

London Borough Of Hammersmith & Fulham

---

**Planning Applications Committee**

**Agenda for 12th June 2017**

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

---

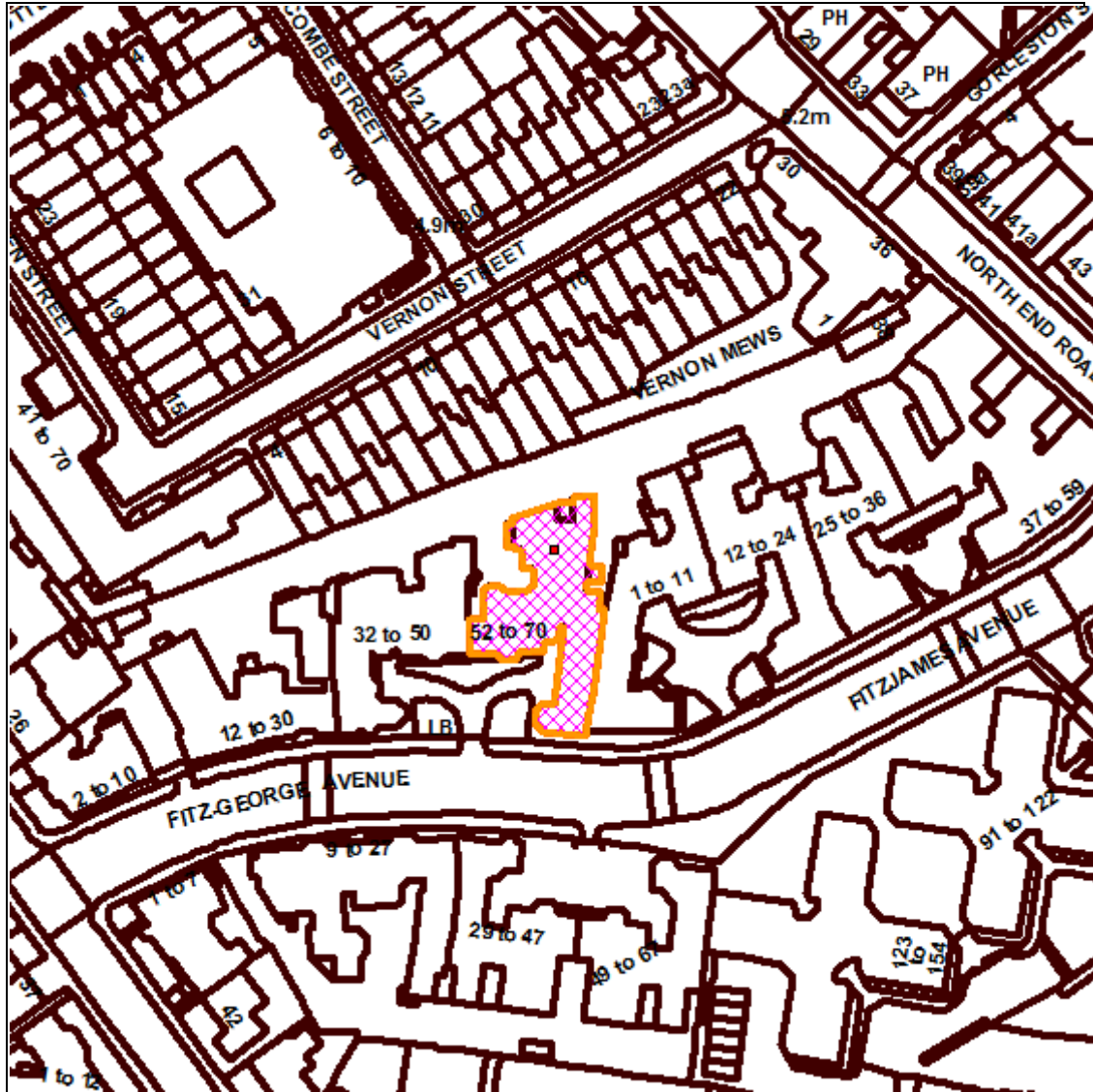
<b>WARD: REG NO:</b>	<b>SITE ADDRESS:</b>	<b>PAGE:</b>
Avonmore And Brook Green 2016/04789/FUL	52 - 70 Fitz-George Avenue London W14 0SW	<b>2</b>
College Park And Old Oak 2017/01654/OPDOBS	104-108 Scrubs Lane London NW10 6SF	<b>28</b>
Fulham Broadway 2016/02771/FUL	103 - 105 Lillie Road London SW6 7SX	<b>58</b>
Sands End 2017/01219/FR3	Land Including Charlow Close And Bounded By Potters Road And Watermeadow Lane London	<b>90</b>
Parsons Green And Walham 2017/01577/VAR	Fulham Gas Works Imperial Wharf London	<b>105</b>
Palace Riverside 2017/01171/FUL	Bridge Academy Finlay Street London SW6 6HB	<b>132</b>

---

**Ward:** Avonmore And Brook Green

**Site Address:**

52 - 70 Fitz-George Avenue London W14 0SW



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).  
For identification purposes only - do not scale.

**Reg. No:**  
2016/04789/FUL

**Case Officer:**  
Barry Valentine

**Date Valid:**  
04.01.2017

**Conservation Area:**  
Fitz-George And Fitzjames Conservation Area -  
Number 19

**Committee Date:**  
12.06.2017

**Applicant:**

Mr Michael Wrennall  
27 Saxon Hall 16 Palace Court London W2 4JA

**Description:**

Creation of three self-contained flats (2x1 bed and 1 X 2 beds) at rear lower ground floor level through change of use of the existing basement storage area and excavating and enlarging the existing basement level, creation of new lightwells and associated installation of new windows and doors, and erection of a bike store (Revised layout and description)

Drg Nos: 2081-04 M Rev.M:30.03.2017,2081-03 N Rev.N:30.03.2017.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

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

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

- 2) The development shall be carried out and completed only in accordance with the approved drawings.

To ensure a satisfactory external appearance, to provide a satisfactory quality residential unit and to prevent harm to the street scene, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM A1, DM A2, DM A3, DM A4, DM A9, DM G3 and DM G7 of the Development Management Local Plan (2013).

- 3) Any alterations to the elevations of the existing building shall be carried out in the same materials as the existing elevation to which the alterations relate.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G3 and DM G7 of the Development Management Local Plan (2013).

- 4) The windows and doors in the development hereby approved shall be of timber construction and painted white, in keeping with existing windows and doors.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G3, DM G5 and DM G7 of the Development Management Local Plan (2013).

- 5) None of the flats hereby approved shall be occupied until the cycle and bin storage as indicated in drawing 2018-04M Rev M:30/03/2017 has been provided. The cycle spaces and bin storage shall be retained in perpetuity.

To ensure the satisfactory provision of cycle parking and refuse storage, in accordance with Policies DM J5 and DM H5 of the Development Management Local Plan (2013), Core Strategy Borough Wide Strategic Policy CC3.

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

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the flat hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy T1 of the Core Strategy 2011, Policy DM J2 and J3 of the Development Management Local Plan 2013, and SPD Transport Policies of the Planning Guidance Supplementary Planning Document 2013.

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

In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy T1 of the Core Strategy 2011, Policy DM J2 and J3 of the Development Management Local Plan 2013, and SPD Transport Policies of the Planning Guidance Supplementary Planning Document 2013.

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

In order that the prospective occupiers of the flat are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy T1 of the Core Strategy 2011, Policy DM J2 and J3 of the Development Management Local Plan 2013, and SPD Transport Policies of the Planning Guidance Supplementary Planning Document 2013.

- 9) Prior to commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with policies DM J1, J6, H5, H8, H9, H10 and H11 of the Development Management Local Plan (2013).

- 10) Prior to commencement of the development hereby approved, a Construction Logistics Plan shall be submitted to and approved in writing by the Council. . The details shall include the numbers, size and routes of demolition and construction vehicles, 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. Approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with policies DM J1, J6, H5, H8, H9, H10 and H11 of the Development Management Local Plan (2013).

- 11) The new railings hereby approved shall be black painted metal, and so be maintained.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G3 and DM G7 of the Development Management Local Plan (2013).

- 12) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings, Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policies DM H9 and H11 of the Development Management Local Plan 2013.

- 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 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.

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

Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 19) The development hereby approved shall not be occupied until the flood risk measures identified in the Flood Risk Assessment Report (FRA) submitted with this application have been carried out. The scheme shall thereafter be permanently maintained as such thereafter.

To prevent risk from flooding, in accordance with Policy CC2 of the Core Strategy 2011, and Policy DM H3 of the Development Management Local Plan 2013.

- 20) The development hereby approved shall not commence until a statement of how 'Secured by Design' requirements are to be 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, in accordance with policy DM G1 of the Development Management Local Plan, 2013.

- 21) Prior to the commencement of the development proposed, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ceiling/walls separating the lower ground floor plant room and the adjoining dwellings. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  is sufficiently enhanced above Building Regulations value and where necessary, additional mitigation measures are implemented such that plant noise does not have an adverse effect on residents. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/adjacent dwellings/noise sensitive premises is not adversely affected by noise, in accordance with Policies DM H9 and DM H11 of the Development Management Local Plan 2013.

- 22) Prior to the commencement of the development, details of mechanical ventilation to be installed at the site shall be submitted and approved in writing by the council. Details shall include details of the external sound level emitted from plant/machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at



least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained. Details should also indicate the appearance and location of the proposed plant

To create acceptable residential accommodation, to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment and to ensure that the plant would not cause harm to the appearance of the property and character and appearance of the conservation area, in accordance with Policies DM A9, G3, G7, H2, H9 and H11 of the Development Management Local Plan.

- 23) Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that the mechanical ventilation are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration, in accordance with Policies DM H9 and H11 of the Development Management Local Plan.

- 24) Prior to the commencement of development, details of Sustainable Urban Drainage System to be installed at the site shall be submitted and approved in writing by the Council. The details approved shall be installed prior to occupation of any of the residential units, and so be maintained.

To prevent flooding, in accordance with Policy CC2 of the Core Strategy 2011, and Policy DM H3 of the Development Management Local Plan 2013.

- 25) Prior to commencement of the development, further details on the waste and recycling arrangement shall be submitted and approved in writing by the Council. The development shall only be carried out in accordance with the details subsequently approved.

To ensure the satisfactory provision of refuse storage, in accordance with Policy DM H5 of the Development Management Local Plan (2013), Core Strategy Borough Wide Strategic Policy CC3.

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

- 1) 1. Land Use: The proposed development would result in the provision of three residential dwellings in a sustainable location that would contribute to the delivery of housing in the borough and in London as a whole, in accordance with the NPPF (2012), London Plan Policy 3.3 (2011), Core Strategy Policy H1 (2011), and Policies DM A1 and DM A2 of the Development Management Local Plan (2013).

2. Quality of Accommodation: The proposed dwellings would be of adequate size, privacy, and with appropriate floor to ceiling height. Subject to conditions, noise would be mitigated for future residents and the development would provide a safe environment. The flats would have aspect from a number of orientations. Daylighting to the flats as a whole is considered to be acceptable. The private amenity areas provided would be of sufficient size. The proposal would thereby meet London Plan policies 3.5 and 7.15 and parts of the Mayor's Housing SPG Baseline Standards and Good Practice Standards; and parts of Policies DM A2 and DM A9 of the Development Management Local Plan, including parts of Planning Guidance Supplementary Planning Document 2013 (PG SPD).

3. Transport: There would be no adverse impact on traffic generation, and the scheme would not result in congestion of the road network, subject to conditions. Conditions would also secure satisfactory provision for refuse/recycling storage and cycle parking. The development would therefore be acceptable in accordance with Policies DM J1, DM J2, DM J5, DM A9 and DM H5 of the Development Management Local Plan (2013), and SPD Sustainability Policies 3, 4, 5, 6, and 8 of the Planning Guidance Supplementary Planning Document (2013).

4. Impact on Neighbours: The proposal would, subject to conditions, have no adverse impact on the residential amenity of neighbouring occupiers; in accordance with policy DM A9 of the Development Management Local Plan (2013).

5. Heritage Assets: The proposal would preserve the character and appearance of heritage assets, in accordance with the National Planning Policy Framework, London Plan Policies 7.6 and 7.8, Core Strategy Policies H3 and BE1, Development Management Local Plan Policies G3 and G7.

6. Flood Risk: An acceptable Flood Risk Assessment (FRA) has been submitted. Informatives and conditions would recommend improvements to water efficiency and sewerage facilities. The proposal is considered to be in accordance with Policy DM H3 of the Development Management Local Plan (2013).

---

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

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

Application form received: 31st October 2016

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2012  
The London Plan 2016  
LBHF - Core Strategy Local Development Framework 2011  
LBHF - Development Management Local Plan 2013  
LBHF - Planning Guidance Supplementary Planning Document  
2013

## **Consultation Comments:**

### **Comments from:**

Historic England London Region

### **Dated:**

07.11.16

## **Neighbour Comments:**

### **Letters from:**

15 Fitzgeorge Avenue London W14 0SY

Barham Court Teston ME18 5BZ

51A Fitz-George Avenue London W14 0SZ

25A Fitzjames Avenue London W14 0RR

60A Fitz-George Avenue London W14 0SW

31 Fitz-George Avenue London W14 0SZ

11A Fitz-George Avenue London W14 0SY

3B Fitzjames Avenue London W14 0RP

43 Fitz-George Avenue London W14 0SZ

46 Fitz-George Avenue London W14 0SW

21 Fitz-George Avenue London W14 0SY

52 Fitzjames Avenue London W14 0RR

29 Fitz-George Avenue London W14 0SZ

61 Fitz-George Avenue London W14 0SZ

56 Fitz-George Avenue London W14 0SW

37 Fitzjames Avenue London W14 0RR

23 Fitz-George Avenue London W14 0SY

9 Fitz-George Avenue London W14 0SY

45 Fitzjames Avenue London W14 0RR

59A Fitz-George Avenue London W14 0SZ

25 Fitzgeorge Avenue London W14 0SY

52, Fitzgeorge Avenue, West Kensington London, W14 0SW

5a Fitzgeorge Ave London W14 0SY

47 Fitzgeorge Avenue London W140SZ

5B Fitzjames Avenue London W14 0RP

41A, FITZGEORGE AVENUE WEST KENSINGTON W14 0SZ

42 Fitzjames avenue London W14 0RR

NAG

C/o 56 Fitzgeorge Avenue London W14 0SW

11A Fitzgeorge Avenue London

42 Fitzgeorge Avenue London W14 0SW

8 Fitzgeorge Avenue London W14 0SN

68a Fitzgeorge ave London w140sw

47 Fitzjames avenue London W14 0RR

47 Fitzgeorge Avenue London W140SZ

46 Fitzgeorge Avenue London W14 0SW

31, Fitzgeorge Avenue, London W14 0SZ

6 Vernon Street London W140RJ

31 Fitzgeorge Avenue, London W14 0SZ

41A, FITZGEORGE AVENUE LONDON W14 0SZ

### **Dated:**

06.12.16

07.12.16

06.12.16

06.12.16

02.12.16

19.01.17

06.12.16

02.12.16

23.01.17

05.12.16

01.12.16

06.12.16

02.12.16

02.12.16

23.01.17

02.12.16

05.12.16

28.11.16

30.01.17

21.12.16

31.01.17

06.12.16

27.11.16

20.11.16

05.12.16

02.12.16

02.12.16

05.12.16

06.12.16

06.12.16

06.12.16

22.01.17

08.05.17

14.01.17

16.01.17

16.01.17

26.01.17

16.01.17

20.01.17

## OFFICERS' REPORT

### 1.0 BACKGROUND

1.1 The application relates to the rear basement level of 52-70 Fitz-George Avenue, a six storey mansion block located on the northern side of Fitzjames Avenue. The application site is located within a wider development of mansion blocks that run along both sides of Fitzjames and Fitzgeorge Avenue. These mansion blocks were built in the mid to late 1800s, with each mansion block having its own unique plan and design.

1.2 The application property, and the surrounding mansion blocks, are located within the Fitzgeorge and Fitzjames Conservation Area. To the immediate north of the site is the Dorcas Estate Conservation Area.

1.3 None of the Mansion blocks are listed buildings. There are no listed buildings in the vicinity of the site whose setting would be impacted by the proposed development.

1.4 The mansion blocks on the northern side of Fitzjames Avenue (including the application block) are on the Council's register of Locally Listed Buildings of Merit.

1.5 The property is located within the Environment Agency's Flood Risk Zone 2.

1.6 The application site is located within an area with a Public Transport Accessibility Level (PTAL) of 6a, which is defined by Transport for London as having excellent accessibility to public transport.

#### Current Proposal

1.7 Planning permission is sought for the creation of three self-contained flats (2x1 bed and 1 X 2 beds) at rear lower ground floor level by utilising existing basement storage area and by excavating and enlarging the existing basement level, for the creation of new lightwells and associated installation of new windows and doors, and erection of a bike store.

Relevant planning history on estate concerning flats at basement level:

#### 25 Fitzjames Avenue

1.8 Planning permission was refused on 23rd April 2013 for the creation of a 2-bed flat at basement level, approximately 20 metres further east of the current application site. The scheme involved installing new windows and doors; creating two lightwells along the northern building elevation and external alterations (Ref. 2012/04213/FUL). The application was dismissed at appeal on 18th February 2014.

1.9 The application was refused by the council on three grounds:

- (i) Noise and disturbance to surrounding residents as a consequence of the size of the proposed private amenity space
- (ii) Poor and inadequate cycle provision
- (iii) Insufficient refuse and recycling storage

1.10 In determining the appeal the Planning Inspectorate stated that:

- (i) The proposal, to the rear of the mansion block, would ensure no detrimental impact on the conservation area.

- (ii) The amenity space for the flat would be of low quality and would not be used intensively for outdoor activities, therefore the amenity space would not result in noise and disturbance to neighbouring properties.
- (iii) The proposed replacement cycle parking was not of equal quality to existing cycle storage- but that this matter could be addressed by providing cycle parking in an alternative location on the estate.
- (iv) The estate has a portage service with large bin areas for communal waste, and so refuse could be adequately stored on site.

1.11 A further planning application was submitted for a 2-bed flat at basement level in June 2013 (Ref. 2013/02636/FUL). This scheme also proposed new lightwells on the northern side of the building; the installation of new windows and doors; and some excavation in the area outside the proposed flat, to allow stairs through the lightwell into the new dwelling. This application was the subject of an appeal for non-determination, and the appeal was allowed. In making the decision, the Inspector noted the following:

- i) The previous appeal was dismissed, but on specific and narrow grounds (i.e. the impact of the lightwells on parking provision, and the absence of a plan showing where alternative cycle parking would be located). These two matters were therefore the only issues that remained to be considered as all other matters were previously considered to be acceptable.
- ii) On the basis of an acceptable plan showing that cars could manoeuvre into the existing car parking spaces and an acceptable plan for the re-provision of cycle parking, the Inspector considered that there was now no reason to object to the proposal and the appeal was allowed.

1.12 In May 2014, another application for a 2-bedroom flat beneath 25 Fitzjames Avenue was submitted, and was presented to PADCC on 10th September 2014 (ref: 2014/01948/FUL). Committee resolved to refuse the application. However, as the above appeal decision (para 1.11) was subsequently received on 16th September 2014, the applicants now have permission to carry out the development to create a flat at lower ground floor level.

1-70 Fitzgeorge Avenue and 1-59 Fitzjames Avenue

1.13 A planning application was submitted in June 2014 to provide thirty six additional flats at lower ground floor level ref: 2014/02186/FUL. This would involve excavating and enlarging basement areas and utilising existing lower ground floor storage areas. Modifications would also take place to existing car parking areas (resulting in the reduction of spaces) and landscaping to accommodate proposed lightwells, window openings, outdoor amenity areas, and cycle parking.

1.14 The Council refused planning permission under delegated powers in September 2014 for the thirty six flat scheme for reasons relating to excessive density/overdevelopment and quality of accommodation; no affordable housing proposed; adverse impact on the visual environment including the buildings of merit and the conservation area; adverse impact on trees; and adverse impact on the highway. An appeal was lodged by the applicants, but this was later withdrawn.

12-24 Fitzjames Avenue

1.15 Planning permission reference 2014/05207/FUL was refused on the 18/02/2015 for the "Use of the lower ground floor as a 2 bedroom self-contained flat; installation of new windows and door to replace the existing doors and windows to the northern

elevation; installation of 2nd doors to replace the existing windows to the eastern elevation; formation of new amenity space to the northern and eastern elevations; alterations to the staircase to the eastern elevation; associated external alterations." The reasons for refusal were:

- i) Concerns with prematurity given that there was a separate application (2014/02186/FUL) which at the time was under appeal (36 flat scheme).
- ii) Poor quality residential accommodation in regard to poor accessibility, substandard floor to ceiling heights, poor levels of daylight and sunlight and privacy.
- iii) Detrimental impact on building of merit and on conservation area. In particular concerns were raised about design of proposed windows and doors.
- iv) Impact on external amenity area on neighbouring windows within blocks in terms of noise disturbance.
- v) Overdevelopment and density.
- vi) Undeliverable cycle storage.
- vii) Cumulative Impact

The applicant appealed the Council's decision. The application was allowed by the Planning Inspectorate on the 27/11/2015.

#### 52-70 Fitzgeorge Avenue

1.16 Planning permission (2016/02168/FUL) was refused on the 13.09.2016 for the 'Creation of three self-contained flats (1x1 bed and 2 X 2 beds) at rear lower ground floor level by utilising existing basement storage area and by excavating and enlarging existing basement level, for creation of new lightwells and associated installation of new windows and doors, and erection of a bike store.' The reasons for refusal are summarised as follows:

- i) Quality of living accommodation in terms of sunlight, daylight, outlook and noise disturbance.
- ii) Excessive parking provision.
- iii) pedestrian, residents and motorist safety by reduction in access road width and rear road balustrade height.
- iv) waste and recycling provision.

1.17 The applicants appealed the council's decision to refuse planning permission and the scheme was subsequently dismissed. However, the inspector dismissed the appeal on a single ground only, that two bedrooms serving one of the flats would have poor outlook due to facing into enclosed lightwells.

1.18 The current planning application is for a revision of the above scheme (2016/02168/FUL) taking into account the reasons for refusal. The main material differences between the two applications are summarised as follows:

- i) The previous two bedroom flat located at the northern end of the development has been changed to a one bedroom flat.
- ii) The two bedrooms which were considered to have poor outlook in the appeal decision now form a bathroom and a non-habitable kitchen area.

#### Other schemes

1.19 There were two cases for additional flats at roof level within the estate (35 Fitzjames) which were refused planning permission. One case was allowed on appeal and the other was dismissed.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The current application was advertised by way of a site and press notice and two hundred and twelve letters were sent to neighbouring properties. To date, forty five objections have been received. The objections are from properties within Fitz-James and Fitz-George Avenue and from the Avenue Leaseholders Association. The concerns of the objectors are summarised below.

- That the proposed development would not preserve the appearance of the building of merit and would cause harm to the character and appearance of the conservation area.

Officer's response - As set out in the officer's report below, the proposed development would not cause harm to the building of merit's appearance and would preserve the character and appearance of the conservation area.

- That the proposed development would provide a poor standard of residential accommodation in terms of light, outlook, and ceiling height.

Officer's response - As set out in the body of the report, officers' consider that on balance the proposed development would provide an acceptable standard of residential accommodation.

- Concern over structural stability from proposed excavation works.

Officer's response- Given that the applicant has submitted a construction method statement by a qualified structural engineer, in accordance with the requirements of council policy, there are not sufficient reasons to suspect that the proposed development would pose a structural risk to existing mansion block and surrounding properties.

- That the proposed development would pose a flood risk.

Officer's response - As set out in the officer's report below, the development is not considered to pose a flood risk.

- Concerns regarding noise, disruption, and safety during development.

Officer's response - Conditions are recommended to help mitigate the impact of the development during construction.

- That the proposal would set a dangerous precedent.

Officer's response - Each application must be considered on its individual merits. An application cannot be refused on the basis that it would set a precedent for development elsewhere.

- Impact on parking provision.

Officer's response - Concerns were previously raised regarding the impact of the development on parking provision due to the reduction in the rear access road width and over provision of car parking spaces in the previous refused planning application reference 2016/02168/FUL which was for a similar development. The concerns of the

council were dismissed at appeal by the Inspector. In light of this, no objection is recommended to be raised.

- Concern about the loss of storage area.

Officer's response - The council has no policies that protect existing storage areas and as such no objection is recommended to be raised. In any event it is considered that the benefits associated with providing three additional residential units would outweigh the loss of storage provision.

- Concern about noise from proposed external amenity areas and impact that it would have on residential amenity.

Officer's response - It is considered that the size of the external amenity areas and their location at lower ground floor level would restrict the level of activity that could be accommodated within the proposed lightwell areas. Therefore, officers do not consider that noise arising would adversely impact on neighbours to any significant degree.

- Concerns over refuse arrangements

Officer's response - The proposal includes three refuse bins. The applicant has confirmed that these would be transferred to the refuse collection area by estate staff prior to collection on a twice weekly basis. In light of the recent appeal decision in connection with planning application reference 2016/02168/FUL, the proposed arrangements are considered broadly acceptable. Although further details for example in regard to recycling are recommended to be secured via condition.

- That the proposal would disrupt the use of the lifts.

Officer's response - It is feasible that the proposed development could disrupt the use of the lift, however given that this would only be a short term issue, the impact on residential amenity would not be such to justify refusal of planning permission.

- That the proposed development would narrow rear path preventing fire brigade and emergency service access due to narrowing of rear road.

Officer's response - The matter was considered at appeal in connection with a very similar application reference 2016/02168/FUL. The inspector dismissed these concerns. It should be noted that the rear access road is already narrow and there are other pinch points along the rear of the building where the width is narrower than outside the application site. It is not considered that the proposed development would have any detrimental impact on fire brigade access.

