.8 times its former value as a result of the proposed development. All the windows tested would therefore meet the BRE criteria for sunlight.

3.66 Overall the reduction in height of the proposed link building represents a significant improvement and the development would now have an acceptable impact in

terms of daylight and sunlight. The proposals would accord with Policies 7.6 and 7.7 of the London Plan and EN8 of the UDP.

Privacy / terraces

3.67 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.

3.68 The proposed windows first and second floor windows in western rear elevation of the proposed link building and the windows on northern rear elevation of the main building which serve the lift lobby and stairwells would be obscure glazed to a height of 1.7m to prevent overlooking. This would be secured by Condition 42. The development would therefore accord with S13.2.

3.69 Given the nature of the enclosed modest winter gardens and the siting of the roof terraces off the boundary away from the nearest habitable 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.

3.70 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

3.71 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 Local Plan requires development to implement noise mitigation measures when necessary.

3.72 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. Details of the design of any external illumination have not been submitted and would be secured by condition.

3.73 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 nuisance, noise and disturbance. (Conditions 15 and 18 to 27 inclusive).

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

TRAFFIC GENERATION AND CAR PARKING

3.75 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.

3.76 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.

3.77 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 Local Plan 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. The document has been through public consultation, an independent examination and an Inspectors report and has itself considerable weight.

3.78 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

3.79 The existing site has 8 parking spaces and these will not be retained. One parking spaces would be created due to the removal of the existing dropped kerb and extension of the parking bay on Eddiscombe Road. The applicant is not proposing any off-street parking for the new residential units or commercial space. The site has a PTAL score of

4 using Transport for London's methodology, indicating that it has a good accessibility to public transport. Thus, the application is acceptable as a car permit free development. This would be secured by a S106 legal agreement.

Trip Generation/ Servicing and Delivery

3.80 A trip generation analysis has been undertaken which is acceptable comparing the existing office/retail use to the residential/retail development..

See table below which illustrates the comparison of existing versus proposed development. Given that the residential development will be car permit free and the retail has been assessed as a convenience store it is considered a robust assessment.

Total proposed development	Weekday morning peak (8.00am-9.00am)		Weekday evening peak (5.00pm-6.00pm)	
	Arrival	Departure	Arrival	Departure
Car drive	0	+5	+8	+4
Pedal cycle	0	0	0	0
Public transport (including walk)	+2	+14	+18	+7
All modes	+2	+19	+26	+11

3.81 Servicing and deliveries will take place from Munster Road. The existing double yellow lines to the south east of the junction will be extended approximately 5 metres northwards to ensure service and delivery vehicles do not impede the junction and to allow for two cars to wait at the junction to turn into New Kings Road. The existing parking bay on the western side of Munster Road (opposite the development site) is being removed to ensure that sufficient width is available on Munster Road for delivery/servicing and two way traffic given the nature of the carriageway. The removal of the parking bay on Munster Road is being offset by the creation of a parking space on Eddiscombe Road which is of benefit to the residential nature of Eddiscombe Road compared to Munster Road.

3.82 A service management strategy and travel plan for the residential units and the employees of the retail use would be secured via the legal agreement.

Cycle Parking

3.83 The commercial unit equates to 388sqm and based on London Plan Policy 6.9 and Table 6.3 this would require 1 cycle parking space which should be located on street fronting the unit and would supplement the two existing Sheffield cycle stands on street. The proposals include the provision of 28 cycle parking spaces within a secure cycle store accessed on Eddiscombe Road. The residential cycle parking is in line with London Plan Policy 6.13 and Table 6.2. This would be secured by Condition 16.

Highway works

3.84 The applicants original submissions incorrectly stated that two parking bays would be created on Eddiscombe Road and also included proposals for a specific moped parking bay on Eddiscombe Road. The applicants submitted further information clarifying that only 1 parking space would be created with the removal of the dropped kerb on Eddiscombe Road and amended the proposals to remove the proposed moped

parking bay. Following a further assessment of the proposed delivery and servicing arrangements the proposals would result in alterations to the yellow lines and the removal of a parking bay in Munster Road. Overall, in physical terms the proposals would have no net change and would not be detrimental to existing on street parking arrangements in the vicinity.

3.85 The closure of an existing crossover on Eddiscombe Road and the extension of the existing car parking bay would be carried out by the Council's contractor and at the developer's expense. The applicants have confirmed they are willing to provide a contribution of £5,000 towards controlled parking zones U and Q to understand the impact of the parking space reallocation and waiting/loading time alterations in the locality to serve the site as a result of the development. This would be secured by a section 106 legal agreement.

Construction and Demolition

3.86 Construction Management Plan (CMP) and Demolition/Construction Logistics Plans (CLP) would be required to ensure that there is no harmful impact on neighbours and on the local highways network. The Demolition and construction logistics plan 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

3.87 A Sustainability Statement has been submitted with the application. This outlines how the design of the new building aims to achieve an 'excellent' BREEAM rating and Code for Sustainable Homes rating above 3 (likely to be level 4) in terms of its environmental performance.

3.88 Passive and energy efficiency measures will be integrated into the development to minimise energy. Measures include: making use of natural light and solar gain; using materials with good thermal insulation properties; installing energy efficient lighting and appliances (A+ rated) and constructing to a high standard of airtightness to reduce heat loss. The baseload heat demand of the development will be provided by a Combined Heat and Power (CHP) system with top-up heat being provided by gas boilers. No renewable energy generation is planned, however the energy efficiency measures and the CHP system are calculated to reduce CO2 emissions by 33% which meets the 25% target set in the London Plan.