2.2 Environment Agency were consulted on the application and have raised no objection.

2.3 Thames Water were consulted on the application but have not responded.

2.4 The Crime Prevention Design Adviser of the Metropolitan Police was consulted on the application, but has not commented.

2.5 Historic England were consulted and raise no objection to the development.



### 3.0 PLANNING CONSIDERATIONS

3.1 This proposed development needs to be assessed against the relevant policies and standards set out in The National Planning Policy Framework (2012) The London Plan 2011, Mayor's Housing Supplementary Planning Guidance (2016) and the Council's Local Development Framework, comprising of the Core Strategy 2011, the Development Management Local Plan 2013 (DM LP), and the Planning Guidance Supplementary Planning Document 2013 (PG SPD).

3.2 The relevant planning considerations in this case are: land use, density, quality of the proposed residential accommodation, design and conservation matters, impact on neighbours, highways/parking impact, and any other material considerations.

#### LAND USE

3.3 The planning application proposes to create three additional residential dwellings utilising existing storage area located at basement level within the existing mansion block and by extending the basement level through excavation.

3.4 The National Planning Policy Framework (2012) identifies the need for additional housing and sets out ways in which planning can significantly boost the delivery of housing through the preparation of policy documents. The London Plan states that the Mayor is clear that London desperately needs more homes (paragraph 3.14a). This is recognised in London Plan Policy 3.3. Paragraph 3.14 recognises that London's population is growing and that delivering more homes which meet a range of needs, are of a high design quality and are supported by essential infrastructure is a particular priority over the London Plan period. To meet this desperate need, the London Plan (2016) sets a target for the delivery of a minimum of 1,031. At the local level, Core Strategy (2011) policy H1 and DM LP Policy DM A1 says that the Council will meet and where possible, exceed the London Plan target by supporting the delivery of houses on identified sites, windfall sites and as a result of change of use.

3.5 The proposed development would result in the loss of storage areas located in the basement of the mansion block, and result in the delivery of three additional dwellings on a windfall site. The proposal would contribute, albeit in a small way, to the delivery of new housing in the borough. As the surrounding area is in residential use, the proposed development is considered to be compatible with the existing land use in the immediate area. The proposal is therefore considered to be in accordance with London Plan policy 3.3, Table 3.1 and Core Strategy (2011) Policy H1 and DM LP Policy DM A1.

#### Density

3.6 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 DM DPD. The application site is located in Public Transport Accessibility Level (PTAL) 6a. According to The London Plan density matrix, the site can be considered to be set in an 'urban' location. The London Plan's recommended density range for sites in an 'urban' location is up to 700 habitable rooms per hectare. The existing mansion block development in the estate (which has close to 190 flats) is already high; however, it is considered that three extra dwelling which would have only 7 habitable rooms in total,

would not increase density by such significant amounts to justify refusal on this basis alone. In any event it is important that density is not looked at simply as a figure, and assessing the acceptability of any proposal on the basis of that alone is not appropriate; what needs to be considered is any harm that might arise from any increasing density of the development site.

### Quality of Residential Accommodation

3.7 Housing quality is a key consideration in the assessment of applications for new developments. The London Plan seeks the delivery of new housing that is of a high quality of design. Policy 3.5 'Quality and Design of Housing Developments' says that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To ensure the delivery of high quality, well designed housing, the Mayor has prepared Supplementary Planning Guidance entitled 'Housing' (herein referred to as the Housing SPG). The document provides detailed guidance which seeks to assist in the design of new housing to ensure that new developments are of the highest quality and make a difference to the quality of life of new residents. The SPG is clear that increasing output (of housing) is not a simple end in itself - new housing must also enhance the environment, improve choice and affordability and provide better quality homes. Further guidance on how to achieve high quality residential design is also set out at a local level in Core Strategy Policy H3, DM LP Policies DM A2 and A9 and PG SPD Housing Policy 1.

3.8 The Mayor's Housing SPG states that the Mayor seeks to encourage the kind of housing that provides comfortable and enjoyable places of retreat and privacy. Factors to be considered include privacy, the importance of dual aspect development, noise mitigation, floor to ceiling heights, daylight and sunlight. These points are addressed in turn below.

3.9 Borough Wide Strategic Policy H3 states that the council will expect all housing developments to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient, meet satisfactory internal and external space standards, and provide a good range of housing types and sizes.

3.10 Policy DM A2 states that all new housing must be of high quality design and take account of the amenity of neighbours and must be designed to have adequate internal space in accordance with the London Plan.

3.11 Policy DM A9, entitled 'Detailed Residential Standards' states that the Council will ensure that the design and quality of all new housing is of a high standard. To assess this, the following considerations will be taken into account:

- Floor area
- Accessibility for disabled people
- Amenity and garden space provision
- A safe and secure environment
- Car parking and cycle parking
- Attenuation of surface water run off
- Sustainable energy matters
- Provision of waste and recycling storage facilities
- Noise insulation and layout to minimise noise nuisance between dwellings
- Protection of existing residential amenities

## Size/floor area

3.12 London Plan Policy 3.5 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenure. London Plan Table 3.3 and Housing SPG Baseline Standard 4.1.1 set out the minimum gross internal area for new flats. It states that one bed two person units should have a minimum floor area of 50 sq.m, and that two bed, four person units should have a floor area of 70 sq.m.

3.13 The proposed two bed four person unit i.e. flat 2 has a floor area of 72.8 sq.m and the two one bed two person units i.e. flat 1 and 3, would have a floor area of 54.6 sq.m and 70.1 sq.m. All three units therefore meet the London Plan minimum floor area requirements, with Flat 3 significantly exceeding the target.

3.14 The proposed units also all comply with minimum room size guidance set out in SPD Housing Policy 5.

## Privacy

3.14 London Plan Housing SPG Baseline Standard 5.1.1 sets out that design proposals should demonstrate how habitable rooms are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

3.15 The proposed development would be located at basement level, to the rear of the mansion block. The privacy levels experienced by the proposed units are not ideal due to several windows close proximity to the rear access road and due to the number of residential properties that overlook neighbouring windows. It is likely that residents of these properties would need to use blinds to prevent loss of privacy. Despite this no objection is recommended to be raised given that the level of privacy that the proposed units would experience is comparable to level of privacy that the residential units approved by the inspectorate under planning permission 2014/05207/FUL would experience. The inspector felt that the level of privacy afforded to the previously approved unit was 'commensurate with many well regarded lower level flats one finds in this type of urban area'.

## Noise

3.16 The Housing SPG Baseline Standard 5.3.1 and London Plan Policy 7.15 state that the layout of adjacent dwellings and the location of lifts and circulation spaces should seek to limit the transmission of noise to sound sensitive rooms within dwellings. This policy is supplemented by DMLP policies DM A9 and DM H9, both of which seek to ensure that development does not result in noise and disturbance to existing and future occupiers.

3.17 As the proposed dwelling would be located below existing residential units within the mansion block and adjacent to existing plant rooms, there is the potential for the transfer of noise between the dwellings/plant rooms. In the event of the application being recommended for approval, conditions would be recommended in regards to sound insulation.

3.18 Concerns were previously raised in the earlier refused planning application reference 2016/02168/FUL regarding the impact of noise disturbance from cars on bedrooms 1 and 2 within Flat 3 that were located immediately adjacent to the service road. This issue was considered by the Inspector who concluded that the issue could be overcome by mechanical ventilation, which could be secured via condition. Condition 22 is recommended in line with this approach.

#### Floor to ceiling heights

3.19 The London Plan (2016) states that the minimum floor to ceiling height in habitable rooms should be 2.5m between finished floor level and finished ceiling level. The proposed sections show that the proposed unit would have a floor to ceiling height of 2.5m.

#### Aspect and outlook; daylight and sunlight

3.20 Housing SPG, paragraph 2.3.31 recognises that a home with opening windows on at least two sides has many inherent benefits, including better daylight, a greater chance for direct sunlight for longer periods, natural cross ventilation, mitigating pollution, offering a wider choice of views, access to a quiet side of the building, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms. The preference is for dwellings to be dual aspect.

3.21 The proposed units would be dual aspect. SPD Housing Policy 9 of the PGSPD (2013) requires new or additional residential accommodation within basements to meet BRE guidance. BRE guidance provides a method for calculating the luminance of a room called Average Daylight Factor (ADF). This method of calculating daylight is one of the most complex and considers both the physical nature of the room including window transmittance and surface reflectivity and provides targets for different types of uses. The BRE guidance and British Standard sets the following recommended ADF levels for habitable room uses:

- 1% Bedrooms
- 1.5% Living Rooms
- 2.0% Kitchens

3.22 The applicant has submitted a sunlight and daylight assessment by Herrington Consulting Limited dated April 2017. The submitted sunlight and daylight assessment demonstrates that all the proposed rooms would achieve ADF target values set out in the BRE guidance. It is worth noting that the kitchen area within Flat 3 comfortably exceeds the BRE ADF target value of 2%, by achieving a value of 5.1%.

3.23 London Plan Housing SPG Good Practice Standard 5.5.2 recommends that all homes should provide for direct sunlight to enter at least one habitable room for part of the day; saying that living areas and kitchen spaces should preferably receive direct sunlight. The supporting text highlights that this is because it would assist in part of the winter heating requirement and would help to provide a comfortable level of light to achieve a range of daily activities. In this case, the layout and orientation of the existing building would mean that the proposed flats would not receive direct sunlight. Given that these units would receive good levels of daylight, no objection is recommended to be raised. It should be noted that the issue of daylight/sunlight was considered in the previous appeal under planning application reference 2016/02168/FUL, in addition the issue of sunlight was also considered in a previous similar application that went to

appeal for another unit within the Fitzgeorge estate under reference 2014/05207/FUL. In both cases, the council's concerns regarding sunlight and daylight that these units would receive were dismissed.

3.24 The proposed outlook provided to flats 1 and 2 is acceptable. These units look onto reasonably sized lightwells. The outlook afforded to these flats are similar to that afforded to previous flats that were granted at appeal within the Fitzgeorge and Fitzjames estate.

3.25 In regards to flat 3, the proposed outlook of the unit is on balance considered to be acceptable. In the previous application reference 2016/02168/FUL that was dismissed at appeal, two bedrooms serving the unit looked into enclosed lightwells. The type of unit has now changed going from a two bedroom to a one bedroom, and the unit layout has been rearranged. The main bedroom's outlook would be significantly improved as it would now look into two lightwells, one of which would be a 16 sq.m external amenity space. The previous bedrooms location have changed to a kitchen and a bathroom. Both of these rooms under Development Management Local Plan's glossary definitions are not classed as habitable rooms. The kitchen is not classed as a habitable room due to it being less than 13 sqm in size. As these rooms are not classed as habitable rooms, the more restricted outlook afforded to these rooms is considered to be acceptable.

#### Private open space

3.26 Policy DM A9 requires the provision of private amenity space, in accordance with The London Plan requirements. The London Plan Housing SPG identifies that private open space is highly valued and should be provided in all new housing developments. The Baseline Standard 4.10.1 says that there should be a minimum of 5 sq.m. of private outdoor space for 1 to 2 person dwellings and an extra 1 sq.m. for each additional occupant. The proposed two bed, four person units should provide 7 sq.m of external amenity space and the proposed one bed, two person units 5 sq.m of external amenity space. All three units meet the proposed standard.

3.27 It is acknowledged that the amenity spaces would receive limited or no sunlight, and would also be relatively overlooked by other flats in the building as well as passers-by. However, the proposed external amenity spaces are similar in quality to those previously considered acceptable by the planning inspectorate and therefore no objection is recommended to be raised.

#### Accessibility

3.28 DMLP (2013) policy DM A9 'Detailed Residential Standards', DMLP (2013) Policy DM A4 'Accessible Housing' and SPD Design Policy 1 'Inclusive Design' of the PGSPD relate to ensuring that homes are accessible and meet 'Lifetime Homes' standards. The DMLP (2013) Policy DM A4 allows for some flexibility in the application of 'Lifetime Homes' recognising that this is not always feasible when new dwellings are formed in existing property.

3.29 Subsequent to the adoption of the above policies and guidance Lifetimes Homes has been superseded. Access requirements have now been incorporated into Building Regulations. The equivalent Building Regulations standard to Lifetimes Homes is M4 (2) 'accessible and adaptable dwellings'. To reflect this change The London Plan was

amended in March 2016 with London Plan Policy 3.8 'Housing Choice' now requiring 90% of dwellings to meet M4 (2) Building Regulations requirement.

3.30 The key issue in ensuring that M4 (2) can be achieved within a development is to ensure, at the planning application stage, that the units can reasonably achieve level access. If level access cannot be reasonably achieved, then the units cannot be required to meet the M4(2) Building Regulations. The London Plan recognises that securing level access in buildings of four storeys or less can be difficult, and that consideration should also be given to viability and impact on ongoing service charges for residents

3.31 The proposed development would not provide level access. There would be steps to overcome with both of the access ways into the proposed flats. However, Officers note that the existing mansion block does not benefit from level access. This matter was previously considered at appeal in relation to the nearby proposed basement flat beneath 25 Fitzjames Avenue (ref: 2013/02636/FUL) and the Inspector highlighted that the flat would have shortcomings with regard to accessibility for persons with mobility impairments and it was acknowledged that this concern would be difficult to overcome. The Inspector concluded that this matter had to be weighed against the benefits of achieving an additional residence in a sustainable location and in this case should not be a reason to refuse planning permission. In light of the above no objection is recommended to be raised in regards to accessibility.

#### Security

3.32 Policy DM G1 of the Development Management Local Plan, 2013 would expect proposals to meet 'Secured by Design' requirements. A condition is recommended to ensure a safe and secure environment for users of the development.

#### RESIDENTIAL AMENITY

3.33 The relevant considerations in regards to residential amenity are the impact of the proposal on outlook and lighting conditions to neighbouring dwellings and any impacts in regards to loss of privacy and noise and disturbance. DM LP Policy DM A9 requires that these are not detrimentally impacted upon as a consequence of a new development.

3.34 The proposed development would predominantly be at basement level and therefore would not result in a loss of outlook or light to neighbouring properties. The size of the bin store and bicycle stores would not be sufficient to cause significant loss of outlook or loss of light to neighbouring properties.

3.35 In regards to privacy to existing residents, the application is located below ground floor level and future residents would not be afforded direct views into any surrounding flats from this level.

3.36 As addressed above in the report, noise and disturbance is an important consideration in the quality of accommodation and the impact that the new development could have on residential properties located above the application site. Regard therefore must be had to DM LP Policy DM H9. A condition is recommended to ensure that appropriate sound insulation would be installed to protect the amenity of existing residents, as well as future residents.

3.37 The application would provide four amenity spaces measuring 2 sq.m, 16 sq.m, 16 sq.m and 24 sq.m in size. Concerns have previously been raised by officers in relation to another proposed flat at basement level, regarding the potential for noise and disturbance to surrounding residents. These concerns were not upheld at appeal and the Inspector considered that the amenity area for that flat (in that case the size of the area was 31sqm) would not detrimentally impact on the amenities of existing residents. In this case, four smaller amenity areas would be provided, and it is considered that the size of the areas and their location at lower ground floor level would restrict the level of activity that could be accommodated within them. Therefore, officers do not consider that noise arising would adversely impact on neighbours to any significant degree.

3.38 Construction, noise and disturbance has been highlighted as a concern by residents. The impact of the development during construction can be appropriately mitigated via condition.

## DESIGN AND CONSERVATION

3.39 The proposal needs to be considered against the National Planning Policy Framework, London Plan Policies 7.6 and 7.8, Core Strategy Policies H3 and BE1, DM LP Policies G3 and G7. These policies require that alterations to existing buildings should be of the highest quality, having regard to the context of the site and protecting heritage assets which are a finite resource.

3.40 Paragraph 132 of the National Planning Policy Framework requires that when assessing the impact of developments, consideration should be had to the significance of the heritage asset, and great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The paragraph sets out that as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

3.41 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states in relation to Conservation Areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

3.42 In assessing the significance of the site as a heritage asset, regard has been had to The Fitzjames and Fitzgeorge Character Profile. The Character Profile details that Fitzgeorge Avenue was built first, as a series of large mansion blocks, each different in plan and design. Following completion of Fitzgeorge Avenue, Fitzjames Avenue was built, drawing on the design of Fitzgeorge Avenue but increasing the buildings in height, rising up to six storeys and providing balconies and more elaborate bays. Owing to the more detailed design of Fitzjames Avenue, in comparison to Fitzgeorge Avenue, 1-59 Fitzjames Avenue has been placed on the Local Register of Buildings of Merit. The rear elevations of the building are simpler in detail and of lesser significance than the front elevations.

3.43 The rear elevation of this section of the building is not visible from the street. The only views of the newly created lightwells would be from surrounding residential windows and from the communal private path/road. There are other historic examples of lightwells to the rear parts of the building and therefore the proposed lightwells are not out of keeping with the established form. The proposed design of the lightwell

elevations are acceptable as they are similar in design to those previously approved at this site. Whilst the openings would not align with the size of the openings above, given their discreet location at the rear lower ground floor level and the lesser significance of the rear elevation, the proposed openings would not have a detrimental impact on the overall appearance of the rear elevation. The new openings would be appropriately timber framed and the use of render at this level of the property is acceptable. The installation of planters would help improve this part of the site's appearance. The proposed bike store is acceptable due to its discreet location and modest simple design.

3.44 The proposed development would preserve the appearance of the property/building of merit, would preserve the character and appearance of the conservation area and would preserve views experienced from adjacent conservation areas. The proposed development meets the statutory tests set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is therefore considered to be in accordance with paragraph 132 of the NPPF, London Plan Policies 7.6 and 7.8, Core Strategy (2011) policy BE1 and Development Management Local Plan (2013) policies DM G3, DM G5 and DM G7. The proposed development is also considered to comply with guidance outlined within the Planning Guidance SPD (2013), namely SPD Design Policies 21, 31 and 35.

## BASEMENT

3.45 DMLP (2013) Policy DM A8 requires basements to be only located under the footprint of the existing property and any extensions. The proposed basement is proposed to be only under the footprint of the property and is considered to be acceptable.

3.46 SPD Housing Policy 9 from the Planning Guidance (2013) SPD criteria (vi) states for new or additional residential accommodation in basements, that the council will require "a Subterranean Construction Method Statement (CMS) (carried out by a qualified structural surveyor or civil engineer) to be submitted with the planning application and made available to neighbour owners". This requirement is also set out in supporting paragraph 4.34 of Policy DM A8 of the DMLP (2013). The applicant has submitted a 'Construction Method Statement' by John W Lee Associates which has been carried out by John W. Lee CEng.M.I.Struct E. The proposed construction method statement meets the requirements of the policy and therefore is judged to be acceptable.

## HIGHWAYS MATTERS

### Car Parking

3.47 The application site is located within Public Transport Accessibility Level (PTAL) 6a, which is defined by Transport for London as excellent accessibility to public transport. The London Plan Policy 6.13 and DM LP Policy DM J2 set maximum parking standards for developments. A dwelling with one to two bedrooms should have less than one parking space associated to them. The supporting text to Policy DM J2 says that in areas of good transport accessibility, there should be significantly less than one car parking space provided per unit.

3.48 Policy DM J3 says that 'market and intermediate housing with zero .... car parking will only be considered in areas with good levels of public transport accessibility,



where the occupants are unlikely to need a car and where quality of life criteria such as access to shops are satisfied'. The justification to the policy says that 'While each case should be considered on its merits, living without a car is only a viable option in areas of reasonable public transport accessibility and where there is a good range of facilities in walking or cycling distance'.

3.49 The site is located within an area designated as PTAL 6a, and is considered to have excellent accessibility to public transport. There are also a range of shops and services nearby, within walking distance. It is therefore a location in which residents could be expected to live comfortably without day-to-day access to a car.

3.50 The proposed application makes no changes to the parking arrangements within the estate. The applicant has agreed for the new residential units to be car parking permit free, thereby ensuring that the development would not contribute to parking stress on the highway. In the event of the application being considered acceptable, this is recommended to be secured via condition. A condition is also recommended to prevent the occupiers of the development from applying for a car parking space within the estate. As per the previous appeal decision under planning application reference 2016/02168/FUL, the proposed development would not have an unacceptable impact on existing estate parking provision or rear access road safety/usability including by emergency services. The proposed development would not have an adverse impact on parking stress or the highway. The proposed development complies with London Plan and DMLP (2013) policy DM J2.

#### Cycle Parking

3.51 London Plan Policy 6.9 and DM LP Policy DM J5 relate to increasing opportunities for cycling and walking. In order to achieve this, developments are required to provide safe and convenient cycle parking facilities. Table 5 of the DM LP requires the provision of one cycle parking spaces for a dwelling of one to two bedrooms. The development is therefore required to provide three cycle parking spaces. A bicycle store is proposed that would contain three cycle parking spaces which complies with council policy. The proposed bicycle store is both appropriate in terms of appearance and usability.

#### Refuse Storage

3.52 Core Strategy Borough Wide Strategic Policy CC3, DM LP Policy DM H5 and SPD Sustainability Policy 3 are concerned with the provision of suitable and sustainable waste storage. The proposal includes three refuse bins. The applicant has confirmed that these would be transferred to the refuse collection area by estate staff prior to collection on a twice weekly basis. In light of the recent appeal decision in connection with planning application reference 2016/02168/FUL, the proposed arrangements are considered broadly acceptable. Although further details for example in regards to recycling are recommended to be secured via condition. The proposal is considered to comply with Core Strategy Borough Wide Strategic Policy CC3, DM LP Policies DM H5 and SPD Sustainability Policy 3.

#### Construction Logistics Plan

3.53 SPD Transport Policy 28 sets out that the council requires that all new developments that have the potential to have a detrimental impact during the

construction phase will require a Construction Logistics Plan. Given the proposed development, the constraints of the site and the number of residents within the mansion blocks, a condition is recommended requiring the provision of a Construction Logistics Plan.

## ENVIRONMENTAL MATTERS

### Flood risk

3.54 The application site is located within the Environment Agency's Flood Risk Zone 2. This indicates a medium risk to flooding from the Thames. However, this designation does not take into account the high level of flood protection provided by the Thames Barrier and local river wall defences. If the flood defences failed or were breached, the site would not be at risk from rapid inundation by flood waters. The site is not in an area considered to be more susceptible to surface water flooding.

3.55 A Flood Risk Assessment Report (FRA) has been submitted with the application. This recommends flood resilience measures that are appropriate for the development such as use of flood proof materials such as solid concrete floors, raising of services and electrical sockets etc. In the event of the application being considered acceptable conditions would be recommended to ensure that those measures are carried out. The Environment Agency have not raised any objection to the proposal. The council consider that there is some scope for sustainable urban drainage systems (SuDs) to be proposed for this development. Further information in regards to SuDs is recommended to be secured via condition.

### Sustainable energy

3.56 Given the extent of the development, providing only three flats, and given the building of merit status of the mansion block, there is limited opportunity to provide sustainable energy measures; though it is noted that the new flats would have to meet current thermal insulation standards.

### Contaminated land

3.57 Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. In the event of the application being considered acceptable conditions would be 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and DM H11 of the Development Management Local Plan. Conditions 13-18 relate.

## IMPACT ON LOCAL SERVICES

3.58 Officers acknowledge that existing local health and educational facilities services are stretched. However, the scheme is for only three flats, and as such that the impact should be absorbed without the need for the scheme to contribute financially to enhancing services.

## 4.0 CONCLUSION AND RECOMMENDATION

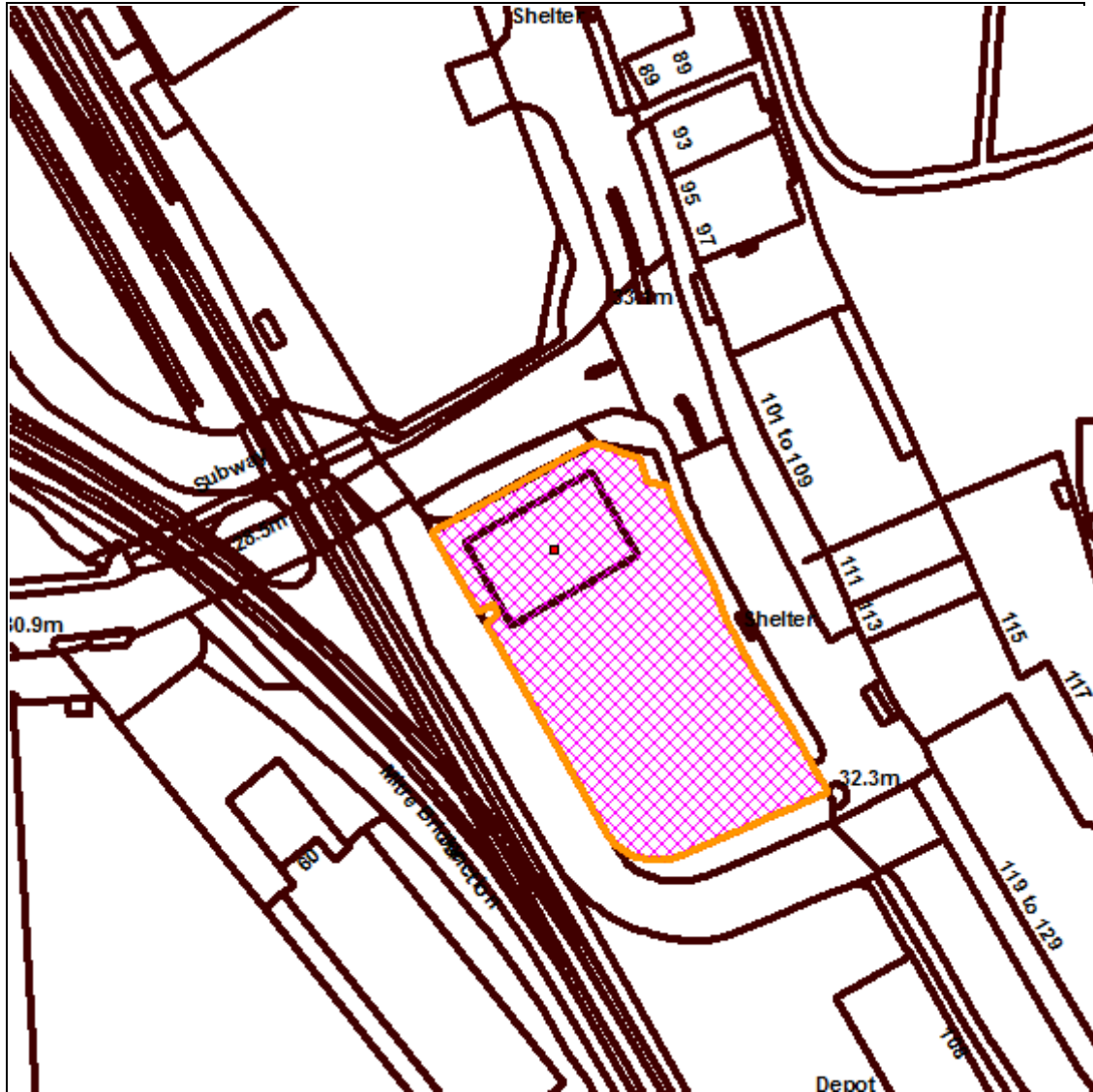
4.1 The proposed development would result in the provision of three residential dwellings in a sustainable location that would contribute to the delivery of housing in the borough and in London as a whole. The proposed dwellings would be of an appropriate size and quality and provide a reasonable standard of accommodation for future occupiers. The scheme would not cause demonstrable harm to the amenities of neighbouring residents. The development would make efficient use of this previously developed site, by optimising the residential accommodation, within a well-designed scheme that is in keeping with the context, character and appearance of the street scene and the surrounding area. The proposal would preserve the setting of the conservation area, street scene and adjacent Buildings of Merit. The development would not have a detrimental impact on the highway network or local parking conditions. Other matters including flood risk and contaminated land matters are also considered to be acceptable.

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

**Ward:** College Park And Old Oak

**Site Address:**

104-108 Scrubs Lane London NW10 6SF



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).  
**For identification purposes only - do not scale.**

**Reg. No:**  
2017/01654/OPDOBS

**Case Officer:**  
Peter Wilson

**Date Valid:**  
19.04.2017

**Conservation Area:**

**Committee Date:**  
12.06.2017

**Applicant:**

City Hall London SE1 2AA

**Description:**

Consultation by OPDC for the demolition of existing buildings and structures and redevelopment of the site to provide two new buildings ranging from 6 storeys (24 metres above ground level) to 19 storeys (71.8 metres above ground level) in height, comprising 746 sqm (GIA) of ground floor flexible non-residential floorspace (Use Classes A1/A2/A3/A4/B1/D1/D2), 377 sqm (GIA) ground floor workspace (Use Class B1/Artist Studios) and 200 residential units (Use Class C3) with disabled car parking, plant space, amenity space, landscaping and associated works (ref. 17/0055/FUMOPDC)

Drg. Nos: N/A

**Application type:**

Observations to OPDC

**Officer Recommendation:**

- 1) LBHF will hold the nomination rights for the development and as such the affordable housing offer must be one that can be utilised by the Council for its residents. The affordable housing product of Discount Market Rent is not supported and this should be revisited to deliver London Living Rent and below. The viability assessment submitted raises concerns as to the methodology adopted and the assumptions made to bring forward a scheme that is fundamentally unviable. The Council expects any s106 agreement to secure appropriate review mechanisms and clawbacks at the end of the 15 year covenant as advised by the Mayor's Affordable Housing and Viability SPG.
- 2) It would be premature to determine this application ahead of a detailed design for Scrubs Lane being agreed with the local authority. It is recommended that work be carried out on this design as a matter of priority ahead of the determination of this application.

**That the applicant be informed as follows:**

Please refer to the Case Officer's report to read the full assessment of the proposal and the Council's requested conditions and obligations should planning permission be granted

## Officer Report

---

### LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

#### **All Background Papers held by case officer named above:**

Application form received: 18th April 2017

Drawing Nos: N/A

**Policy Documents:** National Planning Policy Framework (NPPF) 2012  
The London Plan 2016  
LBHF - Core Strategy Local Development Framework 2011  
LBHF - Development Management Local Plan 2013  
LBHF - Planning Guidance Supplementary Planning Document  
2013  
Old Oak and Park Royal Opportunity Area Planning Framework

#### **Consultation Comments:**

Comments from:

Dated:

#### **Neighbour Comments:**

Letters from:

60 Beaufort Road London W5 3EA  
Hammersmith Society

Dated:

07.05.17  
16.05.17

## **1.0 BACKGROUND**

- 1.1 The London Borough of Hammersmith and Fulham (LBHF) have been consulted on the above planning application by the Old Oak and Park Royal Development Corporation (OPDC). The Council is a statutory consultee for all applications within the Old Oak and Park Royal Opportunity Area (the Opportunity Area) that fall within its borough boundary.
- 1.2 The 2011 Localism Act provided the Mayor with powers to set up Mayoral Development Corporations. The OPDC was established by a Statutory Instrument in January 2015, and was granted planning powers through a further Statutory Instrument in March 2015. The OPDC came into existence on 1 April 2015. On this date the OPDC became the local planning authority for the area, taking on planning functions including plan making powers and determination of planning applications. LBHF remains the highway authority for the area within the borough boundary
- 1.3 The site is within LBHF and falls within the Old Oak and Park Royal Opportunity Area which is expected to accommodate at least 24,000 new homes and 55,000 new jobs.

- 1.4 This application is being brought to Planning and Development Control Committee to give Members the opportunity to consider and endorse comments that officers recommend be submitted to OPDC.
- 1.5 Members should be aware that the application is scheduled to be presented to OPDC's Planning Committee meeting for a decision on the 12 July 2017.

### **Site and Surroundings**

- 1.6 The site is located at land occupied by 104 and 106-108 Scrubs Lane and comprises two parcels of land to the north and south of a private access road, which provides vehicular access to the Powerday and EMR waste sites. The northern parcel of land, 104 Scrubs Lane, is licensed to process metal recycling and vehicle dismantling. The southern parcel of land, 106-108 Scrubs Lane, is licensed to process the recycling or reclamation of wood, scrap metal and crush concrete / bricks. The site is approximately 0.58 hectares in area and each parcel of land contains a metal clad building and hardstanding.
- 1.7 The Mitre Yard site is located on the eastern edge of the administrative area of the OPDC within the Opportunity Area and LBHF. The site is bound by Hythe Road to the north, Scrubs Lane to the east, the Mary Seacole Gardens to the south and the West London Line railway to the west. To the east and west of the site are industrial buildings of 2 to 4-storeys in height. Beyond Hythe Road to the north is surface car parking and a 7-storey office building, known as Cumberland House. To the south, beyond the Grand Union Canal and railway lies Wormwood Scrubs approximately 200m from the development site.

### **Heritage**

- 1.8 The development site does not contain any listed buildings, nor is it located within a conservation area. The Grand Union canal conservation area lies immediately south of the site. The western edge of the St Mary's Catholic Cemetery, which is a designated Conservation Area, lies beyond the buildings on the eastern side of Scrubs Lane. The eastern boundary of the cemetery forms the boundary with the Royal Borough of Kensington and Chelsea, and Kensal Green Cemetery; a Conservation Area and Grade I listed Registered Park and Garden. Both cemeteries contain a number of statutorily listed structures and monuments.

### **Transport**

- 1.9 The site has the lowest Public Transport Accessibility Level (PTAL) of 1b (on a scale of 1 to 6 where 1 is the lowest and 6 highest). It is noted that should the anticipated public transport infrastructure within the Opportunity Area come forward with is likely to increase to a level of 6a.

### **History**

- 1.10 There is no significant planning history on record in relation to the application site itself. However, by the very nature of the Opportunity Area, there are number of ongoing proposals for development in the wider area.

- 1.11 16/0119/FULOPDC - 115-129A Scrubs Lane, 'North Kensington Gate South'. Decision pending for the demolition of the existing buildings and the construction of 170 residential units and 600sqm of commercial space. The development is proposed in 3 adjoining buildings of 6, 8 and 22 storeys. The commercial space would be provided at ground floor level and in a mezzanine floor. A basement would be excavated to provide 32 car parking spaces. A total of 308 cycle parking spaces would be provided across the site.
- 1.12 16/0118/FULOPDC – 93-97A Scrubs Lane, 'North Kensington Gate North'. Decision pending for the demolition of the existing building and the construction of 48 residential units with 165sqm of commercial space on the ground floor. The development is proposed in 2 adjoining buildings of 4 and 11 storeys

### **Proposal**

- 1.13 An application for detailed planning permission has been submitted for:
- Demolition of the existing light industrial buildings (894sqm GIA)
  - Erection of a 6-9 storey building on the southern parcel of land
  - Erection of a 7-19 storey building on the northern parcel of land
  - 200 residential units comprising:
    - 113 x private (build to rent) apartments comprising 73 x 1-bed, 44 x 2-bed, 13 x 3-bed and 3 x 4-bed units
    - 67 x affordable (discount market rent) apartments comprising 28 x 1-bed, 25 x 2-bed, 12 x 3-bed and 2 x 4-bed units
  - 1,123sqm (GIA) of flexible ground floor, non-residential floorspace comprising:
    - 377sqm (GIA) of employment/artist studio uses (Use Class BI/01) fronting Mitre Yard and its entrance off Scrubs Lane
    - 746 sqm (GIA) of retail/café/restaurant/microbrewery/bar/employment/community uses (Use Class 1/A2/A3/A4/B1/D1/D2) uses fronting Mary Seacole Gardens, Scrubs Lane and Hythe Road
  - 314 dedicated cycle parking spaces, 7 disabled car parking spaces
  - Public realm improvements, landscaping, children's playspace

### **Supporting Documents**

- 1.14 The applicant has submitted the following in support of the planning application:
- Planning Statement
  - Design and Access Statement
  - Landscaping Strategy
  - Affordable Housing Delivery Report
  - Statement of Community Involvement
  - Air Quality Assessment
  - Arboricultural Impact Assessment
  - Construction Logistics Plan
  - Daylight, Sunlight & Overshadowing Report
  - Ecology Report
  - Energy and Sustainability Strategy
  - Flood Risk Assessment and Drainage Strategy



- Health Impact Assessment
- Heritage, Townscape and Visual Impact Assessment
- Historic Environment Desk Based Assessment
- Land Contamination Assessment
- Noise and Vibration Assessment
- Topographical Survey
- Transport Assessment
- Framework Travel Plan
- Framework Delivery and Servicing Plan
- Wind Assessment
- Lighting Strategy

## **2.0 PUBLICITY AND CONSULTATIONS**

- 2.1 This application was submitted to OPDC who are the Local Planning Authority, and it is their statutory duty to consult on the planning application. LBHF have been consulted as a statutory consultee on this application. OPDC have notified residents and consultees, including the London Borough's of Brent and Ealing, the Royal Borough of Kensington and Chelsea, the GLA and TfL.
- 2.2 LBHF have received 1 letter of representation relating to this application from the Hammersmith Society raising objections on the following grounds:
- The 19 storey tower is inappropriate in this location and clusters for taller buildings are not yet confirmed within the Local Plan for the area
  - The tower would harm views from Wormwood Scrubs, the cemetery and Havelock Gardens
  - We strongly disagree with CABE's opinion that the proposal would be an attractive gateway to the OPDC
  - The design is unremarkable with the choice of white/light materials for the upper storeys having no connection to the Victorian context of the conservation area and will be susceptible to dirt
  - The density is well in excess of the London Plan
  - A very dense car free scheme is overly reliant on uncertain transport infrastructure that will not be secured until at least 2026
  - The site will remain bisected by a heavily used road by EMR and there is no assurance of a date for the relocation of the road
  - Heavy transport will have a serious and damaging impact on tenants
  - The affordable housing offer of 80% of market rent is unlikely to be a level that is 'affordable' to local people and does not go far to meet the housing shortfall for Londoners
  - We support the objection submitted by the St Helens Residents Association [directly to OPDC].
- 2.3 A holding response was received from the Ealing Civic Society although no further comment was received.
- 2.4 There has been engagement by the applicant with LBHF officers throughout the planning application process. LBHF officers have been involved in joint application discussions with the applicant and OPDC officers.

### 3.0 PLANNING CONSIDERATIONS

3.1 LBHF have been consulted on the above planning application as a statutory consultee. The application is within LBHF and as such if granted has potential impacts on the borough and the services LBHF provides. It is considered that the key considerations for LBHF relating to this application are:

- Principle of development
- Housing
- Standard of accommodation
- Design and heritage
- Impacts on residential amenity
- Highways and transportation
- Environmental considerations
- S106 Heads of Terms

3.2 The relevant development plan documents for this area consist of the London Plan (2016), LBHF Core Strategy (2011) and LBHF Development Management Local Plan (2013) (DMLP). Supporting the London Plan is the Old Oak and Park Royal Opportunity Area Planning Framework (OAPF) (adopted as Supplementary Planning Guidance (SPG) to the Mayor's London Plan in November 2015). It is noted that the OPDC published its Draft Local Plan under Regulation 18 in March 2016. LBHF also published its Draft Local Plan which is due for examination in June which excludes OPDC policy.

#### PRINCIPLE OF DEVELOPMENT

3.3 **London Plan Policy 2.17** states that the development of non-industrial / non-employment uses in SILs will be considered where the proposals form part of a strategically co-ordinated process of SIL consolidation being taken forward through an Opportunity Area Planning Framework or borough development plan. The application site is not within the area proposed to be retained as SIL by the draft OPDC Local Plan. **OPDC draft Local Plan Policy P8 'Scrubs Lane'** promotes residential-led development in this area.

3.4 The application site is designated as being within the Park Royal Strategic Industrial Location (SIL), SIL type Preferred Industrial Location (PIL) and Industrial Business Park (IBP) as identified in the London Plan Policy 2.17. The London Plan alongside the Old Oak & Park Royal OAPF (2015) identify the principle of SIL being consolidated and intensified at Park Royal. The official de-designation process for SIL in Old Oak would be dealt with through ODPC's Local Plan, and this is proposed in the OPDC Draft Local Plan (2016). The site is also currently designated within the Park Royal Strategic Industrial Location (SIL), which is protected for employment and light industrial uses by LBHF Core Strategy Strategic Policy B, which is set to be fully superseded.

3.5 Old Oak Common was designated an Opportunity Area in the London Plan. Annex 1 of the London Plan (2016) sets a homes and jobs target for the Old Oak Opportunity Area of a minimum of 24,000 homes and 55,000 jobs. Assessments carried out by OPDC suggest that Old Oak and Park Royal combined could accommodate the delivery of 25,500 homes and 65,000 jobs. This is echoed in the Old Oak and Park Royal OAPF and the OPDC Draft Local Plan. A key

objective in the OAPF and OPDC Draft Local Plan is to deliver a thriving new centre at Old Oak with much needed homes, a mix of employment space and associated social and physical infrastructure. Therefore, the principle of a residential led mixed use scheme on this site would be acceptable.

- 3.6 The proposed development involves the loss of an existing light industrial development. In the above policy context, the Council considers that the loss of the industrial development would be acceptable, and that a mixed use development of the site is acceptable in principle

## Land Use

### Residential

- 3.7 The application proposes 200 residential units, 67 of which will be provided as affordable homes at discount market rent and **London Plan Policies 2.13 and 3.3** state that minimum housing targets should be exceeded, particularly in Opportunity Areas. The **draft OPDC Local Plan** target is to deliver 2,100 homes for the five years from 2017 – 2021. The construction of 200 new homes on this site which currently has no housing stock will represent 9.5% of the target.
- 3.8 The residential-led redevelopment of the site is considered appropriate in light of the adopted and draft policies covering the Opportunity Area and Scrubs Lane itself in accordance with the requirements of the NPPF, regional and local planning policy subject to further comments within the following sections.
- 3.9 It is important that the application scheme generates a mixed and sustainable community from the outset. This is particularly important in the early years of regeneration before adjacent developments come forward. The commercial spaces are proposed with a wide and flexible range of potential uses in order to increase the possibility that the units will be occupied.

### Commercial

- 3.10 **London Plan Policy 2.13** seeks for development proposals in Opportunity Areas to optimise residential and non-residential output and densities while **Policy 7.6** seeks for new buildings to be adaptable to different activities and land uses, particularly at ground level.
- 3.11 The application proposes 746sqm (GIA) of flexible ground floor retail/ café/ restaurant/ microbrewery/ bar/ employment/ community uses (Use Classes A1/A2/A3/A4/B1/B2/D1/D2) fronting onto Scrubs Lane, Hythe Road and the Mary Seacole Gardens. It is proposed that 377sqm (GIA) of employment/ artist studio uses (Use Class B1/D1) front onto Mitre Yard.
- 3.12 It is considered that the quantum of employment use proposed at ground floor level is acceptable within the policy context for the site and that the mix of uses would provide the flexibility required for the an early major development within the Opportunity Area whilst delivering an active frontage to the development contributing to the street scene that is envisioned.

## HOUSING

### Housing Density

- 3.13 **London Plan Policy 3.4** (Optimising Housing Potential) seeks to ensure that housing developments achieve the maximum intensity of use while taking account of local context and character, public transport accessibility and the attainment of a high quality design. Density guidance is provided in Table 3.2.
- 3.14 **The London Plan** (para. 2.62) highlights scope for large sites to determine their own character in terms of residential densities. **The Mayor's Housing SPG 2016** states the potential for increased densities should be positively explored and enabled on large sites and in opportunity areas. To this end, the **OAPF Principle 004** provides a strategy for the distribution of density of residential development to occur within Old Oak. **Principle 004** includes an Indicative Density Arrangement plan, which proposes lower densities of 300 u/ha on the southern parcel of land and densities of 405 u/ha on the northern parcel of land.
- 3.15 The site is currently considered to be "suburban" in character and has a PTAL rating of 1b, a low score attributable to it being marginally beyond TfL's 960 metre walk maximum to rail services (the centre of the site is 1000m from Willesden Junction). On this basis, Table 3.2 of the London Plan sets out an indicative density range of 50 – 95 u/ha.
- 3.16 The application site is 0.58 ha in area, however when excluding the land within the public highway, the site area amounts to 0.53 ha. When assessed against the latter, the proposed 200 units (534 habitable rooms) equate to a density level of 377 u/ha and 1,008 hr/ha.
- 3.17 The London Plan provides scope for development sites to inform their own densities. In addition to this, the Mayor's Housing SPG states that Opportunity Areas should positively explore the potential for increased densities beyond that of the London Plan density matrix.
- 3.18 The proposed development results in a density of 377 u/ha, which significantly exceeds the current indicative density range and the 70-260 u/ha range that would be achieved once the Crossrail, HS2, National Rail and London Overground interchange at Old Oak is delivered together with the future bus strategy and increases the PTAL to 6a and in an urban setting. However, consideration must be given to the Mayor's SPG stating that Opportunity Areas should positively explore the potential for densities beyond those set out within the London Plan. It is on this basis that Principle 004 of the OAPF establishes lower ranges of 300 u/ha on the southern parcel of land and densities of 405 u/ha on the northern parcel of land. Within this policy context the proposal accords with the density ranges established.
- 3.19 As such officers do not object to the proposed density, subject to the acceptability of the quality of the accommodation proposed, amenity space and overall factors impacting upon the amenities of future occupants considered further in this report.

## Affordable Housing

- 3.20 **London Plan Policy 3.11** (Affordable Housing Targets) 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 or affordable rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The London Plan addresses the introduction of affordable rent, with further guidance set out in the Housing SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be within the 60%.
- 3.21 **London Plan Policy 3.12** (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) seeks negotiation to secure the maximum reasonable amount of affordable housing within new development taking account of the individual circumstances including development viability.
- 3.22 **Core Strategy Policy H2** (Affordability) sets a borough wide target that 40% of all additional dwellings should be affordable. **LBHF Draft Local Plan Policy HO3** (Affordable Housing) suggests that 60% of affordable housing should be social or affordable rent with the 40% remainder as intermediate.
- 3.23 The proposal comprises a 100% build to rent scheme that provides 200 residential units with a mix of 33% affordable units, or 35% by habitable room. the affordable product proposed is discount market rent (DMR), which would see the units offered at 80% of market rent. LBHF would have control of the nomination rights for these units. The breakdown of these units is as follows:

Unit type	Private	DMR	Total	% are DMR
1 bed	73	28	101	28%
2 bed	44	25	69	36%
3 bed	13	12	25	48%
4 bed	3	2	5	40%
<b>Total</b>	<b>133</b>	<b>67</b>	<b>200</b>	<b>33.5%</b>

- 3.24 The Council rejects the proposal of DMR, that is linked to 20% below the market rates, as provided in the scheme itself as it is considered that this does not constitute affordable or even intermediate housing.
- 3.25 The applicant has not demonstrated how they would meet the Council's affordability guidelines adequately. The worked examples do not show if they meet the 40% of net income requirement, and officer calculations show that only the 1 bed units would be below £60,000 household income – this actually worsens if BNP's rents are adopted.
- 3.26 The Council's Homebuy register shows of the 9,000 applicants, 70% have a household income between £20,000 and £50,000. As such the proposed affordable product does not satisfy the requirement demonstrated by the Council's register and therefore would not provide affordable homes to borough residents in need of them.
- 3.27 It is proposed that any DMR follows the guidance in the Mayor's draft Affordable Housing and Viability SPG and prioritises rents at London Living Rent and below.

The development should still meet the minimum 35% affordable requirement, with clear clawback mechanisms within the s106 legal agreement and frequent reviews. If levels below 35% are ultimately accepted then clawback should be included at the end of the 15 year covenant period as well as during to return the scheme to 35% on site.

- 3.28 An alternative housing mix for intermediate units to lower the number of 3 and 4 bedroom units and therefore increase the number of 1 and 2 bedroom units would be preferred.

#### Post-submission Proposal

- 3.29 Following submission, OPDC have proposed an alternative approach to the applicant that consists of the existing options with all DMR units at either a 20% discount or at London Living Rents and a further option that should deliver at least 30% affordable housing with a sliding discount of 80% of market rent for 1-beds, 70% for 2-beds, 60% for 3-beds and 50% for 4-beds. This requires further modelling by the applicant and it should be noted that this is currently a matter of discussion between OPDC and the applicant.

- 3.30 Whilst this is an improvement upon the initial offer within the application, officers maintain the same concerns. Although the offer can work within the Council's income brackets (so less than £60,000 household salary needed) and this is true of their proposed rents, the percentage reductions would need to be greater for the 2 and 3 bed units if the rents in the OPDC viability report are adopted.

The 30% affordable housing offer is still considered low given the disparity between the viability report and the OPDC's report, and this still does not meet the Council's needs. The preference would be for London Living Rent or lower

#### Viability

- 3.31 The application has been submitted with the required Financial Viability Assessment (FVA), on which the Council has the following comments.
- 3.32 The proposed development as submitted shows that the scheme has a significant deficit with a development cost already above the Gross Development Value (GDV) even when excluding finance and fees. It is questioned why this scheme has brought forward when it does not demonstrate viability and therefore deliverability. This calls into question the reality of the cost and value inputs and whether the scheme will in fact deliver a real value that is not being presented. There is likely to be a more appropriate way of assessing this scheme for viability to the build to rent purchaser given that is proposed as a long term hold.
- 3.33 It is noted that the rental gross to nets are very high at 25%, and so the yield is underplayed. The scheme appears inefficient at 62% gross to net floor space which does not support viability, but this may reflect ancillary spaces to enhance the rental values.

## Summary

- 3.34 LBHF will hold the nomination rights for the development and as such the affordable housing offer must be one that can be utilised by the Council for its residents. The affordable housing product is not supported and the Council objects to the proposal on this point. The viability assessment submitted raises concerns as to the methodology adopted and the assumptions made to bring forward a scheme that is fundamentally unviable. The affordable housing product should be revisited to deliver London Living Rent and below. Any s106 agreement should secure appropriate review mechanisms and clawbacks at the end of the 15 year covenant as advised by the Mayor's Affordable Housing and Viability SPG.

## Housing Mix

- 3.35 **London Plan Policy 3.8** seeks to promote housing choice by supporting residential development proposals which provide a mix of unit sizes and types. **London Plan Policy 3.9** seeks to secure that communities are mixed and balanced by tenure and housing income across London,
- 3.36 **DMLP Policy DM A3** and **Housing Strategy (May 2015)** seeks a mix of units, and specifies the preferred mix for affordable rented and intermediate. **OPDC Local Plan preferred policy option H3 (Housing Mix)** sets out a preferred mix of housing sizes for overall affordable housing. This is based on a housing needs assessment of the three boroughs in the OA (Brent, Ealing and Hammersmith & Fulham).
- 3.37 The following table sets out the applicants proposed housing mix:

<b>Unit type</b>	<b>Total</b>	<b>%</b>
1 bed	101	51
2 bed	69	35
3 bed	25	13
4 bed	5	3
<b>Total</b>	<b>200</b>	

- 3.38 The proposed development is concentrated upon delivering a high proportion of 1 and 2 beds units, representing 86% of the development. As noted above the gross to net floor ratio at 62% appears inefficient and would suggest that a more efficient layout could deliver a greater number of units.
- 3.39 However, it is noted that approximately half the 3 and 4 bed units are affordable and it may be acceptable to seek an alternative housing mix for intermediate units to lower the number of 3 and 4 bed units and therefore increase the number of 1 and 2 bedroom units.