3.89 In terms of wider sustainability issues, sustainably sourced materials will be used where possible (e.g. sustainable timber) and construction materials with low environmental impacts will be used. Re-use of materials such as aggregates is planned

in order to minimize waste and other impacts. Water saving measures will also be installed such as reduced flush toilets, aerated diffusers fitted to tap nozzles, and water flow restrictors. Sustainable waste practices will be implemented during the demolition and construction phase e.g. during the demolition phase, suitable waste may be processed for re-use on site (for example timber from demolished buildings may be chipped / shredded and used in the local landscaping work). Where possible the ecology of the site will be preserved and efforts will be made to increase bio-diversity, including a proposed sedum roof.

3.90 The sustainable design and construction measures are in line with the requirements of the London Plan on this issue. A condition would be attached to secure the implementation of the carbon reduction and sustainability measures as outlined in the Sustainability Statement (Condition 39).

Flood Risk

3.91 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 local Plan.

3.92 The site is in the Environment Agency's Flood Zone 3 and a detailed Flood Risk Assessment (FRA) has been submitted with the application. This indicates a 'high' risk of flooding, i.e. there is a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year. However, these probabilities do not take account of the benefits provided by the Thames Barrier and local river walls, which provide a very high level of protection (against 1 in 1000) to the site.

3.93 With commercial floor space at the ground floor level and residential at levels 1 to 5, the proposed development is classified as acceptable and therefore suitable for the site, subject to the FRA being acceptable.

3.94 The FRA shows that the residential apartments are situated 2 to 3 metres above ground level and it is likely that they will remain above flood waters under current modelled scenarios. However, it recommends that the ground floor incorporates flood resilient measures and suggests that finished floor levels could be marginally raised to help prevent water ingress. Reference is also made to developing a 'flood plan' for users (residents and staff) which will help manage the risk posed by flooding to acceptable levels.

3.95 A condition would be attached to secure the implementation of the submitted FRA (Condition 38).

Sustainable Urban Drainage Systems

3.96 The FRA shows that, currently, the site drains most of its surface water into the combined sewer system. In order to improve the level of attenuation, a green sedum roof is planned for the site this will cover approximately 90% of the roof area. The limited areas of walk ways on the site will use permeable block paving systems or permeable hard standing. These Sustainable Drainage Systems (SUDS) will help reduce surface water run-off by at least 50%, which is the target set in London Plan policy 5.13.

3.97 A condition would be attached to any permission to secure the implementation of the SUDS measures as outlined in the Flood Risk Assessment (Condition 40).

Air Quality

3.98 Given the small scale nature of the proposed development and the zero level of car parking to be provided, traffic generation from the site will only have a negligible impact on local air quality. However, an Air Quality Assessment has been submitted with the application assessing the potential pollutant levels at the site with reference to the Government's national objectives to determine whether or not occupants of the new development would be likely to be exposed to high levels of pollution. The demolition and construction phase has also been assessed for potential impacts.

3.99 The assessment shows that all of the objectives are expected to be met at the site, although the expected Nitrogen Dioxide (NO₂) concentrations adjacent to New Kings Road are only just below the annual mean. However, the model verification process carried out by assessing concentrations at points where NO₂ is currently monitored shows that the model over-predicted concentrations by 11-19%. Taking this into account, the levels of NO₂ at the site are expected to be around 32-35µg/m³ compared to the target level of 40µg/m³. This is acceptable and in-line with the requirements of the London Plan policy on air quality.

3.100 The assessment shows that there could be temporary increases in emissions during the demolition/construction phase, including dust. Therefore a number of best practice mitigation measures have been identified for implementation to help control and minimise impacts. Measures include: putting up solid barriers around the site, not allowing bonfires, locating dust making activities away from, sensitive receptors where possible, covering lorry loads that enter/leave the site, no idling vehicle engines, use of wheel washing to clean vehicles before leaving the site etc. The implementation of the measures would be secured by Condition 41.

Contaminated Land

3.101 London Plan Policy 5.21, Core Strategy Policy CC4 and Policy DM H7 of the draft DM Local Plan 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 draft DM Local Plan builds on UDP policy EN20A.

3.102 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 32 to 37 inclusive).

MAYORAL CIL

3.103 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.

3.104 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.

3.105 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.

3.106 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 highway works in line with Drawing MBSK130212-1 linked to the highway works to include

- removal of existing dropped kerb Eddiscombe Road
- extension of existing parking bays to create 1 additional parking bay
- TRO amendments on Eddiscombe Road
- Extension double yellow line northwards at the south east corner on Munster Road/New kings Road junction
- Removal of parking bay to south west on Munster Road
- TRO amendments on Munster Road for waiting/loading restrictions and parking bay removal/lining amendments.

(3) Developer to pay a contribution in the order of £550,000 towards necessary improvements to the economic, social and physical infrastructure including contribution to off-site affordable housing, local environmental improvements, the enhancement of local parks and pedestrian links.

(4) Developer contribution of £5,000 towards controlled parking zones U and Q to understand the impact of the parking space reallocation and waiting/loading times in the locality as a result of the development

(5) Marketing of wheelchair units

(6) Travel plan for residential and work plan travel plan for commercial unit.

(7) Service and delivery management strategy- including refuse

4.0 CONCLUSION and RECOMMENDATION

4.1 The proposed scale and design of the development is would enhance and be sympathetic to the character of and appearance of the existing surrounding buildings. 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 3.106 above.