## Standard of accommodation

- 3.40 **London Plan Policy 3.5** (quality and design of housing developments) requires that housing be of the highest quality. **The Housing SPG (2016)** sets out the Mayor's Housing Standards, incorporating the latest national technical standards.

- 3.41 **Table 3.3 accompanies Policy 3.5 of the London Plan** and provides minimum sizes for residential units. The unit sizes within the proposed development all meet or exceed the minimum space standards. The development is considered acceptable in this regard.
- 3.42 The proposal comprises 100% dual aspect units and no single aspect north or south facing units. All units are compliant with their respective space standards. Each unit has private amenity space in the form of a balcony or terrace which meet the minimum sizes set out in the London Plan. The proposed cores do not serve more than eight units.
- 3.43 Overall officers are satisfied that the proposal would provide an acceptable standard of accommodation for its residents.

### **Accessibility**

- 3.44 All entrances would provide level access to both residential and commercial uses except for the south block residential entrance which features steps and a ramped access. 14% of residential units would be adaptable, which exceeds the 10% requirement of **London Plan Policy 3.8**. As such the scheme meets the required guidelines. However, the requisite number of parking spaces for these units only number 2 and further spaces should be provided within the site or in the close vicinity.

### **Amenity Space**

- 3.45 **Policy 3.6 of the London Plan** requires that adequate playspace for children is required. The GLA's Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012) requires the provision of play space for children within new residential development commensurate with the child yield of the development, and identifies different needs for children of different ages.
- 3.46 **LBHF Core Strategy Policy H3** promotes shared amenity space in large residential developments. **Core Strategy Policy OS1** seeks to ensure the provision of quality accessible and inclusive open space and children's play space, and **Policy BE1** seeks good quality public realm and landscaping.
- 3.47 **OPDC Draft Local Plan Policy D3: Open Space** requires proposals to deliver public and communal open spaces that are supported by a clear and robust management strategy.
- 3.48 Playspace provision will be incorporated within the landscaping for the scheme and this should be specifically referenced and secured by planning condition. The submitted Planning Statement and Design and Access Statement references that each unit will have a balcony, however no further details are set out within these documents that these balconies comply with the relevant London Plan and Housing SPG requirements.

### **Residential Amenity**

- 3.49 **London Plan Policy 7.6Bd** (Architecture) requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings,



particularly in relation to privacy, overshadowing and microclimate. This is particularly important where tall buildings are proposed.

- 3.50 **London Plan Policy 7.6** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy overshadowing and wind and microclimate. **Policy 7.7** adds that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference.
- 3.51 There are no residential uses close to the site and as such no existing residents will be directly impacted in terms of privacy or overlooking. The proposed units are considered to receive a good level of daylight and sunlight.

## HERITAGE AND DESIGN

- 3.52 The **London Plan** contains a number of policies relevant to design and heritage. **Policy 7.4** requires consideration of local character. Regard should be had to the wider area, the scale, bulk, mass and orientation of surrounding buildings and streets. **Policy 7.7** requires architecture to make a positive contribution to the public realm, streetscape and wider city space. Materials should be high quality and design should be appropriate to its context. Policy 7.7 is specific to tall buildings. It advises that they should be part of a plan-led approach to change or develop an area by identifying appropriate locations where they will not have a harmful impact on their surroundings. Tall buildings will normally be limited to sites with good public transport links (such as the CAZ, Town Centres, or Opportunity Areas), and where they will not affect the character of the area in which they would be sited. **Policy 7.8** requires that heritage assets are considered when reaching decisions.
- 3.53 **The Old Oak and Park Royal Draft Local Plan** contains design policies setting out that proposals will be supported that demonstrate the delivery of exemplar world class architectural and landscape design, having special regard to local character and context as well as to the creation of new character areas for places and neighbourhoods. The further detailed policy options generally correspond with the Hammersmith and Fulham Development Management Local Plan policies.
- 3.54 In terms of **guidance on Tall Buildings** – the joint national guidance produced by English Heritage and CABI is relevant. The guidance states that and in the right place tall buildings can make a positive contribution to the identity of areas and the skyline generally, and that they can be excellent works of architecture in their own right. The guidance goes on to say that they can serve as beacons of regeneration.
- 3.55 The published **Scrubs Lane Direction of Travel Document (March 2017)** is the OPDC's pre-consultation document on the emerging **Scrubs Lane Development Framework**. The framework's draft vision is "Scrubs Lane will be a characterful and well connected street that builds on its industrial heritage as a hinge between east and west that provides spaces for creating, working and living". It will promote a coherent approach with regard to local character, height and massing,

land uses, movement and public realm and provide detailed guidance for early development proposals as well as for policy and the forthcoming Old Oak Masterplan. The Direction of Travel Document provides guidance for, amongst other themes, “four clusters to guide the location of active uses and shape built form” along Scrubs Lane. Guidance on height and massing is supported by a strategic views assessment.

- 3.56 The northern part of the site lies within the Hythe Road Cluster at the junction of Scrubs Lane with the new road into Old Oak North. The southern-most part of the site lies within the Mitre Canalside Cluster. The document designates the south-western corner of the Hythe Road cluster as a location for a single taller form within the cluster. Important design principles of the document are stated as “Responding to character” – “Delivering a high quality place that responds to heritage assets, open spaces, the Grand Union Canal and the railway” and “Managing heights and massing”, including a general 6-8 storey building height onto Scrubs Lane that would apply to the application site.
- 3.57 The Direction of Travel Document does not carry weight for determining planning applications, however, the degree of compliance with its principles should be noted as these principles have formed the basis for the pre-application discussions with the applicants in the absence of an adopted local policy framework for the area.

### **Heritage Assets**

- 3.58 The surrounding industrial legacy of the Old Oak Park area and the openness of the cemeteries and green spaces provide the current setting for many of the heritage assets identified to be potentially affected by the proposed development within the surroundings of the application site. The application site is occupied and surrounded by a low level and low density townscape with intermittent railway embankments, bridges and areas of vegetation allowing for long range views. The identified heritage asset that would visually be affected by the proposed development is the St Mary’s (Cemetery) Conservation Area to the west of the site, Cumberland Park Factory Conservation Area to the north-east of the site and the Grand Union Canal Conservation Area that directly adjoins the site to the south. In addition, Historic England has identified Scrubs Lane Overbridge from 1905 to the south of the site as an undesignated heritage asset affected by the proposals.
- 3.59 The Grade I listed Registered Park and Garden at Kensal Green Cemetery including many of its listed monuments and structures as well as a number of listed buildings have been identified in the Heritage, Townscape and Visual Impact Appraisal as potentially indirectly affected in views of the proposed scheme.

### **Massing, Height and Design**

- 3.60 Scrubs Lane and the site are located within an area designated as sensitive edge in the Old Oak and Park Royal Draft Local Plan and has retained much of its historic openness to the landscape by allowing for views and links into and from the canal corridor, the Scrubs, the cemeteries and the green railway verges.

- 3.61 Scrubs Lane is asymmetrical in character with the finer grain of the older workspace buildings with yards on the east and large plots with sheds along the west side. The east side forms a low-rise, visually quiet boundary to the cemetery with a distinctive, industrial appearance, mostly owing to the buildings that form the Cumberland Park Factory Conservation Area to the north-east. The west side has much deeper plots occupied by a variety of building types and sizes. The only building taller than 2-3 storeys is the 7-storey high Cumberland House on the west side of Scrubs Lane.
- 3.62 The proposed development comprises a 19-storey tower in the north-western corner of the site, a 7 to 9-storey slim block between the haul road and Scrubs Lane and a 6 to 9-storey block configured around a podium with communal open space on the southern part of the site. The three elements would form clearly detached blocks that respond to Scrubs Lane with a strong edge of a continuous shoulder height and to the Hythe Road junction with a solitary tall structure marking the entrance into the heart of Old Oak Park. Towards the canal the building height would diminish and the block would open up at ground and podium level. This would reduce the sense of encroachment of the development onto the canal corridor and create a visual relationship between the openness and landscaping of the canal and St Mary Seacole Garden and the public and communal open spaces of the southern block.
- 3.63 While all three parts of the development would have a unique character in form, height and modelling, their common design rationale responds to the industrial and engineering heritage of the area. The architecture would be characterised by overall solid and robust building envelopes with textured brickwork and concrete/masonry features with strongly articulated, deep openings and expressed structural components. The industrial detailing to shopfront glazing, screens and metalwork would continue this character into the active ground floor elevations. The retail and commercial frontages are well articulated and allow for further enhancements once the access road through the site is no longer required. Subtle variation in the colour and texture of the brickwork would visually break up the development and reflect the characteristic tonality of the monuments and memorials of the cemeteries.
- 3.64 The tower design is refined by a more graphic approach to the configuration of strong masonry features combined with recessed, vertical glass and metal clad slots and deep horizontal balcony openings. This is considered to have more effect in long range views although, in the more prominent long range views of the tower from east, its proportions do not appear slender and elegant. In local views the visual lack of support to the staggering ends of the horizontal banding and the insertion of vertical slots are also not convincing.
- 3.65 Urban greening and landscaping is designed to contrast with the solid character of the buildings, and strongly feature on the roofs, along the railway verges and within industrial planters as a buffer to the streets, as well as on the podium and on the canal side where it would link into the canal corridor and St Mary Seacole garden.
- 3.66 The Place Review Panel concludes in its last review of the pre-application scheme in January 2017 that the “overall design approach to the site, public spaces and buildings are broadly successful and take into account the

sensitivities of the Grand Union Canal, St. Mary's Cemetery, railway and wider context". The panel broadly agrees with the proposed massing and building typologies and recommends further work on the design approach for Mitre Yard, the podium garden, the detailed architectural design and the relationship of the site to the wider area through pedestrian and cycling connections.

- 3.67 Historic England objected to the development on the basis of its close proximity to sensitive historic context as the site is framed by two conservation areas and lies nearby a grade I listed park and garden of Kensal Green. While the lower blocks of the development are considered to be a more comfortable response to the context, the 19-storey tower, due to its prominence and contrast to the townscape context in views from the heritage assets, is considered to harm the setting, character and appearance of St Mary's Cemetery Conservation Area and Kensal Green, and therefore fail to preserve or enhance the significance of the historic environment.
- 3.68 The site lies within one of the clusters proposed by the emerging Scrubs Lane Development Framework that provides the opportunity to locate one taller element that marks an important east-west interchange with a centre of activity. While Officers are of the view that the close proximity of the clusters with a tall building could be counter intuitive in that it would be likely to result in an incongruous townscape with a lack of character, the proposed 19-storey element could be an appropriate response to the location in the midst of a number of major road and rail routes with a lack of useful public realm, and at the same time provide a form that marks the main eastern access into Old Oak Park.

### **Townscape Assessment**

- 3.69 The townscape impact of the development has been assessed in the Townscape and Visual Impact Assessment, in particular with regard to the visual effect on the surrounding heritage assets of the Grand Union Canal Conservation Area, St Mary's (Cemetery) Conservation Area, Cumberland Park Factory Conservation Area, the grade I listed park and garden of Kensal Green, the historic Scrubs Lane Overbridge and all listed buildings and structures within the cemeteries.
- 3.70 The development would be prominent in views along the canal, however its impact would be softened by the lower building height facing the canal and the linking of open space and landscaping within the development at ground and podium level with the canal corridor and its linear, green features. The proposed southern block would provide a new, strong edge to the conservation area and a sense of enclosure for the canal corridor that would be appropriate in the context of the conservation area's significance. The design and appearance of the development would also form a visually interesting and significantly improved backdrop to the historic Scrubs Lane Overbridge.
- 3.71 The proposed Mitre Yard buildings would be prominently visible in some viewing points within the cemeteries and contribute to the change of the current visual relationship between the landscaped and urban edges. However, while clearly seen beyond the buildings on the edge of the cemetery on the eastern side of Scrubs Lane, the two lower blocks would be of similar height than the existing Cumberland House and in line with the envisaged massing within the sensitive edge of the Old Oak Park. The visual prominence of the tower would inflict some

harm to the significance of the cemeteries as it would impact on their current character of openness, quietness and contemplation in the views from within. However, such impacts are expected to be a result of the regeneration of the area and have to be balanced and managed by incorporating breathing space and built transition where required. In this case while the detailed tower design lacks clarity, its location behind an existing and proposed layer of buildings on the eastern edge of Scrubs lane is considered to reasonably address the sense of encroachment of new development on the sensitive historic areas. The long term benefits of regenerating Scrubs Lane as part of the wider area are considered to outweigh the identified “less than significant” harm to the heritage benefits.

## Summary

- 3.72 The redevelopment of the site provides an opportunity for significant enhancement of the area and provision of facilities and better links with the surrounding communities. The configuration of the blocks and their robust form and depth would be a distinctive addition to the townscape even in mid and long range views and provide a means of orientation in the context of Scrubs Lane and the wider Old Oak area. Subject to ensuring that the high aspirations of the design detailing would continue into the detailed design and implementation phases, the proposals are considered to assist in establishing townscape character and influencing placemaking for Old Oak.

## HIGHWAYS AND TRANSPORTATION

- 3.73 **London Plan Policy 6.13** requires the maximum car parking standards for residential set maximum standards of one space per 500sqm of gross Class B1 floorspace. **OAPF Policy T3** requires a maximum provision for residential developments of a ratio of 0.2 spaces per unit and no provision for commercial uses except for the disabled users. **London Plan Policy 6.13 requires that 10%**
- 3.74 The applicant has submitted a Transport Assessment (TA) which evaluates the impact of the proposals in accordance with **DMLP Policy DM J1**. The TA considers a development that would comprise 611 residential units, 3,000 sqm Class B1 use, and 500sqm for a health centre. **DMLP Policy DM J1** indicates that Construction Logistics Plans (CLP) should be drafted in accordance with TfL’s London Freight Plan and in consideration with travel plans.
- 3.75 It is recognised that this site is within the OPDC area and the impact of each emerging development must be included in the strategic impact analysis and modelling work, currently being developed. In addition, the draft OPDC local plan includes recommended highways improvements, which will contribute towards the required mitigations measures for this development. Officers recommend that the developer should contribute towards the delivery of key transport infrastructure improvements, by way of financial contributions secured through the s106 agreement, as identified in the London Plan and OAPF.
- 3.76 There are, however, fundamental concerns about the approval of applications fronting Scrubs Lane in the absence of acceptable plans to improve Scrubs Lane and address the future movement and to provide a high quality sustainable public realm. The need for significant changes to the geometry of Scrubs Lane is

acknowledged by OPDC and is referenced in a number of OPDC documents including the Alan Baxter report “Scrubs Lane Masterplan – Transport Proposals” June 2016. The latest “Scrubs Lane Development Framework – Direction of Travel Document” March 2017 goes as far as providing an indicative “illustrative street design” but offers no highway design to support this. It should be noted that the document was reported to the OPDC planning committee in April 2017 for information only.

- 3.77 The Council is highway and traffic authority for Scrubs Lane and needs to be closely involved in agreeing its future design. This needs to be done ahead of any planning approvals that seek to set aside land for highway purposes or create new site entrances onto Scrubs Lane.
- 3.78 The Council as highway authority therefore objects to the approval of the present application on the grounds that it is premature to determine this ahead of determining and agreeing the future design of Scrubs Lane.
- 3.79 The TA for the site states in 7.2.10 that “The proposal respects the land take requirements for planned highway works to Scrubs Lane as part of the OPDC Local Plan;” but this cannot be the case as no highway design or land take has been agreed with the highway authority. Further, the northern boundary of the site offers no footway. This is not addressed in the application documents refers to a possible future releveling of the extant access road through the site to provide a pedestrian link from the site to Hythe Road.
- 3.80 It is noted that the site will have two vehicular accesses from the A219 – Scrubs Lane. Access to the south site “will utilise the site’s existing access rights over the [extant] access road.” And “The vehicular access to the north site is to be by way of the retained vehicular crossover directly to the north of the retained access road.” Bearing in mind that the close proximity of these accesses onto a major road a road safety audit is a basic requirement that needs to be carried out ahead of any planning approval. For this site there should be two separate safety audits; one in respect to the existing road layout and the other in respect to the future design of this part of Scrubs Lane once approved. The TA notes that there have been 66 “accidents” over the latest available five year period over the total study area, 14 of these within the locally defined study area.”

### **Cycle Parking**

- 3.81 The TA does not examine the cycle parking facilities in much detail. However it does provide the following breakdown:
- North plot
- 3.82 10 spaces for residential visitors as well as individual stores at the entrance to each residential unit sufficient to accommodate one cycle for one bedroom units and two cycles for the larger units, plus five stands for visitors to the new commercial units..
- 3.83 No mention is made of cycle provision for staff at the commercial units which is an omission. Further, the individual residential cycle stores would need to be conditioned for the exclusive use for cycle storage for the lifetime of the

development. These cycle storage facilities should be supported by appropriate notification as to the use of these area for future occupiers via any section 106 agreement. In addition, appropriate permanent signage indicating the use of these storage areas for cycle parking would be recommended.

#### South plot

- 3.84 111 spaces in a ground floor plot for residential use plus five stands for residential visitors plus five stands (10 spaces) for visitors to the commercial units. No mention is made of cycle provision for staff at the commercial units which is an omission. The design and layout of cycle parking needs to be conditioned.
- 3.85 The number of cycle spaces for residential use for both plots is in accordance with planning standards providing that the cycle storage areas can be retained for use as cycle stores for the life of the development.

#### **Accessible Parking Bays**

- 3.86 The TA notes that accessible bays should be provided at a level of 10% of all units, i.e. 20. It further notes that only five are proposed on the north site and two on the south site due to “the size of the site and limitations introduced by the access road being outside the applicant’s control.” It is not considered that this level of shortfall is acceptable. This is especially the case as the local highway network does not practically allow on street parking with a blue badge in the immediate vicinity of the site. The parking bays should have electric charging points in line with London Plan policy and be conditioned solely for residents of the development with blue badges.

#### **Car Parking**

- 3.87 It is noted that aside from accessible parking no other parking on street is to be provided and that all units will be denied car parking permits. This would need to be secured against any planning approval. It is noted though that the current PTAL of the site is 1b. which is poor. The TA states that “It is recognised the provision of car club vehicles is necessary to facilitate access for residents in an area of low car provision...”. However no car club facility is proposed. The logical conclusion from this wording in the TA is that in the absence of car club vehicles the proposal is unacceptable.

#### **Trips**

- 3.88 Peak trip predictions in the transport assessment indicate car trips close to 5% of overall trips. This seems unlikely bearing in mind the proposed provision of only five accessible parking bays. It is considered that the modal split derived from local census data may not represent the best methodology for estimating future trips from new developments in the Old Oak area.

## Summary

- 3.89 Should the application be approved there is a need to secure the following:
- A Delivery and Servicing Plan
  - Travel plans (residential and work place) with funding for Year 1, 3 and 5 reviews by the local authority at £2,500 per review
  - A Demolition Logistics Plan
  - A Construction Logistics Plan.
  - Funding for bus service improvements
  - Funding for infrastructure improvements
- 3.90 It would usually be a requirement of the local highway authority for a section 278 agreement to be secured for works in the immediate vicinity of the site. In a Section 106 agreement would be needed to secure additional widths of road for adoption. However, given the issues raised above it is unclear how this might be progressed
- 3.91 It would be premature to determine this application ahead of a detailed design for Scrubs Lane being agreed with the local authority. It is recommended that work be carried out on this design as a matter of priority ahead of the determination of this application.

## Waste Management

- 3.92 **London Plan Policy 5.16, 5.17 and 5.18** relate to waste self-sufficiency, waste capacity and construction waste respectively. **LBHF Core Strategy Policy CC3** and **DMLP Policy DM A9** include standards are relevant. The **LBHF Planning SPG** sets out detailed policies relating to the storage of refuse and recyclables.
- 3.93 The applicant has submitted an Operational Waste Management Strategy as part of the Environmental Statement. LBHF would be the authority collecting the waste so it is important that the proposals are acceptable to the council and comply with LBHF policies.
- 3.94 The Waste management plan is considered to be comprehensive. The proposal makes adequate provision for refuse and recycling storage and collection areas, and complies with the relevant policies in terms of waste generation, bin numbers and space provision.

## ENVIRONMENTAL CONSIDERATIONS

### Air Quality

- 3.95 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions). LBHF has an air quality action plan setting out measures to reduce emissions, improve local air quality and work towards meeting national objectives.



- 3.96 **Paragraph 124 of the NPPF** relates to air quality and it states planning decisions should ensure that any new development in air Quality Management Areas is consistent with the local air quality action plan.
- 3.97 **Policy 7.14 of the London Plan** seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings. It aims to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality: be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality such as areas designated as Air Quality Management Areas (AQMAs). Further the Mayor of London's Air Quality Strategy (AQS) provides a framework of policy which aims to improve air quality in London.
- 3.98 **The Mayor's Housing SPG** states 'Where schemes cannot have openable windows due to poor air quality or noise restrictions, careful consideration needs to be given to the location of air intake units and any increased potential for overheating in the summer due to the reduced opportunities for natural ventilation'.
- 3.99 **Policy CC4 of the LBHF Core Strategy** explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives.
- 3.100 **Policy DM H8 of the LBHF DMLP** states The council will seek to reduce the potential adverse air quality impacts of new major developments by:
- Requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government's air quality objective concentration targets;
  - Requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives; and
  - Requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality.
- 3.101 The air quality monitoring study within air quality assessment states at the front elevations of the proposed buildings on Scrubs Lane the annual mean NO<sub>2</sub> monitoring concentrations currently exceed 60 ug<sub>m</sub><sup>-3</sup>. This indicates the potential exceedance of the 200ug<sub>m</sub><sup>-3</sup> hourly mean objective. The report states in chapter 8 'Whilst the NO<sub>2</sub> sensitivity analysis predicts exceedances of the AQS objective, given that the Development is not to be operational until 2020; and that the use of Euro 6 vehicles will lead to a reduction in emissions. Thus at all existing and future receptors considered when assuming future improvements in air quality and therefore mitigation measures would not be required.'

- 3.102 Defra's Emission Factor Toolkit (EFT Ver 7.0) is based on COPERT 4.0 v.11 emissions factors. The NO<sub>x</sub> emissions factors in COPERT are not representative of Real World Driving Emission (RDE). The Air Quality Assessment should consider the uncertainties in emission factors by modifying emission factors using derived real-world emissions factors, for example Air Quality Consultants' "Calculator Using Realistic Emissions for Diesels" (CURED), CERC's EMIT, Emissions Analytics AQUA index. It has been shown that emissions from diesel vehicles have not improved from Euro 1 to Euro 6. The emissions from both Euro V and Euro VI vehicles are under-predicted by COPERT. The emissions from current Euro 6 (a,b,c) diesel vehicles are unlikely to improve even with RDE as these vehicles due to the type approval process will be able to emit up twice the levels of NO<sub>2</sub> emissions due to a conformity factor range of 1.5 - 2.0%.
- 3.103 Officers do not agree with the conclusions that no further mitigation measures are required for the exceedance of the 40ugm-3 air quality objective for NO<sub>2</sub>. Further dispersion modelling is required for the residential receptors as the buildings are less than 20m from the kerbside and this is not sufficient distance for the dispersion of elevated levels of NO<sub>x</sub> vehicle emissions. The ventilation strategy for the residential units would need to comply with Standard 33 of the Mayor's Housing SPG, March 2016 and Policy 7.14 of the London Plan.
- 3.104 The impact of transport emissions during the demolition, construction, operational phases and energy plant emissions during the operational phase will have an impact on local air quality. Further mitigation measures will be required to make the development acceptable in accordance with policy. The development site is within the borough wide AQMA. And the site is in an area of poor air quality due to the road traffic emissions from Scrubs Lane (A219). The development proposal will introduce new receptors into an area of poor air quality. In respect to this development site the air quality, specifically the NO<sub>2</sub> concentrations, at the proposed site even in the background will fail the 40ugm-3 air quality objective for NO<sub>2</sub> until 2025-2030.
- 3.105 There are uncertainties in NO<sub>2</sub> prediction concentrations as result of a disparity between the national road transport emission projections and measured annual mean concentrations of nitrogen oxides and NO<sub>2</sub> has been identified in recent years and specifically from Defra funded projects that have taken place in London to investigate this problem. Whilst projections suggest that both annual mean nitrogen oxides and nitrogen dioxide concentrations from road traffic emissions should have fallen by around 15-25% over the past 6 to 8 years, at many monitoring sites levels in LBHF remained relatively stable, or have even shown an increase.
- 3.106 Due to the emissions from transportation sources mitigation will be required in the form of additional ventilation for the proposed residential units. The Environmental Quality Team recommends:
- The bedrooms of the residential units on floors should ideally be orientated away from the main sources of poor air quality, Scrubs Lane (A219), as part of the design mitigation for air quality.
  - There are no balconies or residential amenity terraces on the Scrubs Lane (A219) façade to comply with DMLP Policy DM H8

- Due to the emissions from transportation sources mitigation will be required in the form of additional ventilation for the proposed habitable rooms with facades on Scrubs Lane (A219). The fresh air intake for these residential units should be located at the rear at roof level (there should be no fresh air intakes on any elevations on Scrubs Lane (A219). Care will need to be taken to locate the inlets for the ventilation away from any local sources such as boiler flues and kitchen vents.
- To avoid contamination of the fresh air intake, the supply of the ventilation system for the residential units should be designed to ensure that all the extracts for the ventilation system are located on Scrubs Lane (A219) elevations at roof level.
- A Low Emission Vehicle Plan is produced and implemented using alternatives to diesel fuelled vehicles during demolition, construction, and operational phases of the development. It will need to be integrated into the Construction Logistics Plan (CLP), Air Quality Dust Management Plan (AQDMP), Servicing and Delivery Plan, and the Low Emission Strategy for the development site

### Building Emissions

- 3.107 All planning development should comply with London Plan Policy 7.14 (a-e). A minimum benchmark requirement is the provision and installation of Ultra Low NOx boilers with maximum NOx Emissions of under 0.040 g/kWh in addition to enhanced fabric insulation in exceedance of Building Regulations Part L 2010.
- 3.108 The new London Local Air Quality Management (LLAQM) framework has had Mayoral approval and is now the formal system for London. The Annual Status Reports (ASR) will be required to include specific information on the air quality mitigations the London Borough of Hammersmith and Fulham as required through the Planning process.

### Construction, Demolition and Vehicle Emissions

- 3.109 The demolition and construction works have the potential to create dust and air quality issues. These impacts should be assessed in accordance with the Mayor's SPG 'The Control of Dust and Emissions during Construction and Demolition' July 2014, and appropriate air quality mitigation measures implemented for nearby residential receptors both on-site and off-site of the development.
- 3.110 The on-road and off-road vehicle emissions from the demolition, and construction phases of the development will have an impact on local air quality. The AQDMP, CLP and Servicing and Deliveries Plan should include how low emission vehicles, that is non-diesel, will be used during the demolition, construction, and operational phases to minimise the impact of these vehicle emissions on local air quality. To incentivise the use of ultra low emission vehicles consideration should be given to the provision on site for rapid EV charging points for commercial delivery vehicles and the other vehicle parking spaces on site to have access to EV charging points.

3.111 The applicant will need to submit a AQDMP that complies with and follows the chapter order (4-7) and appendices (5,7,8,9) of the Majors SPG 'The Control of Dust and Emissions during Construction and Demolition'.

#### Summary

3.112 There are a number of concerns regarding the conclusions of the Air Quality Assessment and the assumption made, in particular that no further mitigation measures are required for NO<sub>2</sub>. The measures listed above should be investigated and implemented. Given the impact of emissions from the demolition, construction and operational phases upon borough residents it is imperative that appropriate mitigation measures are put in place at each stage. As such it is expected that conditions are placed on any subsequent planning permission that secure:

- Mechanical ventilation systems with details of air intakes, as above, design details and habitable room window locations to demonstrate they avoid areas of NO<sub>2</sub> or PM exceedances, to prevent overheating, and minimise energy use.
- Ultra low NO<sub>x</sub> gas fired boilers for space heating and hot water not exceeding 40mg/kWh (at 0% O<sub>2</sub>)
- An AQDMP, including an assessment that considers residential receptors on and off-site following the methodology of Chapter 4 of the Mayor's of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014. Air quality monitoring of PM<sub>10</sub> should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.
- A Low Emissions Strategy detailing the remedial action and mitigation measures that will be implemented to protect receptors. This should make a commitment to implement the mitigation measures (including NO<sub>x</sub> emissions standards for the chosen energy plant) that are required to reduce the exposure of future residents to poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NO<sub>x</sub> and particulates from on-site transport during Demolition, Construction and Operational phases.
- The construction of a green wall/ green infrastructure (including details of planting species and maintenance) on the section of development facing Scrubs Lane

#### Noise and Vibration

3.113 **Policy 7.15 of the London Plan** is concerned with noise, specifically minimising the existing and potential effects from developments and separating noise sensitive uses from noise sources wherever practical. **DMLP Policy DM H9 'Noise'**

3.114 The submitted Noise and Vibration Assessment concludes that prevailing vibration levels would not adversely impact on residential amenity of the proposed Development. Officers do not raise any objections to these conclusions.

## Energy Efficiency and Sustainability

- 3.115 **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 and Policies CC1 and CC2 of the Core Strategy** promote sustainable design, adaptation to climate change and carbon emissions reductions, together with **Policies DM H1 and DM H2 of the DMLP. SPD Sustainability Policy 25** requires major planning applications to provide details of how use of resources will be minimised during construction and **Policy 29** requires submission of a detailed energy assessment.
- 3.116 As required, a Sustainability Strategy and Energy Assessment has been provided with the application. The Energy Assessment shows that sustainable energy measures are proposed in line with the London Plan Energy Hierarchy, including energy efficiency measures and low/zero carbon technologies including solar PV panels and solar thermal heating systems that are calculated to reduce CO<sub>2</sub> emissions by 35.2% a year. This is adequate to meet the London Plan CO<sub>2</sub> reduction target of 35% in relation to the commercial element of the scheme, but the residential element is required to achieve zero carbon emissions.
- 3.117 The Energy Strategy proposes to off-set the remaining emissions associated with the residential units by making a payment in lieu. The amount is not included in the report, but as 137.7 tonnes of CO<sub>2</sub> need to be offset and the GLA cost of offsetting a tonne of carbon is £1800, the payment necessary has been calculated as being £247,860 and should be secured by way of a s106 obligation.
- 3.118 In terms of wider sustainability issues, the Strategy is to assess the non-residential aspects of the scheme using BREEAM and to achieve a "Very Good" rating. For the residential component of the scheme, the GLA's Sustainable Design & Construction SPG has been used to guide the level of performance on a range of sustainability issues. Overall, it is considered the proposals to be acceptable. It is understood that the required carbon off-set payments for developments in the OPDC area are made to OPDC. On this basis LBHF would seek further clarity on how OPDC will they decide on implementation of measures to off-set CO<sub>2</sub>.
- 3.119 Overall, whilst the proposals are considered to be acceptable in terms of the levels of sustainability being achieved, there may have been scope to achieve higher levels of performance.

## Flood Risk

- 3.120 **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, it should be designed to be safe without increasing flood risk elsewhere.
- 3.121 **London Plan Policies 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 drainage systems (SuDS), and specifies a drainage hierarchy for new development.

- 3.122 **Core Strategy policy CC1** requires that new development is designed to take account of increasing risks of flooding. **Core Strategy Policy CC2** states that new development will be expected to minimise current and future flood risk and that SuDS measures will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water. These are also supported by **DMLP Policy DM H3** and **LBHF Planning SPD Sustainability Policies 1 and 2**.
- 3.123 A Flood Risk Assessment (FRA) has been submitted with the application. The site is in the Environment Agency's Flood Zone 1 which indicates that the site is low risk in terms of flooding from the River Thames. The proposals do not include basement level development, so flood risks from groundwater and sewers are also considered to be low. Surface water flooding is a potential issue on and around the site and this has been assessed in the FRA.
- 3.124 To help mitigate the potential risks of surface water flooding during an intense rainfall event, the FRA notes that finished floor levels have been raised. There are no residential units at ground floor level, so all of the "more vulnerable" to flooding uses are positioned at first floor and above with only "less vulnerable" uses on the ground floor. The raised floor levels provide adequate protection from flooding. Overall, the FRA is considered to be acceptable and the proposed mitigation measure of raising finished floor levels is appropriate and can be conditioned.

### **Land Contamination**

- 3.125 **National Planning Policy Framework** paragraph 121 states planning decisions should ensure that the sites is suitable for its new use taking account of ground conditions and after remediation the land should not be capable of being determined as contaminated land.
- 3.126 **Policy 5.21 of the London Plan** states the support for the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development.
- 3.127 **Policy CC4 of the LBHF Core Strategy** states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.
- 3.128 **LBHF DMLP Policy DM H7** states When development is proposed on or near a site that is known to be, or there is good reason to believe may be, contaminated, or where a sensitive use is proposed, an applicant should carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination. Development will not be permitted unless practicable and effective measures are to be taken to treat, contain or control any contamination so as not to:
- expose the occupiers of the development and neighbouring land uses including, in the case of housing, the users of gardens to unacceptable risk;

- threaten the structural integrity of any building built, or to be built, on or adjoining the site;
  - lead to the contamination of any watercourse, water body or aquifer; and
  - cause the contamination of adjoining land or allow such contamination to continue.
- 3.129 Any application will be assessed in relation to the suitability of the proposed use for the conditions on that site. Any permission for development will require that the measures to assess and abate any risks to human health or the wider environment agreed with the authority must be completed as the first step in the carrying out of the development.
- 3.130 **SPD Amenity Policies 2, 3, 4, 5, 7, 8, 12, 13, 14, 15** deals with contamination. **Policy 16** sets out the common submission requirements for planning conditions relating to contamination and **Policy 17** deals with sustainable remediation.
- 3.131 The assessment undertaken to date is not considered sufficient and further work is deemed necessary. Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The history of the site and surrounding area is not fully defined and therefore the potential risk to the future occupants of the site may be underestimated.
- 3.132 The report has been based solely on an Envirocheck search, which will only identify features labelled on Maps or on contemporary trade directory records. As per CLR11 a Council Environmental Search should be requested to ensure that potentially contaminative historic land uses identified in Council records are included in the preliminary risk assessment.
- 3.133 The CSM includes risk to future site users from off-site contaminants migrating on-site via groundwater but does not make it clear that contaminated ground water on the site itself is also a potential source.
- 3.134 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 Borough Wide Strategic Policy CC4 of the Core Strategy and DMLP Policies DM H7 and DM H11.
- 3.135 If planning permission is to be granted, LBHF recommends conditions relating to the submission of a preliminary risk assessment, site investigation scheme, qualitative risk assessment, remediation method statement, verification report and a long term monitoring report.

### **S106 AGREEMENT**

- 3.136 The Council considers it is important to be signatories to the s106 agreement. The Council is the highway, housing, waste and education authority, the local authority for public health, and responsible for Air Quality. The Council also plays a key role in economic and employment provisions. As such it is appropriate that it should manage relevant planning obligations, which it can only do if it is party to the agreement.

3.137 Being party to the s106 agreement will enable the Council to monitor compliance and thus reduce the need for the OPDC to do so. It will also avoid the need for the OPDC to collect monies and distribute to the Council.

3.138 Without the council formally securing commitments by being party to s106 agreements, its ability to promote and comply with its council wide duties will be severely undermined.

- Housing Authority - Affordable housing provisions, including nomination rights of occupiers on its housing register, viability review mechanisms are of paramount importance to the council's role as Housing Authority
- Highways Authority - The council is responsible for maintenance of the highway and the party to enter into highways works agreements (S278 agreements).
- Road Authority – (as above in relation to road management, parking)
- Highways provisions relating to the construction, dedication and adoption of highway and changes to the road system will require the council's signature as highway and road authority. CPZ and parking are administered by the highway and road authority.
- Waste authority – responsible for collection of waste and recycling.
- Education Authority – requirement to provide sufficient education to meet the needs for children in its borough.
- Local authority for Public Health
- Economic and employment provisions – the council plays a key role in developing provisions to secure apprenticeships, training and contracts for local providers in relation to development. As such, its involvement in negotiating the terms of the S106 agreement will be important to promote the council's core objectives.
- Air quality – As the borough is an Air Quality Management Area under the 1995 Environment Act – Part IV, it is essential that the impacts of any development is agreed with the council whose responsibility it is under the act to ensure that air pollution is being adequately addressed.

3.139 Appropriate obligations should be secured for the required carbon offset payment; health and education contributions; employment, training and skills opportunities within LBHF for residents; disabled car parking bays within the immediate area; review mechanism with regard to the scheme viability; 15 year covenants and clawback for the build to rent units; affordable tenure and definition; travel plans; prevention of car parking permits; car club membership; entry into a s278; landscaping to provide playspace and a contribution to improvements of Mary Seacole Gardens

#### **4.0 CONCLUSION AND RECOMMENDATION**

4.1 The proposed mix of uses is acceptable in principle and will contribute to meeting the London Plan and OPDC target of 24,000 homes and 55,000 jobs in Old Oak.

4.2 The development would be very high density, but would provide an acceptable standard of accommodation, mix of unit sizes, and would not have an unacceptable impact on surrounding residential amenity in terms of daylight, sunlight, overshadowing.



- 4.3 The development would meet a high standard architecture and urban design and create a new townscape context that would be consistent with the scale envisaged for future development in Old Oak. However, the detailed design would benefit from some further refinement.
- 4.4 The development will have impacts on education and healthcare provision in the borough and an appropriate education and infrastructure contribution should be secured.
- 4.5 Officers have a number of concerns regarding the proposal in particular the affordable housing offer and a lack of a design for Scrubs Lane.
- 4.6 It is considered that other concerns as outlined above could be adequately secured by appropriately worded conditions, obligations and minor re-design work. The proportions and design details of the tower, with particular consideration of the tower's prominence in long range views from east.
- 4.7 That the OPDC be advised that LBHF objects to the proposal and requests that the identified matters be satisfactorily resolved.

**Ward:** Fulham Broadway

**Site Address:**

103 - 105 Lillie Road London SW6 7SX



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).  
**For identification purposes only - do not scale.**

**Reg. No:**  
2016/02771/FUL

**Case Officer:**  
Sian Brown

**Date Valid:**  
04.08.2016

**Conservation Area:**

**Committee Date:**  
12.06.2017

**Applicant:**

Mr Nick Campbell  
107 - 111 Lillie Road Fulham London SW6 7SX

**Description:**

Removal of the existing advertisement hoarding to the front of the site, and demolition of the existing retail storage (Class A1) and car wash buildings (Sui generis) to the rear, and redevelopment of the site to include the erection of a three storey building on the Lillie Road frontage, to provide 2 no. retail units (Class A1) at ground floor and 6no. self-contained flats (2 x studio and 4 x 2 bed) at first and second floor levels, and the erection of a three storey building to the rear of the site to provide 3no. self-contained flats (3 x 2 bed), together with 3 no. off-street car parking spaces (including 1 disabled space), and associated amenity spaces.

Drg Nos: Energy Assessment; Design, Access & Sustainability Report, dated February 2017 11 P4; 12 P2; 13 P2; 14 P3; 15 P4; 16 P3; Flood Risk Assessment, Project Ref: 28548/001, dated September 2013, by PBA;

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: 11 P4; 12 P2; 13 P2; 14 P3; 15 P4; 16 P3.

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 BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 3) Prior to commencement of the development hereby approved, Demolition Management Plan and Construction Management Plan shall be submitted to and approved in writing by the Council. Details shall include length of time for the obstruction of the footway and control measures for pedestrian safety, control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works and details of temporary site fencing/means of enclosure to be erected prior to any demolition

works take place. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM H9, H10 and H11 of the Development Management Local Plan (2013).

- 4) Prior to commencement of the development hereby approved, a Demolition Logistics Plan and Construction Logistics Plan shall be submitted to and approved in writing by the Council. The details shall include the numbers, size and routes of demolition and construction vehicles, 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. Approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM J1 and DM J6 of the Development Management Local Plan (2013).

- 5) The development hereby permitted shall not commence until detailed drawings in plan, section and elevation at a scale of no less than 1:20 of a typical bay of the Lillie Road elevation are submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 6) Prior to commencement of the development hereby permitted (save for demolition and site clearance), details of all new external materials to be used in the development including curtain walling, cladding and roofing materials shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details; and permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the conservation area; and the setting and special architectural and historic interest of the locally listed building, the adjacent listed building and neighbouring listed buildings in accordance with policies 7.1 and 7.6 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 7) 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 BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 8) 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 Policy BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 9) No alterations shall be carried out to the external appearance of the buildings, 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 BE1 of the Core Strategy (2011) and Policy DM G1, DM A9, DM H9 and DM H11 of the Development Management Local Plan (2013).

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the buildings in accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending, revoking and re-enacting that Order) no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written permission of the Council.

Due to the limited size of the site, proximity to neighbouring properties and proposed design of the proposed single family dwellings on the site, the Council would wish to exercise future control over development which may affect residential amenity or appearance of the area, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM A9 and DM G1 of the Development Management Local Plan (2013)

- 12) No advertisements shall be displayed on the development hereby approved without details of the advertisements having first been submitted to and approved in writing by the Council.

In order that any advertisements displayed on the building are assessed in the context of an overall strategy, so as to ensure a satisfactory external appearance and to preserve the integrity of the design of the building, in accordance with Policies BE1 and CC4 of the Core Strategy (2011) and Policies DM G1 and DM G8 of the Development Management Local Plan (2013).

- 13) The glass installed for the retail frontages on the Lillie Road shall be clear and shall be permanently retained and not obscured in any way.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (2013).

- 14) No external roller shutters shall be attached to the retail frontage to Lillie Road elevation.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (2013).

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

To ensure suitable entry into the building for disabled people. In accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (2013) and SPD Design Policy 1, 2 and 25 of the Supplementary Planning Document (2013).

- 16) 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.

To ensure a satisfactory provision for dwellings, meeting the needs of people with disabilities, in accordance with the Policy 3.8 and 4.5 of The London Plan (2016), Policy H4 of the Core Strategy (2011) and Policy DM G1 and A4 of the Development Management Local Plan (2013).

- 17) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, and of acoustically attenuated mechanical ventilation as necessary to achieve internal room noise standards in accordance with the criteria of BS8233:2014. 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 [industrial/ commercial noise sources], in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013).

- 18) 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 the commercial part of the premises from dwellings. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013).

- 19) 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 (2016) and Policy DM G1 of the Development Management Local Plan (2013).

- 20) With exception to the private balconies shown on the approved drawings 12 P2 and 13 P2; 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 other than those shown on the approved drawings 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 Policy DM H9, DM A9 and DM G1 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013).

- 21) The development hereby permitted shall not commence until details and samples of 1.8m high obscure glazed screen as measured from the floor level of the balconies to Flats 5 and 9 to be used in connection with the balconies have been submitted to and approved in writing by the Council. The use of balconies shall not commence until the glazing, as approved has been installed and it shall be permanently retained as such thereafter.

In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with Policy DM G1 of the Development Management Local Plan (2013) and SPD Housing Policy 8 (ii) of Planning Guidance Supplementary Planning Document (2013).

- 22) The retail (Class A1) units hereby approved shall be provided in the form of 2 separate units that shall not be amalgamated or occupied as one larger unit.

The use of the retail floorspace as a single shop unit could raise materially different considerations which the Council would wish to have an opportunity to consider at that time, in accordance with Policy T1 of the Core Strategy (2011) Policies DM H9, DM H11, DM J1 and DM J2 of the Development Management Local Plan (2013).

- 23) No part of residential units hereby approved shall be occupied prior to setting out of 3 car parking spaces as identified on approved drawing 11 P4. These spaces must be clearly identified and marked out, including 1 space set aside for parking by Blue Badge Holder scheme residents. All such approved details shall be installed and maintained for the lifetime of the development.

To ensure the provision and permanent retention of the parking spaces for wheelchair and non-wheelchair blue badge holders and so as to ensure that the development does not result in additional on-street parking stress detrimental to the amenity of surrounding residents, in accordance with Policy 6.13 of the London Plan (2016), Policy T1 and H4 of the Core Strategy (2011) and Policy DM J1 and DM J2 of the Development Management Local Plan (2013).

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

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the dwellings hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 25) No occupiers of nine dwellings hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such a permit, and if such a permit is issued it shall be surrendered to the Council within seven days of receipt.

In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 26) The nine dwellings hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the local planning authority to ensure that all occupiers, other than those with disabilities who are blue badge holders, have no entitlement to parking permits from the council and to ensure that occupiers are informed, prior to occupation, of such restriction.



In order that the prospective occupiers of the residential units concerned are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 27) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the residential and commercial development hereby approved, as indicated on the approved drawing 11 P4 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 6.9 and Table 6.3 of the London Plan (2016) and Policy DM J5 of the Development Management Local Plan (2013)

- 28) All external entrance doors in the retail frontages hereby approved shall be designed and installed so that they only open inwards, and shall thereafter be retained in this form.

To prevent obstruction of the public highway in accordance with the Highways Act 1980, and Policy DM J5 of the Development Management Local Plan (2013).

- 29) 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 11 P4.

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 CC3 of the Core Strategy (2011) and Policy DM H5 of the Development Management Local Plan (2013).

- 30) Prior to occupation of the commercial units, a Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays and quiet loading/unloading measures. The measures/scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently retained and maintained in line with the agreed plan.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013).

- 31) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in Flood Risk Assessment, Project Ref: 28548/001, dated September 2013, by PBA otherwise agreed in writing by the local planning authority. In line with advice from Thames Water, a non-return valve or other suitable device shall be installed to avoid the risk of the sewerage network

surcharging wastewater to basement/ground level during storm conditions. The recommended mitigation measures shall be permanently retained thereafter.

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 (2016), Policy CC1 and CC2 of the Core Strategy (2011) and Policy DM H3 of the Development Management Local Plan (2013).

- 32) The development hereby permitted shall not commence until a Sustainable Drainage Strategy, which details how surface water will be managed on-site in-line with the proposals outlined in the 'Drainage Strategy' report, has been submitted to, and approved in writing by, the Council. Information shall include details on the design, location and infiltration capabilities of the new soakaway and any other sustainable drainage measures such as permeable surfaces, including green roofs, along with confirmation of the levels of attenuation achieved. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided. If use of the proposed soakaway is not possible for any reason then a revised SuDS Strategy should be provided to show how surface water will be managed in line with the requirements of the London Plan Drainage Hierarchy. The Strategy shall be submitted to and approved in writing by, the Council and implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved 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 5.13 of The London Plan (2016) and Policy CC2 of the Core Strategy (2011).

- 33) The development hereby permitted shall not be occupied before implementation of the energy efficiency, low/zero carbon and renewable energy measures detailed in the submitted Energy Assessment. All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), Policies BE1 and CC1 of the Core Strategy (2011) and Policies DM G1 and DM H1 of the Development Management Local Plan (2013).

- 34) The development hereby permitted shall not be occupied before implementation of the sustainable design and construction measures detailed in the submitted Design, Access & Sustainability Report, dated February 2017. All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), Policies BE1 and CC1. of the Core Strategy (2011) and Policies DM G1, DM H2 of the Development Management Local Plan (2013).

- 35) Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system shall be submitted to and approved in writing by the Council. This report shall specify air intake locations and the design details and locations of windows of habitable rooms on residential floors to demonstrate that they avoid areas of NO<sub>2</sub> or PM exceedance. The whole system shall be designed to prevent summer overheating and minimise energy usage. Chimney/boiler flues and ventilation extracts shall be positioned a suitable distance away from ventilation intakes, openable windows, balconies, roof gardens, terraces and receptors. Approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications, and shall be the responsibility of the primary owner of the property.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 36) No development shall commence until an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor's of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the site specific AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) of the Majors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road construction traffic e.g. use of Low Emission Vehicles; Non-Road Mobile Machinery (NRMM). Details of all the NRMM that will be used on the development site will be required and the NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM<sub>10</sub> should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 37) Prior to the commencement of the development (excluding site clearance and demolition) details must be submitted to and agreed in writing by the council of the Ultra Low Nox Gas fired boilers to be provided for space heating and domestic hot water. The Gas fired boilers to be provided for space heating and domestic hot water shall have dry NO<sub>x</sub> emissions not exceeding 40 mg/kWh (at 0% O<sub>2</sub>). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NO<sub>x</sub> abatement equipment or technology as

determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler emissions.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 38) Prior to the commencement of the development (excluding site clearance and demolition) a Low Emission Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology for energy plant, design solutions). This Strategy must make a commitment to implement the mitigation measures (including NO<sub>x</sub> emissions standards for the chosen energy plant) that are required to reduce the exposure of future residents to poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NO<sub>x</sub> and particulates from on-site transport during Demolition, Construction, and Operational phases e.g use of Low Emission Vehicles, and energy generation sources. The strategy must re-assess air quality neutral in accordance with the Mayor of London SPG 'Sustainable Design and Construction' (April 2014) and Chapter 5 of Land-Use Planning & Development Control: Planning for Air Quality, IAQM, January 2017 guidance. It must also identify mitigation measures as appropriate to reduce building emissions to below GLA benchmark levels.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 39) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 40) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 41) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 42) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 43) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

- 44) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

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

- 1) 1. Change of Use: It is considered that the proposed change of land use is acceptable. The loss of the existing carwash business (sui generis) and creation of mixed use retail and residential premises are acceptable and in accordance with the NPPF (2012), Policies 2.15, 3.3 and 4.4 of the London Plan (2016), Policies B,

C, LE1, FRA2 and H1 of the Core Strategy (2011), and Policies DM A1, DM C1 and DM B1 of the Development Management Local Plan (2013).

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 proposed development would be compatible with the scale and character of existing development and its setting. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 7.1-7.6 of the London Plan (2016), Policy BE1 of the Core Strategy (2011), and Policy DM G1 of the Development Management 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: The density, housing mix, internal design, layout and amenity space of the new residential units is considered satisfactory having regard to London Plan Policies 3.4, 3.5, 3.8-3.13 and 7.15 (2016), Core Strategy Policies H2, H3 and H4 (2011), Policies DM A2, DM A3, DM A9 and DM H9 of the DM LP (2013), and SPD Housing Policy 1, 3 and 8 and SPD Sustainability Policy 24 of the Planning Guidance Supplementary Planning Document (2013).

4. 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 Policies DM G1, DM H9, DM H11 and DM A9 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013).

5. Safety and Access: A condition will ensure the development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 (2016) and Policy DM G1 of the Development Management Local Plan (2013). The proposal would provide ease of access for all people, including disabled people, in accordance with Policy 3.8 of the London Plan (2016), Policy H4 of the Core Strategy (2011), Policies DM A4, DM A9, DM G1 of the Development Management Local Plan (2013) and SPD Design Policies 1 and 2 of the Planning Guidance Supplementary Planning Document (2013).

6. Transport: 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 car permit free dwellings, provision of cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 5.15, 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2016), Policies T1 and CC3 of the Core Strategy (2011), Policies DM J1-DM J6, DM A9, DM H5-DM H11 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 6, 12, 22, 28 and 34, SPD Amenity Policies 19 and 26 and SPD Sustainability Policies 3, 4 and 7-11 of the Planning Guidance Supplementary Planning Document (2013).

7. 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. Further details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2012), Policies 5.11, 5.12, 5.13, 5.14 and 5.15 London Plan (2016), Policies CC1 and CC2 of the Core Strategy (2011), Policy DM H3 of the Development Management Local Plan (2013) and SPD Sustainability Policies 1 and 2 of the Planning Guidance Supplementary Planning Document (2013).

8. Sustainability: Whilst not a requirement, given the scale of the proposal, measures are proposed in relation to minimising energy use and CO2 emissions and sustainable design and construction. These will be secured by conditions. The development would therefore be acceptable in accordance with Policy 5.3 of the London Plan (2016), Policy CC1 of the Core Strategy (2011) and Policies DM H1 and DM G1 of the Development Management Local Plan (2013) on carbon reduction, and Policy 5.3 of the London Plan (2016), Policy H3 of the Core Strategy (2011), Policy DM H2 and DM G1 of the Development Management Local Plan (2013) and SPD Sustainability Policies 25 and 26 of the Planning Guidance SPD (2013) on sustainable design and construction.

9. Air Quality: Subject to additional air quality, mechanical ventilation and fresh air intake details, the proposal will ensure neutral air quality outcomes in accordance with Policy 7.14 of the London Plan (2016) and Policy DM H8 of the Development Management Local Plan (2013).

10. 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 (2011), Policy CC4 of the Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (2013), and SPD Amenity Policies 2, 3, 4, 5, 7, 8, 12, 13, 14, 15, 16 and 17 of the Planning Guidance Supplementary Planning Document (2013).

---

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

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

Application form received: 15th June 2016

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2012  
The London Plan 2016  
LBHF - Core Strategy Local Development Framework 2011  
LBHF - Development Management Local Plan 2013  
LBHF - Planning Guidance Supplementary Planning Document  
2013

### **Consultation Comments:**

#### **Comments from:**

Environment Agency - Planning Liaison  
Thames Water - Development Control

#### **Dated:**

26.08.16  
18.08.16



## **Neighbour Comments:**

### **Letters from:**

Environmental Quality Team London W6 9JU  
Fulham Society 1 Rosaville Road London SW6 7BN

### **Dated:**

06.09.16  
07.12.16

## 1.0 BACKGROUND

### Site

1.1 The application relates to 103-105 Lillie Road, an irregular shaped site (0.05 ha), on the south side of Lillie Road, close to the junction with North End Road. The site occupies a gap in the street frontage between two commercial parades, Nos. 93-101 and 107-137 Lille Road. Except for No. 93, which has extended at roof level, the parades are two storeys in height. There is a large freestanding advertisement hoarding to the front of the site. The remainder of the site includes several single storey ancillary retail storage structures for 107 Lillie Road and car wash facility (sui generis). Vehicular entrance is provided off Lillie Road via Chestnut Alley.

1.2 The rear boundaries of the site adjoin Chestnut Court, the beer garden of 248 North End House, Fulham Housing Office and Stafford Cripps House (part of the Clem Atlee housing estate). The adjoining terraces are mixed with commercial uses at ground floor level and residential in some at first floor level. To the north, on the opposite side of Lille Road, are three and four storey buildings comprising a mix of residential and retail uses.

1.3 The site is in the Fulham Town Centre and is not within a designated retail frontage. The site is not located in a Conservation Area, is located within Flood Zone 2, and is within an area of public transport accessibility level of PTAL 5 using Transport for London's methodology, indicating that it has a very good level of public transport accessibility. The site is also within Strategic Site FRA2 and Fulham Regeneration Area as identified in the Core Strategy (2011).

### 1.4 Relevant Planning History:

In 1968, advertisement consent was granted for the rebuilding of an advertisement hoarding for the display of five non illuminated panels each measuring 6'8" by 10'0" with a return to Chestnut Alley, maximum height above ground level 11'6" (1968/00029/HIST).

In 1996, planning permission was granted for the retention of entrance gates on Lillie Road frontage, erection of a brick wall across Chestnut Court, and use of the area for storage purposes in connection with the existing retail shop at 107-111 Lillie Road including the siting of 3 prefabricated containers (1994/00590/FUL).

In 2006, planning permission was granted for the continued use of part of the existing car park as a hand car wash together with the retention of temporary ancillary buildings (2006/00572/FUL).

## Proposals

1.5 The current proposal involves the removal of the existing advertisement hoarding and demolition of the ancillary retail storage and car wash buildings. The erection of a 2 three storey buildings to provide 2 retail units (Class A1) and 9 self-contained flats (2 x studio and 7 x 2 bed) together with 3 off-street car parking spaces (including 1 disabled space), and associated amenity spaces.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application has been advertised by means of a site notice and a press advert, and some 230 individual notification letters have been sent to the occupiers of neighbouring properties.

2.2 No representations have been received in response.

2.3 The Fulham Society support the proposal and are "delighted that this very messy space will be tidied up. We are happy with the concept of a 'modern' building, but wish that we could have had a better description and view of the proposed facade to the Lillie Road - none of the drawings provided give a really good impression of what is proposed."

2.4 The Environment Agency have no objection

## 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the NPPF (2012), The London Plan (2016), and the Council's adopted Core Strategy (2011), Development Management Local Plan (2013) (hereafter referred to as DMLP) and the Planning Guidance Supplementary Planning Document (2013) (hereafter referred to as Planning Guidance SPD), include: the principle of the development in land use terms; affordable housing contribution; quantum and intensity of development; design and appearance; existing residential amenities of neighbouring properties; traffic impact on the highway network; and environmental impacts.

### LAND USE:

3.2 The existing advertisement hoarding, ancillary Class A1 storage and carwash business (Sui Generis) would be replaced by two three storey buildings comprising 2 Class A1 (retail) units (65 sqm and 80 sqm) and 9 self-contained flats.

### Removal of Advertisement Hoarding:

3.3 Paragraph 67 of the NPPF and Council Policy, Core Strategy Policy BE1 and DMLP Policy DM G8, state that advertisements should not adversely affect the character and appearance of individual buildings and streets.

3.4 The existing advertisement is unsightly and its removal together with the proposed replacement building would improve the visual appearance of the site. The removal of the hoardings accords with Core Strategy BE1 and DMLP Policy DM G8.

Loss of carwash:

3.5 The proposal would also result in the loss of the existing carwash business (*Sui generis*).

3.6 The NPPF (para. 22) and London Plan Policy 4.4 'Industrial Land and Premises' encourage the retention of employment land where appropriate, but unwanted or inappropriately located under-utilised land or premises should be released to provide for increased housing, either as single use or as a mixed use scheme.

3.7 This approach accords with the Council's own policies. Strategic Policy B supports inward investment in preferred locations and the protection of significant existing employment land. However, unused or underused employment land may be permitted to change use to residential or mixed use "if there is no clear benefit to the economy in continued employment use". This is further supported by Core Strategy Policy LE1 and DMLP Policy DM B1.

3.8 The car wash facility is a relatively small operation that involves using a hand held jet spray and the rest of the process (drying and polishing) is also by hand. The site is underused in terms of employment providing work for just three employees.

3.9 The proposals would involve the retention employment on the site in the form of retail albeit with a reduced floorspace. The retail floorspace would be within a modern facility in an easily accessible location and form part of a mixed use development that would provide increased housing. The loss of the carwash is considered acceptable and accords with Policy LE1 and DMLP Policy DM B1.

Proposed uses:

Retail:

3.10 The site lies within the Fulham Town Centre and outside of a prime retail frontage. London Plan Policy 2.15, Core Strategy Strategic Policy C, and DMLP Policy C1 support proposals that enhance the viability and vitality of the town centres and seeks to ensure a range of accessible shopping and other town centre uses to meet the needs of residents, workers and visitors. In addition, the Fulham Regeneration Area Policy and Strategic site Policy FRA2 support the regeneration of this part of the Town Centre for residential and retail uses. The DMLP states non-prime retail frontages in the town centres have an important function in providing locations for specialist retailers, and it is therefore desirable to maintain the retail stock and encourage new retailing into the locality to maintain the vitality of the shopping frontage.

3.11 The existing retail storage and carwash are not considered to contribute to the viability and vitality of this non-prime retail frontage within the Town Centre. The storage used by the retail unit at 107 Lillie Road (Class A1) is surplus to requirements and its loss would not impact on the ability of 107 to continue to operate as a retail unit. Officers consider the proposed Class A1 (retail) uses are appropriate for this location, as part of a mixed use scheme. The proposal would provide the opportunity to repair the visual gap within the shopping parade with a more appropriate active frontage, that would in turn enhance the vitality and viability, and renewal of Fulham Town Centre. On this basis the principle of retail at ground floor level is acceptable, and in accordance with

London Plan Policy 2.15, Core Strategy Strategic Policies C and FRA2 and DMLP Policy C.

Residential accommodation:

3.13 The National Planning Policy Framework (2012) identifies the need for additional housing and sets out ways in which planning can significantly boost the delivery of housing. London Plan Policy 3.3 states that an annual average of 42,000 net additional homes should be delivered. Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham. The Draft Local Plan (2015) supports the new updated targets as set out in the London Plan. In the interim, the Core Strategy Policy H1 reiterates the London Plan's previous annual target of 615 net additional dwellings for the borough. This is supported by Policy DM A1 of the DMLP. This application seeks to provide nine additional residential units, contributing towards local and regional housing targets.

Residential Mix:

3.14 Core Strategy Policy H4 and DMLP Policy DM A3 require a choice of high quality residential accommodation that meets the residents needs and aspirations and market demand. There should be a mix of housing types and sizes in development schemes.

3.15 The proposed dwelling mix, 2 x studios, and 7 x 2 bed flats, does not provide family sized housing. However, the justification to Policy DM A3 acknowledges that "some sites may be more appropriate for families". Paragraph 7.4.9 of the Housing SPG also recognises that town centre housing at higher densities close to public transport facilities is especially suitable for one and two person households, and a lower proportion of family sized homes may be appropriate.

3.16 In this case the application site is in the Fulham Town Centre and located on a busy road which prevents safe direct access to Normand Park. Furthermore, providing additional bedrooms to create 3 bed flats would undermine the quality of the proposed living environment by creating rooms that are not useable. However, it is worth noting that the 2 bed units are designed to accommodate either 3 or 4 persons, which could include a small family. In this case the dwelling mix is acceptable, and accords with Core Strategy Policy H4 and DMLP Policy DM A3.

Density:

3.17 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 DMLP.

3.18 The site is in Public Transport Accessibility Level (PTAL) 5 using Transport for London's methodology, indicating that it is accessible by public transport. According to the London Plan density matrix, the site is 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 (hr/ha), or 45-185 units per hectare (u/ha).

3.19 The proposed development site comprises 0.05 hectares and would have approximately 25 habitable rooms which would result in a residential density of 500 hr/ha (equivalent of 180 unit/ha), which falls within the density range stipulated in the London Plan.

#### AFFORDABLE HOUSING:

3.20 London Plan Policy 3.13 outlines that affordable housing will normally be required on a site which has the capacity to provide 10 or more homes and that negotiations should take account of development viability.

3.21 Policy 3.11 of the London Plan sets a London wide affordable housing target of at least 17,000 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.

3.22 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 consider 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.'

3.23 Core Strategy Borough Wide Strategic Policy H2 sets a target for 40% of 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 consider: financial viability'.

3.24 Policy DM A3 states that developments should aim to meet the following mix, subject to viability, locational characteristics and site constraints being considered on a site by site basis: for intermediate housing approximately: 1 bedroom: 50%, 2 bedrooms: 35%, 3 or more bedroom: 15% of units.

3.25 The proposal consists of 9 residential units with no contribution to affordable housing. In this respect the Council will need to be satisfied whether the proposal is optimising the site appropriately and why affordable housing is not being provided.

3.26 The application is supported by a Financial Viability Appraisal (FVA) which covers the scheme as proposed and a hypothetical scheme comprising 10 residential units and 1/2 commercial units. Officers have considered the report and agree with its conclusions. The report makes clear that the site dimensions and surrounding context have been the determining factors to establish the most suitable building scale and layout, internal arrangement, and density configuration for the development. The number of flats on site cannot physically be increased to 10 without compromising the visual acceptability of the buildings and quality of accommodation for future occupiers.

3.27 For example, whilst the floor area and layouts of all flats complies with the London Plan and Council standards, none of the flats are so generous that they could be split into smaller flats. Reducing the flats would result in unsatisfactory flat layouts that include small single aspect dwellings, and would also have implications for the potential of the larger 2 bed flats. Officers consider that it is not considered the units have been oversized to avoid the requirement for affordable housing and the number of flats within the envelope of the existing building could not be increased.

3.28 In terms of scale and massing the proposed buildings are at an acceptable maximum. An additional floor, which would raise the proposed height from three to four storeys, would not be supported in design terms. This approach accords with a recent refusal of planning permission for a four storey building on a nearby site at 93-97 Lillie Road (2016/04836/FUL). In that case and under the current proposals the proposed four storey height would be out of keeping with the existing two and three storey scale of development on this side of Lillie Road. It would not be physically practicable to squeeze another unit to the proposed ground floor area without being unneighbourly and compromising the proposed ground floor layout which includes a garden for Flat 1.

3.29 The only way to increase the number of flats on site would be to convert the shops into flats. Given the location of the site within the Town Centre, it is desirable under retail planning policy to have an active commercial frontage at ground floor level rather than residential.

3.30 Furthermore, the FVA concludes that a 10 unit scheme, including 40% affordable housing and retaining a commercial element would not be financially viable. The scheme would provide a negligible return on costs (1.15%) which would not outweigh the risk of developing the site.

3.31 In conclusion, the submitted 9 unit scheme represents the most effective and efficient use of this brownfield site whilst maximising the development potential. The proposed scheme has been designed to take account of its local context and character in terms of appropriate scale and massing, the form and character of surrounding development and the historic grain and impact on neighbours, as well as complying with the Council's standards on the size of residential units. These matters are addressed in the paragraphs below. Officers consider that it would not be appropriate in this case to include further units within the proposed development to meet the affordable housing threshold.

3.32 Overall the proposal would make better use of underused land, provide a supply of housing and employment opportunities, and contribute to the renewal of Fulham Town Centre. In land use terms the proposal is considered acceptable.

## DESIGN AND APPEARANCE:

3.33 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.

3.34 London Plan Policies 7.1, 7.2, 7.3, 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.

3.35 Core Strategy Policy BE1 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. Similarly, DMLP Policy DM G1 states that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting.

### Demolition:

3.36 The existing buildings and advertisement on the site are of limited visual merit and their removal/demolition is welcomed providing a suitably designed new development is proposed.

### Townscape:

3.37 The character of the area is mixed and the existing buildings around the site are of various styles dating from Victorian and Edwardian to recently built contemporary buildings. The site itself occupies a gap between two sets of predominantly two storey commercial parades, Nos. 93-101 and 107-137 Lille Road, close to the junction with North End Road, within the Fulham Town Centre.

3.38 Lillie Road and North End Road are generally characterised by mixed used properties with shops on the ground floor and residential above. To the rear (south) of the site is Stafford Cripps House, a 7 storey flatted development, part of the 1960's Clem Atlee housing estate. Across the Road, to the north, is a more recent part three-storey, part four-storey residential building, formally part of Normand Croft Community School.

### Height, Scale, and Massing and Design:

3.39 The proposal is split into two three storey blocks to help break down the proposed massing. Block 1, fronting Lillie Road, would be occupied by 2 retail units at ground floor level and 6 residential above. It is considered the 3 storey scale has a comfortable relationship with the adjacent two storey terraced premises, and would successfully repair the visual gap in the parade, and introduce an active retail frontage along the ground floor.

3.40 The existing building line along Lillie Road includes a curve to respond to the setback in building lines between the two adjacent properties of 101 and 107 Lillie Road. The new building also incorporates a curved design element in the frontage to successfully link the two parades. The brick façade responds well to the traditional buildings on either side and the palette of other materials for the windows, doors and balconies are well coordinated in a grey finish. The perspective drawings indicate that window reveals will be reasonably deep to assist the articulation with depth and shadow along the Lillie Road frontage.

3.41 Block 2 to the rear, on the eastern and southern boundary, follows the same pallet of materials and simplistic design, and would be concealed from the public realm. The scale, massing and design are also acceptable.

3.42 Officers consider that 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. Final details of the materials to be used in the external appearance of the building be conditioned for future approval (conditions 5 and 6). 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 and 7.6 Core Strategy Policy BE1 and Policy DM G1 of the DMLP.

Secure by Design:

3.43 London Plan Policy 7.3, Core Strategy BE1 and DMLP Policy G1 requires new development to respect the principles of Secure by Design.

4.44 The Design and Access Statement outlines several ways in which the development has been designed with the principles of Secure by Design in mind. Full details of how the proposed development will incorporate crime prevention measures to provide a safe and secure environment would be secured by a condition (condition 19).

#### QUALITY OF THE PROPOSED ACCOMMODATION

3.45 The London Plan seeks the delivery of new housing that is of a high quality of design. London Plan Policy 3.5 says that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.

3.46 To ensure the delivery of high quality, well designed housing, the Mayor has prepared Supplementary Planning Guidance entitled 'Housing' (herein referred to as the Housing SPG).

3.47 Borough Wide Strategic Policy H3 within the Core Strategy requires all housing developments to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient, meet satisfactory internal and external space standards, and provide a good range of housing types and sizes.

3.48 Policy DM A2 of DMLP states that all new housing must be of high quality design and take account of the amenity of neighbours and must be designed to have adequate internal space in accordance with the London Plan. Policy DM A9 of the DMLP recognises that design and quality of all new housing is of a high standard and will meet the needs of future occupants and respect the principles of good neighbourliness.



#### Size of Units:

3.49 London Plan Policy 3.5 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. The London Plan, Table 3.3 set out the minimum gross internal area for new flats.

3.50 The makeup of the proposed residential units and their floor areas is set out below:

Studios measuring 40.5 sq.m (minimum floorspace 37sq.m);

Two bedroom 3 person units measuring between 64 sq.m and 65 sq.m (minimum floorspace 61sq.m);

Two bedroom 4 person units measuring 81sq.m (minimum floorspace 70 sq.m).

3.51 The proposed residential units accord with the minimum sizes set out in the London Plan.

#### Aspect and Outlook:

3.52 London Plan Housing SPG paragraph 2.3.37 recognises that a home with opening windows on at least two sides has many inherent benefits, including better daylight, a greater chance for direct sunlight for longer periods, natural cross ventilation, mitigating pollution, offering a wider choice of views, access to a quiet side of the building, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms. The preference is therefore for dwellings to be dual aspect. SPD Housing Policy 8 (iv) states that 'north facing (i.e. where the orientation is less than 50 degrees either side of north should be avoided wherever possible.'

3.53 Six of the nine flats, namely those within Block 1 to the front of the site, would be dual aspect. The 3 units within Block 2 to the rear would be single aspect, however these would be southwest facing, and reflect the constraints of the site. As all the proposed dwellings would exceed the minimum dwelling size requirements of Policy 3.5 of the London Plan, are not exclusively north facing or are dual aspect and provide good levels of outlook, they are considered to accord with Policy H3 within the Core Strategy, DMLP Policy DM A2 and A9 and SPD Housing Policy 8.

#### Floor to Ceiling Heights:

3.54 The London Plan (as amended March 2016) states that units should have 75% of their floor area with a minimum floor to ceiling height of 2.5m and above. The proposal complies with the London Plan target.

#### Daylight/Sunlight to New Dwellings:

3.55 BRE guidance provides a method for calculating the luminance of a room called Average Daylight Factor (ADF). The BRE guidance sets the following recommended ADF levels for habitable room uses 1% Bedrooms, 1.5% Living Rooms and 2.0% Kitchens. The applicant has produced a sunlight and daylight report which confirms the flats would meet BRE ADF recommendations.

#### Amenity space:

3.56 The Housing SPG Baseline Standards 26 and 27 relate to private amenity space in new dwellings. The supporting text recognises that private open space is highly valued and should be provided in all new housing developments. The standard recognises that in some cases, site constraints may make it impossible to provide private open space for all dwellings.

3.57 DMLP Policy DM A2 supports the requirement for amenity space and requires family housing on upper floors to have access to a balcony and/or terrace, subject to acceptable amenity and design considerations. SPD Housing Policy 1 requires all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided. SPD Housing Policy 3 ensures that where balconies and/or terraces are provided to meet amenity space requirements they should have a minimum depth and width of 1500mm.

3.58 In this case all 9 units benefit from private amenity space in accordance with the requirements of the Council's Policies. At ground floor level the 2 bed flat has direct access onto a garden of 35 sqm. The remaining flats at first and second floor level each have a private balcony of 4.5sqm, all of which would have a minimum depth and width of 1.5m.

#### Access Matters:

3.59 London Plan Policy 3.8, Core Strategy Policy H4, DMLP Policies DM G1, DM A9 and DM A4 and SPD Design Policies 1 and 2 relate to ensuring that homes are accessible and meet 'Lifetime Homes' standards. DMLP Policy DM A4 allows for some flexibility in the application of 'Lifetime Homes' recognising that this is not always feasible when new dwellings are formed in existing property.

3.60 Access requirements have now been incorporated into Building Regulations. The equivalent Building Regulations standard to Lifetimes Homes is M4 (2) 'accessible and adaptable dwellings'. To reflect this change, the London Plan was amended in March 2016 with London Plan Policy 3.8 now requiring 90% of new dwellings to meet Building Regulation requirement M4 (2).

3.61 The key issue in ensuring that M4 (2) can be achieved within a development is to ensure, at the planning application stage, that the units can reasonably achieve level access. If level access cannot be reasonably achieved, then the units cannot be required to meet the M4(2) Building Regulations. The London Plan recognises that securing level access in buildings of four storeys or less can be difficult, and that consideration should also be given to viability and impact on ongoing service charges for residents

3.62 Of the 9 units proposed, the one flat with accommodation at ground floor level would be provided with step-free access to the entrance level and is therefore considered to be compliant with Part M4 (2). The remaining 8 flats would not have level access, as they would be located on the upper floors. While the entrance to the communal areas and external areas are designed with accessibility in mind, for the flats on the upper floors to achieve compliance a lift would need to be provided in both buildings. The buildings are only three storeys high, however, and the costs of providing two lifts in a scheme with only 9 flats would impact on the viability of the development,

and increase service charges to future residents. As an acceptable alternative, in this case the communal stairs are designed to provide handrails on both sides, and good quality lighting. The proposal accords with London Plan Policy 3.8, Core Strategy Policy H4, DMLP Policies DM G1, DM A9 and DM A4 and SPD Design Policies 1 and 2.

3.63 London Plan Policy 3.8 requires 10% of new dwellings meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. In this case the one flat with accommodation at ground floor level would comply with Building Regulation requirement M4 (3), equating to 11%. Condition would secure these details (Condition 16).

Noise disturbance to new units:

3.64 The Housing SPG Baseline Standard 5.3.1 and London Plan Policy 7.15 state that the layout of adjacent dwellings and the location of lifts and circulation spaces should seek to limit the transmission of noise to sound sensitive rooms within dwellings. This policy is supplemented by DMLP Policies DM A9 and DM H9, both of which seek to ensure that development does not result in noise and disturbance to existing and future occupiers. SPD Amenity Policy 24 requires consideration to be given to all noise generating development, including plant, machinery, and equipment and where the proposed use or activities have the potential for people to generate noise.

3.65 To safeguard the amenity of occupiers of the development in terms of noise from transport/commercial/mechanical/residential noise sources conditions 17 and 18 require the submission of a noise assessment including external noise levels, and details of the sound insulation of the building envelope, and of acoustically attenuated mechanical ventilation. The proposal accords with London Plan Policy 7.15, DMLP Policies DM A9 and DM H9 and SPD Amenity Policy 24.

RESIDENTIAL AMENITY:

3.66 Policy DM G1 of the DM LP states all proposals must be formulated to respect the principles of good neighbourliness. Policy DM A9 of the DMLP states 'the council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard and that developments provide housing that will meet the needs of future occupants and respect the principles of good neighbourliness.' DM H9 and DM H11 of the DMLP relate to noise nuisance. SPD Housing Policy 8 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.67 The nearest residential properties include a flat at first floor level within 107 Lillie Road (commercial at ground floor) and residential floorspace on the upper floors of 248 North End Road (a public house and beer garden at ground floor level). 101 Lillie Road is designated as a retail unit at ground and first floor level however is currently vacant

Outlook:

3.68 SPD Housing Policy 8 (i) acknowledges that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. To test this, the Council use a reference line produced at an angle of 45 degrees from a point at ground level on the boundary of the site, or a

point of 2 metres above ground level where rear gardens exceed 9 metres. 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.

3.69 In this case the site does not adjoin residential properties at ground floor level, and SPD Housing Policy 8 (i) is therefore not strictly applicable.

3.70 However, in terms of 248 North End Road, where a window in the rear elevation of that property at first floor level would face the rear elevation of Block 2, it would be reasonable to take the 45 degree line from the sill of that opening. In this case the proposed development would not breach that line.

3.71 There is also bedroom window in the side elevation of 107 Lillie Road (the window in the rear elevation serves a bathroom). However due to the orientation on Block 1 using a 45 degree line from that window would not be appropriate. As such on-site judgement is the determining factor. In recognising the potential impact to this window the rear building line of Block 1 has been amended to include a staggered rear elevation, mimicking that at 107 and in turn providing a suitable separation distance. The bedroom window would have some view of the lightweight privacy screen to the balcony at second floor level however would maintain much of its outlook across the centre of the site which would remain open.

3.72 Overall it is not considered the proposed development would cause demonstrable harm to the outlook and sense of enclosure of 248 North End Road or 107 Lillie Road, and therefore accords with DMLP Policies DM A9 and DM G1 and SPD Housing Policy 8 (i).

#### Daylight and Sunlight:

3.73 Officers have considered the Daylight and Sunlight report submitted by the application. The report confirms the window to the rear elevation of the public house would receive sunlight and daylight in accordance with BRE guidelines. The bedroom window to the side of 107 Lillie would achieve a VSC of 20.55% which is marginally below the recommended value. However, this is a secondary bedroom, currently used as an office. The resultant internal illuminance of the room would be more than 1% ADF.

3.74 Officers acknowledge that the BRE Guidelines should be applied flexibly as natural light is only one factor affecting site layout. On this basis, it is considered that overall daylight and sunlight levels would be satisfactory, and the proposal complies with DM LP Policies DM A9 and DM G1.

#### Privacy:

3.75 SPD Housing Policy 8(ii) 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 addition, it states that a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.

3.76 In this case there are windows at first floor level to the side and rear elevations of 107 Lillie Road and to the rear elevation of 109 Lillie Road which would be less than 18 metres away from the first and second floor windows and balconies of Block 2 and the first and second floor balconies of Block 1. Officers have considered this and it is concluded that, due to the orientation of the windows of 107 and 109 and resultant oblique views, together with the provision of privacy screens to the balconies of Block 1 the proposal would not cause undue loss of privacy and overlooking. Condition will secure details of the proposed screening (Condition 21). The proposed development complies with Policy DM A9 and DM G1 of the DMLP and SPD Housing Policy 8 (ii).

#### Noise and Disturbance:

3.77 DMLP Policy H9 and H11 relate to environmental nuisance and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. SPD Housing Policy 8 (iii) adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties due to noise and disturbance will not be supported.

3.78 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated using the proposed balcony areas, however, on balance, having regard to the size of the proposed areas, (4.5sqm) together with the location and the relationship with adjoining properties, it is not considered that the terraces would be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance. The proposal is judged to accord with Policy DM H9 and DM H11 of the DMLP and SPD Housing Policy 8 (iii).

#### TRAFFIC GENERATION and CAR PARKING

3.79 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.

3.80 Core Strategy Policy T1 supports the London Plan. DMLP Policy DM J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policies DM J2 and DM J3 of the DMLP set out vehicle parking standards, which brings them in line with London plan standards and circumstances when they need not be met, whilst Policy DM J4 requires new development to incorporate ease of access by disabled people and people with mobility impairment. These are supported by SPD Transport Policies 3, 6, 12 and 22.

#### Car Parking:

3.81 According to DMLP Policy DM J2, the maximum residential standard for 1-2 bedroom units are less than 1 space per unit, however all developments in areas with good PTAL should aim for significantly less than 1 space per unit.

3.82 The applicant has confirmed that the existing car parking spaces are used by the car wash and not by any neighbouring retail or residential properties. The proposal

would result in a net increase of 9 residential units. To the rear of the site 3 off-street car parking spaces, 0.33 parking spaces per unit, including 1 disabled space, would be provided in line with Policy DM J2 of the DMLP. The dimensions of the parking spaces are in accordance with SPD Transport Policy 6.

3.83 The site has a PTAL 5 score of using Transport for London's methodology, indicating that it has a very good public transport accessibility. To mitigate any unacceptable impact on the existing amenities of residents because of increased on-street car parking stress DMLP Policy DM J3 and SPD Transport Policy 3 require the proposed development to be car parking permit free. The applicant has agreed to restrict the occupiers of all 9 flats from being eligible to obtain residents parking permits to park on the highway within the controlled parking zone. Conditions 24-26 secures this.

Cycle:

3.84 Cycle parking should be provided in line with London Plan 2011 Policy 6.9 and Table 6.3. Policy DM J5 of the DMLP encourages increased cycle use by seeking the provision of convenient and safe cycle parking facilities. SPD Transport Policy 12 support this.

3.85 In accordance with DMLP Policy DM J5 storage for 9 bicycles for the residential units would be provided at ground floor level in Block 2, and separate storage for 3 bicycles would be provided to the rear of each unit at ground floor level. The provision and retention of these will be secured by condition 27.

Refuse and Servicing and Deliveries:

3.86 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3 and T1, and DMLP Policy DM H5 and DM J5 set out the Council's Waste Management guidance, and these are supported by SPD Sustainability Policy 3, 4, 7, 8, 9, 10 and 11 and SPD Transport Policy 34.

3.87 This application includes a refuse management and collection details for all uses at this site. In terms of the residential units a refuse store has been incorporated at ground floor level where the sacks for recyclable and non-recyclable waste can be stored until the day of the collection. The location of the refuse store is more than 10m from the road, where the refuse vehicle would stop to pick up the refuse. Therefore, on the day of the collection, the refuse bags will be taken to the pavement by the caretaker for collection. In terms of the commercial unit's bags would be placed in refuse bins within the rear of the building and taken to the street on the day of collection. The Highways Division have considered this arrangement and have raised no objection. A condition is proposed to ensure the refuse storage is implemented before the uses are occupied and is maintained for the life of the development (condition 29).

3.88 As the exact nature of the A1 uses has not been confirmed condition 30 will secure the submission of a Servicing and Delivery Management Plan prior to occupation of the commercial units. This shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays and quiet loading/unloading measures.

Impact of building work:

3.89 A Demolition Management Plan (DMP), a Demolition Logistics Plan (DLP), a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) are required to ensure that there is no undue harmful impact on neighbours and on the local highway network. These would be secured by conditions in accordance with DMLP Policies DM J1, DM J6, DM H5, DM H8, DM H9, DM H10 and DM H11, SPD Amenity Policy 19 and 26, and SPD Transport Policy 28, and London Plan Policy 6.3 (conditions 3 and 4).

## OTHER MATTERS

Flood Risk and Sustainable Urban Drainage Systems (SUDs):

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

3.91 London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15 require new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.92 Policy CC1 of the Core Strategy 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'. DMLP Policy DM H3 requires developments to reduce the use of water and minimise current and future flood risk by implementing a range of measures such as Sustainable Drainage Systems (SuDs). These are supported by SPD Sustainability Policies 1 and 2.

3.93 As required, the application is accompanied by a Flood Risk Assessment (FRA). The FRA identifies that the site is in the Environment Agency's Flood Zone 2. This indicates a medium risk to flooding from the Thames, although this does not consider the high level of flood protection provided to the site by flood defences such as the Thames Barrier and local river walls.

3.94 No basement is proposed so sewer and ground water flood risks will be low for the site. The ground floor includes both residential accommodation and shop premises. Most residential units are at 1st floor and above though, so they are well above the levels that could be impacted by flood waters on the site. The main flood mitigation measure outlined in the FRA is to raise the ground floor levels of the development above surrounding ground levels to a minimum elevation of 4.75mAOD. These measures are adequate and their implementation is conditioned (condition 31).

3.95 In terms of managing surface water run-off from the site, the application is supported by an outline strategy developed to demonstrate that it is feasible for the site to meet the London Plan requirements in relation to attenuation of surface water runoff. For example, the new development will significantly increase the amount of permeable surface at the site by including soft landscaped areas, green roofs, and permeable hard surfaces. A more detailed Surface Water Drainage Strategy confirming how Sustainable

Drainage Systems (SuDS) will be maximised on-site to reduce surface water run-off to greenfield run-off rates, including measures such as permeable surfaces and green roofs and including maintenance information for the SuDS measures will be secured by a condition (condition 32).

#### Energy and Sustainability:

3.96 As this is not regarded as a major development, fewer than 10 residential units and less than 1000sqm, it is not necessary for the proposal to meet the sustainability and carbon reduction requirements (35%) specified in the London Plan, nor is detailed supporting information required with the application outlining the sustainable design and construction measures to be included in the new buildings. Notwithstanding this energy efficiency measures are planned, such as the use of renewables and the integration of solar PV panels to reduce CO2 by 20%. The Design and Access Statement also includes a commitment to sustainable design and construction. The implementation of these will be secured by conditions (conditions 29 and 30). In this respect the proposal is judged to comply with London Plan Policy 5.3, Core Strategy Policies CC1 and DMLP Policies DM H1 and DM G1 on carbon reduction and London Plan Policy 5.3, Core Strategy Policy H3, DMLP Policies DM H2 and DM G1 and SPD Sustainability Policies 33 and 34 on sustainable design and construction.

#### Air Quality:

3.97 London Plan Policy 7.14, Core Strategy Policy CC4 and Policy DM H8 of DMLP seek to reduce the potential adverse air quality impacts of new major developments by requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and requiring mitigation measures to be implemented to reduce emissions where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives.

3.98 This is not regarded as a major development, fewer than 10 residential units and less than 1000sqm, however the development site is within the borough wide Air Quality Management Area (AQMA). The site is in an area of very poor air quality due to the road traffic emissions from Lillie Road (A3218), and the development proposal will introduce new residential receptors into an area of poor air quality.

3.99 The Council's Environmental Quality team have considered the proposal and have recommended a conditions relating to air quality, namely in relation to mechanical ventilation, Air Quality Dust Management Plan (AQDMP), Gas Boilers Compliance with Emission Standards and Low Emissions Strategy (conditions 35-38).

#### Contamination:

3.100 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and Policy DM H7 and H11 of the DMLP states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.101 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. To ensure that no unacceptable risks are caused to



humans, controlled waters, or the wider environment during and following the development works conditions will be attached covering the assessment and remediation of contaminated land (conditions 39-44).

Community Infrastructure Levy:

3.102 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. An estimate of £34,178.92 based on the additional floorspace has been calculated. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at [www.london.gov.uk](http://www.london.gov.uk). The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3.

Local CIL:

3.103 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. An estimate of £104,506.16 based on the additional floorspace has been calculated.

#### 4.0 CONCLUSION AND RECOMMENDATION:

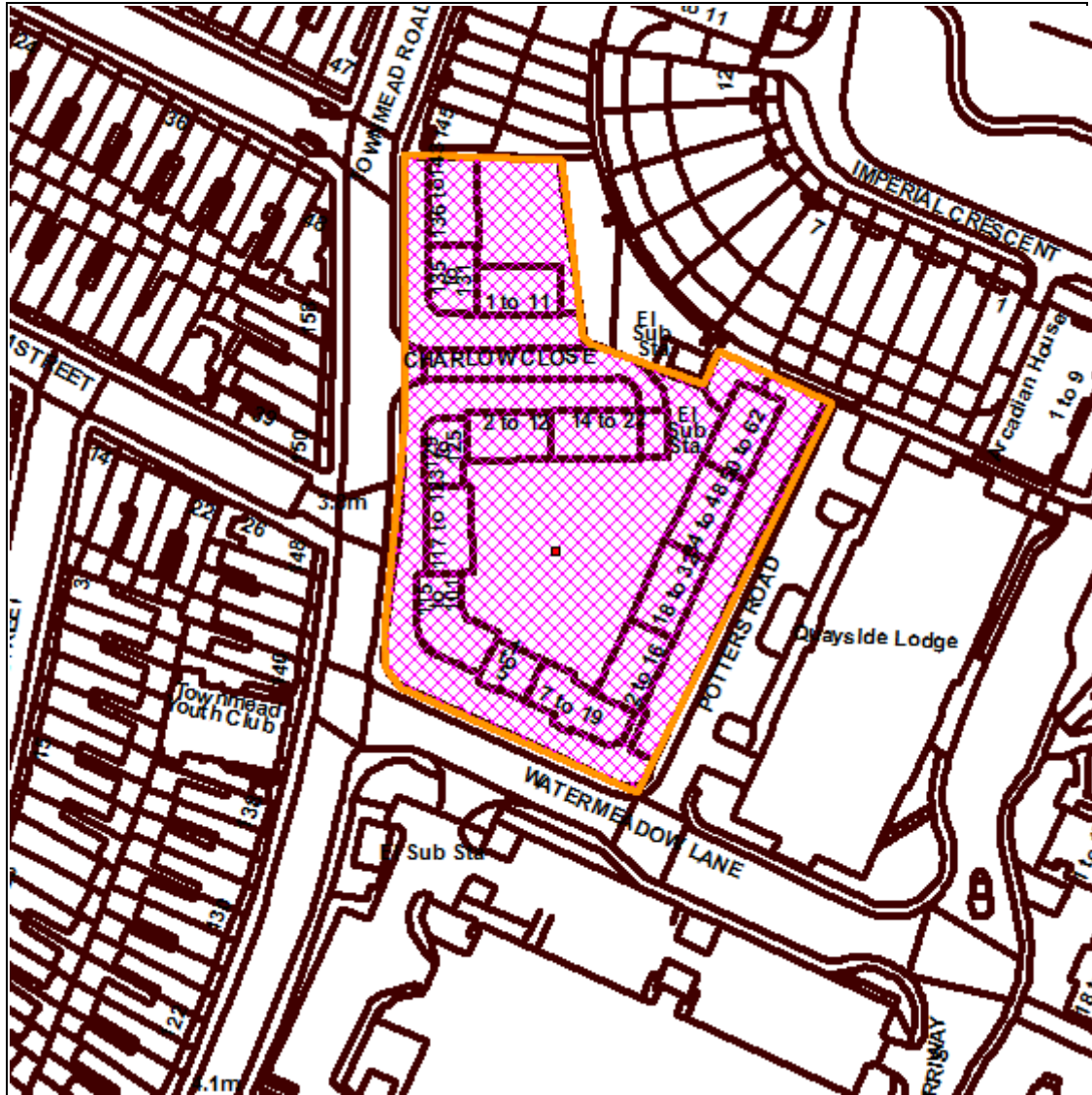
4.1 The proposed demolition is acceptable given that the advertisement and buildings being demolished are not of architectural merit, or listed. The proposed development would create well-designed mixed use - residential scheme that would complement its setting. The proposal would improve the appearance of the site and the surrounding area. The development has an acceptable impact on neighbouring living and working conditions. The impact of the development subject to conditions would not have a significant impact on the highway, parking, flooding or the environment. As such the proposal is in accordance with relevant national guidance, London Plan Policies, the Core Strategy, DMLP and Planning Guidance SPD Policies.

4.2 For the above reasons, it is recommended that planning permission is granted subject to conditions outlined in the report.

**Ward:** Sands End

**Site Address:**

Land Including Charlow Close And Bounded By Potters Road  
And Watermeadow Lane London



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).  
For identification purposes only - do not scale.

**Reg. No:**  
2017/01219/FR3

**Case Officer:**  
Faye Mesgian

**Date Valid:**  
24.03.2017

**Conservation Area:**  
Sands End Conservation Area - Number 41

**Committee Date:**  
12.06.2017

**Applicant:**

LBHF (Mr Matthew Stafford)  
C/o Agent

**Description:**

Implementation of a landscaping scheme and temporary hoarding (2.4m) for a period of up to 24 months following demolition of all existing buildings.

Drg Nos: (01)-E-001 (Rev A); (01)-E-002 (Rev A)(01)-E-003 (Rev A); & SK-03 Rev B

**Application Type:**

Full Regulation 3 - LBHF is Developer

**Officer Recommendation:**

That the application be approved pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 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 commence until details of the design and appearance of the boundary treatment have been submitted and approved in writing by the Council. The boundary treatment shall be implemented in accordance with the approved details and thereafter be retained in its approved form.

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 Borough wide Strategic Policy BE1 of the Core Strategy and Policies DM G3 and DM G7 of the Development Management Local Plan.

- 3) Prior to commencement of the development hereby approved, a demolition method statement shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM H9, H10 and H11 of the Development Management Local Plan.

- 4) Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Council. This

should include details of the proposed routing of vehicles to and from the site for demolition and construction purposes, vehicle entry and egress from the site, and any other activities on the public highway in order to demonstrate that construction materials can be delivered, and waste removed in a safe, efficient and environmentally-friendly way, The construction logistics plan should also identify how deliveries could be reduced, re-timed or even consolidated, particularly during peak periods.

In order to reduce congestion on local roads and ease pressure on the environment in accordance with policy DM J1 of the Development Management Local Plan

- 5) No advertisements or signage shall be displayed on any elevation of the development, unless full details of proposed advertisements or signage has been submitted and approved in writing by the Council.

In order to ensure a satisfactory appearance of the development and to prevent harm to the street scene and the conservation area in accordance with Policies DM G7 and DM G8 of the Development Management Local Plan (2013).

- 6) The temporary landscaping and boundary treatment hereby approved shall be replaced within 24 months of the date of commencement of development with a more permanent proposal unless otherwise agreed in writing with the Council. Before such time, details of a permanent replacement scheme shall be submitted for approval to the Council.

In order to ensure a satisfactory long term development is secured which enhances the street scene and the conservation area in accordance with Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 7) 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan

- 8) 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan

- 9) 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan

- 10) 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 Borough Wide Strategic

Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan

- 11) 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan

- 12) 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan

- 13) Prior to the commencement an Air Quality Dust Management Plan (AQDMP) must be submitted to and approved in writing by the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors

on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor's of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the site specific AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) of the Majors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road construction traffic e.g. use of Low Emission Vehicles; Non-Road Mobile Machinery (NRMM). Details of all the NRMM that will be used on the development site will be required and the NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM10 should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016) and Policy DM H8 of the Development Management Local Plan 2013.

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

- 1) 1. Demolition: Following demolition, the proposal represents a high quality landscaping scheme which would enhance the character and appearance of the conservation area. The development is therefore considered to be acceptable in accordance with Policies 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan (2011) and policy BE1 of the Core Strategy and Polices DM G7, DM G1 and DM E4 of the Development Management Local Plan (2013).
2. Design: The proposed landscaping would make a positive contribution to the public realm and enhance the character and appearance of the conservation area. The proposal is therefore considered to be acceptable in accordance with Policies 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan (2011) and policy BE1 of the Core Strategy and Polices DM G7, DM G1 and DM E4 of the Development Management Local Plan (2013)
4. 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 and secured. The development is therefore considered to be acceptable in accordance with the NPPF and London Plan Policy 5.12 and Core Strategy Policies CC1 and CC2.
5. Temporary loss of housing (including affordable housing): Although London Plan Policy 3.14 seeks to retain existing housing in London, London Plan Policy 3.4 seeks to optimise housing potential. In this regard the quality of the existing housing on site is poor and redevelopment of the Site would enable the provision of better quality, fit for purpose housing whilst optimising the potential of the site. Increasing the density on site would be more sustainable in line with the objectives of the NPPF. The demolition would assist and accelerate a future housing

scheme coming forward later in 2017 and the Council have sufficient comfort from the advanced stage of the Council's JV programme that this will occur.

---

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

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

Application form received: 23rd March 2017  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2012  
The London Plan 2016  
LBHF - Core Strategy Local Development Framework 2011  
LBHF - Development Management Local Plan 2013  
LBHF - Planning Guidance Supplementary Planning Document  
2013

### **Consultation Comments:**

**Comments from:**  
Historic England London Region

**Dated:**  
09.05.17

### **Neighbour Comments:**

**Letters from:**

**Dated:**

## 1.0 SITE CONTEXT

1.1 The Site covers an area of approximately 0.48 hectares and accommodates Watermeadow Court which is owned by the London Borough of Hammersmith and Fulham (LBHF). Watermeadow Court originally comprised 80 flats with 61 tenants and 19 leaseholders. The Site was determined by LBHF's Cabinet in 2008 to be 'surplus to Community Services Department requirements'. Following the Council's decision in 2008, the building has now been vacated by all previous tenants.

1.2 Watermeadow Court is arranged within two blocks of three and four stories in height. The buildings are located around a central amenity and parking area. The properties, built in the 1980s are constructed of brick and have pitched tiled roofs. The buildings have little architectural merit and now appear dated having become an unsightly feature in the local townscape.

1.3 The Site is located within the Thames Policy Area, and Zone 3 flood risk area (high flood risk). The Site is not located within an Archaeological Priority Area or within a strategic viewing corridor, and none of the buildings are statutory or locally listed. There are a number of trees and shrubs on the Site which are considered to have little



amenity value. The Public Transport Accessibility Level (PTAL) rating for the Site is PTAL 3, representing a medium public transport accessibility level.

1.4 Watermeadow Court site is located within the Sands End Conservation Area, which was designated in March 1991. A profile of the Conservation Area, produced in 1999, after the construction of Watermeadow Court, noted that there are 'no buildings or structures of merit on site'. No buildings on Site are listed or included on the Local Register of Buildings of Merit.

## SURROUNDING AREA

1.5 The Site is bound by Townmead Road, Watermeadow Lane and Potters Road. Charlow Close is the main pedestrian and vehicular access into the Site. The Site is located within the South Fulham Riverside Area near the southern edge of Imperial Wharf and is within a short walking distance of the River Thames and approximately 20 minutes walk to Fulham Town Centre. The closest public transport nodes are Imperial Wharf rail and overground station and Fulham Broadway underground station.

1.6 The opposite side of Townmead Road is characterised by two storey Victorian Terrace dwellings. To the south across Watermeadow Lane is the Chelsea Harbour Club, comprising outdoor tennis courts and a four storey. To the east of the site between Potters Road and William Morris Way is Quayside Lodge, a three storey office building. The Imperial Wharf development adjoins the site to the north east and contains four storey terrace dwellings, plus mansard roof accommodation.

## 2.0 PLANNING HISTORY

2.1 A planning application (2013/02622/FR3) and conservation consent (2013/02623/CACHF) for 'Implementation of a landscaping scheme to include a 1.8m high fence for a temporary period of up to 18 months, following demolition of all existing buildings' was granted on 21st August 2013. However, these permissions have now lapsed as they were not implemented. This planning application seeks permission for similar development.

2.2 Planning application ref. 2017/01841/FUL was submitted on 28th April 2017 seeking full planning permission for 'Erection of 219 (Class C3) residential units across three building up to a maximum of approximately 22,661 sqm (GEA). Block A to comprise five stories (plus plant) rising to a height of approximately 22.82 AOD; Block B to comprise seven stories (plus plant) rising to a height of approximately 29.42 AOD; Block C to comprise nine stories (plus plant) rising to a height of approximately 36.90 AOD; shared single storey basement with car parking; private open space; hard and soft landscaping; preparatory and associated works. (EIA development)'.

2.3 A scoping opinion (ref. 2016/01277/SCOEIA) in respect of the full planning application was issue by the Council on 20th April 2016.

## 3.0 BACKGROUND AND PROPOSALS

3.1 In 2008, Watermeadow Court was declared surplus to requirements by the Council and was identified as a site suitable for disposal. This was because the building provided sub-standard living accommodation particularly in relation to the size of the properties and the internal circulation space. Furthermore, the Council was aware of

potential ground contamination issues on Site. Having a cleared site would enable the Council to carry out further below ground investigative work. Following the Council's decision in 2008, the building has been decanted by all residents.

3.2 Demolition of Watermeadow Court was agreed in principle by the Council at a Cabinet meeting on 12th November 2012. The main reasons for this are outlined below:

- o Stop repeat incidents of squatting and fly tipping
- o Allow for more detailed intrusive site surveys to be undertaken in terms of ground contamination
- o Accelerate the development programme following the establishment of the Housing and Regeneration Joint Venture (JV) vehicle.
- o Reduce the ongoing management and security costs

3.3 In November 2012, Cabinet also agreed to market the Site as one of the first Opportunity Sites for the Housing and Regeneration Joint Venture vehicle.

#### The Joint Venture Vehicle

3.4 In March 2014 LBHF procured a joint venture partner to develop a number of sites in the borough via the OJEU process. This is one of three strands of work following the Cabinet decision in April 2011 to approve the establishment of a local housing development company structure to allow the Council to regenerate and retain development profits through the development of housing on Council land.

3.5 One of the initial sites to be identified was Watermeadow Court, which was declared surplus to current requirements by the Council in 2008.

3.6 The Council established HFS Developments LLP as a joint venture vehicle with Stanhope Plc in March 2014 and entered into contractual documentation relating to the governance and business of HFS Developments LLP (the "LLP" or "JV") at such time.

#### Proposals

3.7 In advance of the full redevelopment proposals being approved (application ref. 2017/01841/FUL was submitted 28th April 2017), this planning application proposes the demolition of all the existing buildings on site and the subsequent implementation of a landscaping scheme, with (2.4m) hoarding for a temporary period of up to 18 months. Having a cleared site will enable below ground investigative works to take place in order to establish the extent of ground contamination.

3.8 The main elements of the landscaping proposal include high quality planting, with 2.4m hoarding, incorporating the following details:

- o 2.4m high hoarding
- o Access to the Site will be as existing from Townmead Road where gates will replace the green screen fence
- o A 5m deep planting bed with lower growing ground cover planting along the edge nearest the public footpath is proposed around all three sides of the site. The back of the planting bed will contain larger shrubs.
- o A double row of street trees will be planted within the planting bed.
- o In four locations a line of trees will be planted extending into the site so as to provide a depth of planting within the Site.

- o At the junction of Townmead Road and Watermeadow Lane, a small public space will be created providing a feature within the wider public realm. This area will incorporate benches and a paved area.
- o Part of the planting will be located in timber planters where tree and shrub planting is proposed over the existing concrete slab foundation.
- o The proposed landscaping will also retain the existing trees that are located along the top of the western boundary of the site.

### 3.9 Details submitted: Drawings No.s

(01)-E-001 (Rev A)  
 (01)-E-002 (Rev A)  
 (01)-E-003 (Rev A)  
 SK-03 Rev B

## 4.0 PUBLICITY AND CONSULTATION

4.1 The application has been advertised by way of a site notices (Date posted: 11th April 2017) and a press advert (Date printed: 5th April 2017). In addition, individual notification letters have been sent to neighbouring properties (date printed: 30th March 2017).

4.2 The application has generated no objection letters from local residents or local resident groups.

## 5.0 PLANNING ISSUES

5.1 The main planning issues are considered to be demolition of buildings within a conservation area; temporary loss of housing (including affordable housing); design (including public realm and trees); and flood risk.

### Demolition of buildings within a conservation area

5.2 The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. Paragraph 137 of the NPPF says that Local Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance.

5.3 Paragraph 138 of the NPPF says that the loss of buildings which make a positive contribution to a conservation area should not be permitted. However, Paragraph 138 also notes that not all elements will necessarily contribute to the conservation area. Furthermore, Paragraph 135 says that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of a non-designated heritage asset.

5.4 Paragraph 136 of the NPPF says that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure new development will proceed after the loss has occurred. In this regard,

officers have considered the current contribution the buildings make to the conservation area as a 'heritage asset' and the redevelopment programme that is in place to provide a replacement housing scheme, including the planning application which was submitted in April 2017. The landscaping proposal, while planned as an interim measure, would nonetheless result in the removal of unsightly buildings and enhance the character and appearance of the conservation area.

5.5 When considering development proposals in Conservation Areas, London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. The proposed landscaping scheme is considered to be in line with this policy. The subsequent planning application for the comprehensive redevelopment of the Site will be assessed in due course and on its own merits.

5.6 Core Strategy Policy BE1 requires all new development to create a high quality urban environment that respects the surrounding setting, including heritage assets which protects and enhances conservation areas. Policy DM G7 of the Development Management Local Plan seeks to protect, restore, or enhance the quality, character, appearance and setting of conservation areas.

5.7 The Sands End Conservation Area Character Profile describes the special character of the Sands End Conservation Area, identifying buildings of note, historic facts and showing how the buildings, open spaces and streets work together to create an environment worthy of protection. The main feature within the conservation area, and the principle elements in defining the character, are the river itself, the riverbank and the views along and across the Thames. Many of the historic buildings within the conservation area of architectural merit have an industrial character which represents the history of the area.

5.8 The Heritage Statement that accompanied the planning application considered the relevant heritage assets which contribute to the conservation area. Officers agree with the Report's assessment that the buildings at Watermeadow Court are of no architectural or historic interest and are located some distance from those elements which contribute positively to the character and appearance of the conservation area. In line with paragraphs 138 and 129 of the NPPF the existing buildings have therefore been assessed for their significance and it is recognised that no harm to the conservation area would occur as a result of the proposed demolition. Historic England have been consulted on the proposals and have raised no objection to the proposed demolition. The Fulham Society also made representations on the application and confirmed that replacing the existing poorly designed buildings would be a positive step.

5.9 Council officers are also of the opinion that the current building design has a lack of architectural detailing and interest, using poor quality materials. Officers consider the existing architectural style to be poor and out of character with the wider conservation area. Furthermore, in order to prevent squatting and vandalism within the existing buildings, the windows have been bricked up. This is considered to add to the detrimental visual impact of the existing buildings on the character and appearance of the conservation area. Removal of all buildings on Site would therefore improve the current situation and would also provide the opportunity to visually enhance the area in the short term by way of landscaping and in the long term when the redevelopment proposals come forward later in 2017. The proposals are therefore considered to be in line with Paragraph 137 of the NPPF as set out above.

5.10 Whilst security measures have been put in place at the Site, the Site has been subject to significant fly tipping over recent years giving the general perception of a deprived and deteriorating area. This has had a negative impact on the character and appearance of the conservation area and on this part of the Borough in general. The Site has also been subject to squatting in the past which has had an overall detrimental impact on the locality and the conservation area. The development proposals are specifically designed to improve security at the Site with a view to minimising the negative impact fly tipping and squatting has on the visual appearance of the area. The proposed landscaping and fencing will therefore provide a much improved situation to what is currently on Site.

5.11 In addition, demolition of the existing buildings would enable below ground investigative survey work to be undertaken in order to establish the extent of any ground contamination. Although the level of ground contamination is currently unknown, the Site's history indicates the potential for significant ground contamination. Demolition of the existing buildings would assist this survey work, thereby minimising delay to the construction programme, ensuring the comprehensive redevelopment of the Site at the earliest opportunity and in line with the JV timetable.

5.12 Although most applications for demolition in a conservation area would normally be accompanied by an application for a replacement scheme, the circumstances in this particular case, are considered unique in that LBHF are the landowners and Officers are therefore confident that a subsequent redevelopment proposal will come forward later in 2017 as part of the JV. Allowing early demolition of the buildings in this case is considered acceptable because it would assist in the below ground investigative work required on site. Furthermore, the existing buildings are unsightly and not fit for purpose and allowing early demolition of the buildings would accelerate the construction programme, thereby ensuring that a replacement scheme is completed at the earliest possible date. Preventing squatting and fly tipping and associated problems by securing the Site and the proposed high quality landscaping scheme would enhance the character and appearance of the conservation area in the short term.

5.13 Furthermore, whilst the previous planning permission and conservation area consent has since lapsed and was not implemented, the relevant statutory duty and policy framework remains broadly unchanged. The previous permission is therefore a material consideration of significant weight in the determination of this current application for planning permission.

5.14 In summary, the existing buildings are unsightly and prone to squatting and fly tipping. Their demolition and replacement with (largely boundary) landscaping is considered to protect and enhance the character and appearance of the conservation area. Enabling early demolition would accelerate the construction programme allowing for below ground investigative works to take place prior a subsequent planning approval. As Officers are confident that a subsequent housing proposal will come forward later in 2017 as part of the JV. Allowing early demolition of the buildings in advance of a replacement scheme is therefore deemed acceptable in this case.

Temporary loss of housing (including affordable housing)

5.15 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

5.16 London Plan Policy 3.3 seeks to increase housing supply and Core Strategy Policy H1 and Development Management Local Plan Policy DM A1 aim to exceed the London Plan housing targets. London Plan Policy 3.14 and Core Strategy Policy H1 seek to prevent the loss of existing housing, including affordable housing, except where replacement housing is being proposed at the same or higher densities.

5.17 Core Strategy Policy SFR sets out the vision for the regeneration of the South Fulham Riverside area and seeks to deliver 2, 200 additional dwellings by 2032 and 300 to 500 jobs in this part of the borough.

5.18 The LBHF Strategic Housing Land Availability Assessment identifies the potential of the Site to accommodate at least 120 units. The Site is also identified in the South Fulham Riverside SPD. This provides a robust planning policy context for future residential development of the Site.

5.19 Watermeadow Court is recognised by the Council as providing substandard housing accommodation, particularly in relation to the size of the units and the internal circulation space. For these reasons Watermeadow Court has been identified as surplus to requirements and has been subsequently decanted.

5.20 Although demolition of the existing buildings would constitute a loss of housing, Watermeadow Court is not fit for purpose and requires replacement. Therefore, its demolition would facilitate and assist a replacement housing scheme. Any new housing would have to be built to current housing design guidelines and standards and could fully optimise the contribution the site makes to meeting housing need and demand in the Borough.

5.21 The demolition of the existing buildings would enable below ground investigative survey work to be undertaken in order to establish the extent of any ground contamination. Having a cleared site would speed up the council's JV development process enabling construction to commence at the earliest opportunity once planning permission is gained.

5.22 In summary, the established use of the site and the planning policy context remains in favour of residential development. The current housing is vacant and is no longer fit for occupation. The proposal would assist a housing redevelopment scheme coming forward in the near future allowing the investigative site works to commence providing certainty and speeding up the overall construction programme. The new housing would be built to current housing standards and would fully optimise the site.

Design (including public realm and trees)

5.23 The NPPF (paragraph 56) states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

5.24 London Plan Policies 7.4, 7.5 and 7.6 require new developments to respond to the surrounding scale and setting to provide high quality design and public realm that makes a positive contribution to the immediate, local and wider area. Policy 7.3 requires new development to design out crime.

5.25 Core Strategy Policy BE1 requires the creation of a high quality urban environment, which enhances the townscape and heritage assets and respects the local character and context. The character and appearance of Conservation Areas within the Borough should also be protected and enhanced. Policy DM G1 of the Development Management Local Plan builds on the above mentioned policies, seeking development which is of a high standard of design and compatible with the scale and character of existing development and Policy DM G1 of the Development Management Local Plan seeks to protect, restore or enhance the quality, character, appearance and setting of conservation areas.

5.26 The proposed landscaping takes the form of different layers, with low and medium level shrub planting creating a human level environment in the foreground. A small public open space is proposed at the junction of Townmead Road and Watermeadow Lane where seating would be provided. Views along the street will be enhanced with two rows of street trees of differing species, adding depth and height to the planting. Four 'fingers' of planting will extend into the site adding interest from the more distant views and giving the impression that the planting extends beyond the boundary into the Site.

5.26 Policy DM E4 of the Development Management Local Plan promotes greening of the Borough and aims to enhance biodiversity and green infrastructure by way of retaining existing trees and planting new ones. In this regard the existing trees on the western boundary will be retained and the proposed development includes a significant number of new trees.

5.27 In summary, the existing buildings at Watermeadow Court are considered to be of poor design, providing a low quality urban environment. They have a poor relationship with the surrounding context, providing limited opportunity for landscaping and public realm improvements. The proposed demolition and landscaping are considered to enhance the townscape and, due to the level of tree planting, offers significant greening and improvements to the street scene.

5.28 The landscaping proposals are considered to comply with the relevant regional and local planning policies, providing a high quality scheme that will protect and enhance the character and appearance of the conservation area.

## Flood Risk

5.29 The NPPF outlines that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. London Plan Policy 5.12 states that new development must comply with the flood risk assessment as set out in the NPPF and Core Strategy Policies CC1 and CC2 require new development be designed to take account of increasing risks of flooding.

5.30 A Flood Risk Assessment (FRA) was submitted as part of the application. The Environment Agency was consulted on the FRA. The Environment Agency and the council raised no objection to the application being approved on the basis that the development would result in low risk of flooding.

## Social and Physical Infrastructure and Community Infrastructure Levy

5.31 Mayoral CIL came into effect in April 2012 and Borough CIL came into effect in September 2015 which is a material consideration to which regard must be had when determining any planning application. The proposed development would not be subject to CIL as no new floorspace is being created. However, when the residential scheme comes forward later in 2017, S106 and CIL are likely to be chargeable.

### 6.0 RECOMMENDATION

6.1 That the application be approved subject to conditions.



**Ward:** Parsons Green And Walham

**Site Address:**

Fulham Gas Works Imperial Wharf London



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).  
**For identification purposes only - do not scale.**

**Reg. No:**  
2017/01577/VAR

**Case Officer:**  
Jacques Du Plessis

**Date Valid:**  
14.04.2017

**Conservation Area:**  
Imperial Square Conservation Area - Number 6

**Committee Date:**  
12.06.2017

**Applicant:**

National Grid Property Ltd  
C/O Agent

**Description:**

Variation of Condition 7 of Planning Permission 2014/03637/FUL dated 5 March 2015 and subsequent Variation Permission 2016/03835/VAR dated 22 February 2017 to remove references to Gasholder No.7 such that the requirement for an Interpretation Strategy for Gasholder No.7 will be contained solely within a varied S106 Agreement.

Permission is also sought to allow the removal of the frame of Gasholder No.7 (Building of Merit) before the obligations in the extant S106 Agreement can be satisfied. The early removal of the frame of Gasholder No.7 is required to enable gas infrastructure replacement works to be delivered. The S106 agreement will be varied to reflect this change.

Drg Nos: Site Location Plan (5125566-ES-1.2); Planning Statement (July 2014); Design and Access Statement (July 2014); Environment Statement Vol 1 and Vol 2; Env Statement Non-Technical Summary (July 2014); Environmental Statement Technical Note (Aug 2016, Atkins); Heritage Statement (May/July 2014); Heritage Statement (Aug 2016, Montagu-Evans); HTVIA Technical Note (Aug 2016, Montagu-Evans); Technical Note on HTVIA (April 2017, Montagu Evans); Air Quality Technical Note (Aug 2016, Atkins); Technical Note ES (April 2017, Atkins); Supporting Statement (April 2017, Deloitte); Proposed Post-Demolition Levels Plan (5115843-GHDEM-3.5A); Transport Technical Note (Aug 2016, Vectos); Technical Note on Transport (April 2017, Vectos).

**Application Type:**

Vary or Delete Conditions Full/Outline

**Officer Recommendation:**

That the Committee resolve that the Lead Director for Regeneration Planning and Housing Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the condition(s) set out below

- 1) The works hereby permitted shall not commence later than the expiration of 3 years from the 5th of March 2015.

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 Scope of Demolition Works approved by this permission shall be limited to only those structures and buildings identified for demolition on approved Drawing 5125566-ES-3.2. The Development shall be carried out and completed in accordance with the following drawings and documents submitted:

Site Location Plan (5125566-ES-1.2);  
Planning Statement (July 2014);  
Design and Access Statement (July 2014);  
Environment Statement Vol 1 and Vol 2;

Env Statement Non-Technical Summary (July 2014);  
Environmental Statement Technical Note (Aug 2016, Atkins);  
Heritage Statement (May/July 2014);  
Heritage Statement (Aug 2016, Montagu-Evans);  
HTVIA Technical Note (Aug 2016, Montagu- Evans);  
Technical Note on HTVIA (April 2017, Montagu Evans);  
Air Quality Technical Note (Aug 2016, Atkins);  
Technical Note ES (April 2017, Atkins);  
Supporting Statement (April 2017, Deloitte);  
Proposed Post-Demolition Levels Plan (5115843-GHDEM-3.5A);  
Transport Technical Note (Aug 2016, Vectos);  
Technical Note on Transport (April 2017, Vectos).

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.21 of the London Plan 2016 and policy BE1 of the Core Strategy 2011 and policies DM G1, DM G3, DM G6, DM G7 of the Local Plan 2013.

- 3) The bell of Gasholder No.7 shall not be removed until the applicant (or their heirs and successors in title) has submitted to and agreed in writing by the local planning authority details of the minor works required to the frame of Gasholder No.7. The works shall be undertaken in accordance with the approved details.

In order to safeguard the special architectural or historic interest of the structure, in accordance with Policy DM G7 of the Local Plan 2013.

- 4) No demolition work shall commence prior to the submission and approval in writing by the Council of a Demolition Logistics Plan (in accordance with Transport for London guidelines). The Demolition Logistics Plan shall include specific details for:-
  - a) a Waste and Material Management, Transportation and Disposal Strategy, including delivery booking and vehicle holding arrangements, steps to be taken to re-use and recycle waste, waste classification and disposal procedures and locations; targets and arrangements for maximising use of the river;
  - b) Traffic and Transport Mitigation Measures as identified in Chapter 5 of the Environment Statement (2014) and subsequent revisions in Environmental Statement Technical Note (Atkins, 18 Aug 2016) and Transport Technical Note (Vectos, 15 Aug 2016);
  - c) Air Quality Mitigation Measures for the control and monitoring of dust, fine particles and odours as identified in Chapter 6 of the Environment Statement (2014) and subsequent revisions in Air Quality Technical Note (Atkins, 18 Aug 2016);
  - d) Noise and Vibration Mitigation Measures as identified in Chapter 7 of the Environment Statement (2014) and relevant revisions in Environmental Statement Technical Note (Atkins, 18 Aug 2016) to minimise the impact of the construction processes on the existing amenities of the occupiers of neighbouring properties and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays;

- e) Demolition Methods, Phasing and Timing;
- f) Demolition Traffic routing through the area and an enforcement system for breach of its provisions, the employment and deployment of banksmen, HGV movement profiling to show that peak period are avoided (0700-1000 and 1600-1900), the appointed freight contractor is a member of the Freight Operating Recognition System (FORS) and appropriate signage is implemented in and around the site to denote that demolition activities are underway;
- g) a low emission strategy for construction traffic and machinery;
- h) measures to protect controlled waters;
- i) measures to minimise cross contamination on site;
- j) mitigation measures related to Water Resources and Flood Risk in accordance with those identified in Chapter 12 of the Environment Statement (2014) and subsequent revisions in Environmental Statement Technical Note (Atkins, 18 Aug 2016);
- k) monitoring and control measures for dust, noise, vibration, lighting and working hours,
- l) details of site enclosure with lighting throughout the construction,
- m) 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.
- n) the Demolition Logistic Plan should be supported by scaled traffic Management drawings with signage in compliance with Chapter 8 of Traffic Signs Manual for temporary works together with scaled swept path drawings. The Traffic Management drawings should show how pedestrians would be managed safely within close proximity of the works.

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

To ensure that no unacceptable adverse effect on the amenity of surrounding occupiers in accordance with Policies BE1, T1 and CC4 of Core Strategy 2011 and Policy DM J1, DM G1, DM H5, DM H8, DM H9 and DM H10 of the Local Plan 2013.

- 5) No demolition work shall commence prior to the submission and approval in writing by the Council of a Demolition Environmental Management Plan. The DEMP must include a risk assessment in line with the Mayor's Best Practice Guidance for the Control of Dust and Emissions during Construction and Demolition, July 2014 and set out the mitigation measures that will be adopted on site to minimise dust and emissions. This should include an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring.

To comply with the requirements of the NPPF, to ensure that occupiers of the development are not adversely affected by air quality, in accordance with London Plan 2016 Policy 7.14, Core Strategy 2011 Policy CC4, and Local Plan 2013 Policy DM H8.

- 6) No demolition shall take place until the applicant (or their heirs and successors in title) has submitted to and agreed in writing by the local planning authority a Programme of Building Recording and Reporting. The Programme shall be in

accordance with Level II recording as set out in the English Heritage publication 'Understanding Historic Buildings' (2006) and relate only to the five gasholder structures to be demolished. The agreed Programme of Building Recording and Reporting shall be carried out as approved and the reports of investigation and analysis shall be submitted to English Heritage and the Archives and Local History Centre, Hammersmith Library.

Built heritage assets on this site will be affected by the development. The planning authority wishes to secure building recording in line with NPPF, and publication of results, in accordance with Section 12 of the NPPF.

- 7) Demolition of the 19th Century wall supporting the bank surrounding gasholder No. 3 shall not take place until the applicant (or their heirs and successors in title) has submitted to and agreed in writing by the local planning authority an Interpretation Strategy. The Interpretation Strategy shall include details for delivering interpretation projects during and after the relevant demolition works, and include details of how features recovered from the 19th Century wall supporting the bank surrounding gasholder No.3 shall be incorporated into any future development. The approved Interpretation Strategy shall be implemented as agreed.

To safeguard the special architectural or historic interest of the structures in accordance with Policy BE1 of the Core Strategy 2011; Policy DM G7 of the Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

- 8) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and Policies DM H7 and H11 of the Local Plan 2013.

- 9) Unless the Council agree in writing that a set extent of demolition must commence to enable compliance with this condition, no demolition 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and Policies DM H7 and H11 of the Local Plan 2013.

- 10) Unless the Council agree in writing that a set extent of demolition must commence to enable compliance with this condition, no demolition 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and Policies DM H7 and H11 of the Local Plan 2013.

- 11) Unless the Council agree in writing that a set extent of demolition must commence to enable compliance with this condition, no demolition 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic

Policy CC4 of the Core Strategy and Policies DM H7 and H11 of the Local Plan 2013.

- 12) Unless the Council agree in writing that a set extent of demolition must commence to enable compliance with this condition, no demolition 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and Policies DM H7 and H11 of the Local Plan 2013.

- 13) Prior to the commencement of the approved works, the applicant (or their heirs and successors in title) shall secure the implementation of an archaeological watching brief in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority. No demolition shall take place other than in accordance with the Written Scheme of Investigation.

Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

- 14) Details of any temporary land uses, fencing, enclosures or structures within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part(s) of the proposed works. Any interim structures, means of enclosure, uses or buildings shall be implemented in accordance with the approved details, for a specified time period set out in the details and shall be discontinued/removed once the temporary period has expired.

To ensure that the site remains in a tidy condition during the proposed works and to ensure that any temporary uses/structures do not create un-neighbourly impacts and to prevent harm to the street scene and character and appearance of the adjoining conservation area, in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM G1 and DM G7 of the Local Plan 2013.

- 15) Prior to the commencement of the development, a Travel Plan shall be submitted to and approved in writing by the Council, which shall include information on how alternative methods of transport for site workers travelling to and from the site, other than by car, will be encouraged. No part of the development shall commence

prior to the implementation of the Travel Plan in accordance with the approved details, and the Travel Plan shall thereafter continue to be fully implemented.

To ensure that the use does not generate an excessive number of car trips which would be contrary to the Council's policies of car restraint set down in Policy DM J1 of the Local Plan 2013.

- 16) Prior to the commencement of the development, details of the proposed car and cycle parking provision shall be submitted to and approved in writing by the Council. The development shall be implemented in accordance with the approved details which shall thereafter be permanently retained.

To ensure suitable provision of cycle spaces in accordance with Table 6.3 of the London Plan (2016).

- 17) Written notification of the intended start of works on site shall be sent to English Heritage, London Region (1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST) with a copy sent to and receipt acknowledged by the local planning authority, at least 28 days before the works hereby approved are commenced.

In order that English Heritage and the local planning authority may be given the opportunity of monitoring the progress of the works hereby approved, in accordance with Policy BE1 of the Core Strategy 2011; Policy DM G7 of the Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

- 18) Prior to the display of any illuminated sign / advertisement, details shall be submitted to and approved in writing by the Council. Details shall demonstrate that the recommendations of the Institution of Lighting Engineers in the `Guidance Notes For The Reduction Of Light Pollution 2005 will be met, particularly with regard to the `Technical Report No 5, 1991 - Brightness of Illuminated Advertisements. Approved details shall be implemented prior to use / 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 DM H10 of the Local Plan 2013.

- 19) The development shall be carried out in accordance with the approved Environment Statement Vol 1 and Vol 2 (July 2014) with appendixes and subsequent revisions in Environmental Statement Technical Note (Atkins, 18 Aug 2016) and Technical Note ES (April 2017, Atkins); Air Quality Technical Note (Atkins, 18 Aug 2016) and Transport Technical Note (Vectos, 15 Aug 2016) with subsequent revisions in Technical Note on Transport (April 2017, Vectos) the mitigation measures detailed therein or as otherwise agreed in writing with the council.

To reduce the risk of flooding to the development and future occupants in the event of a breach or failure of the River Thames tidal flood defences, and to ensure the structural integrity of the existing flood defences in accordance with Policy 5.12 of the London Plan (2016).



- 20) No demolition 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 proposed 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 DM G1 and DM G7 of the Local Plan 2013.

- 21) The boundary wall along Imperial Road and Emden Street shall be retained for the duration of the Demolition Works.

To ensure a satisfactory external appearance of the site, in accordance with Policies DM G1 and DM G7 of the Local Plan 2013.

- 22) Prior to the commencement of development an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor's of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the site specific AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) of the Majors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road construction traffic e.g. use of Low Emission Vehicles; Non-Road Mobile Machinery (NRMM). Details of all the NRMM that will be used on the development site will be required and the NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM<sub>10</sub> should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016) and Policy DM H8 of the Development Management Local Plan 2013.

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

- 1) Principle of Development/Regeneration: The principle of the Demolition Works is considered to be acceptable in accordance with national, strategic and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations in order to help meet local and strategic housing needs. The proposed works is the first process of achieving the regeneration principles as stipulated within the Riverside Regeneration Area. The proposed Demolition Works is therefore considered acceptable in accordance with policies 4.3, 4.6, 7.1 and 7.27 of the London Plan (2016), Strategic Policies HTC, HTC3, RTC1, A, B, C and H1 and H2 of the Core Strategy (2011) and policies DM A1,

DM C6, DM F1, DM F2, DM D1 and DM D2 of the Development Management Local Plan (2013).

2) Heritage Assets: The acceptability of removing the gasholders and associated structures/buildings in terms of impacts on heritage assets, their settings and townscape views has been considered. English Heritage (Listing Team) granted a Certificate of Immunity from Listing (COIL) on 7 March 2014 in respect of 15 structures comprising the five gasholders, which are the subject of this application, and 10 associated buildings and structures and found them to have no special interest.

Some residents and amenity groups have expressed concern in relation to the loss of Gasholder No. 7, as a Building of Merit and therefore of local visual and historical significance within the Conservation Area, its notable features and its symbolism of the area's history. These points are acknowledged and appreciated but also of material weight is the recent English Heritage assessment that the structure does not merit national listing. The council attach significant material weight to the policy guidance for South Fulham Riverside and must weigh the potential and wide ranging regeneration benefits against the benefits of retaining Gasholder No.7 and how retention may impact on viable regeneration being optimised and delivered at the gasholders site. Furthermore, given the nature and scale of the site the removal of this Gasholder No.7 is not considered of such significance to adversely affect the character and appearance of the Conservation Area and the setting of adjacent listed buildings to the extent that would outweigh the regeneration aims of the SFR Regeneration Area and the potential significant public benefits arising from redevelopment of the Gasworks Area such as affordable housing, new open space and new road connections. The frame to Gasholder No. 7 would not be removed until such public benefits as to justify its removal are secured in a planning permission for redevelopment of the Gasworks Area and the Council was satisfied that there was evidence of a signed Building Contract in place for the redevelopment in accordance with the planning permission granted. The cultural importance of the industrial past is recognised and in order to retain the site's history a Level II historic building record will be carried out for Gasholder Nos. 3-7 and can be secured by condition.

On balance it is concluded that the removal of the gasholders with associated structures and three ancillary buildings subject to appropriate conditions would accord with National Policies within the NPPF and policies 2.9, 3.3 and 3.4 of the London Plan. The proposal would also assist with achieving the regeneration aspirations for the site and wider area and resulting significant public benefits in accordance with Core Strategy policy SFR; policy DM G7 of the Local Plan (2013); the South Fulham Riverside Supplementary Planning Document (2013) and the Planning Guidance Supplementary Planning Document (2013).

3) Residential Amenity: Concerns relating to the Demolition Works causing noise, air quality and vibration impacts on amenity are relevant and have been considered. It is concluded that the submitted Environmental Statement contains sufficient assessment of these potential impacts and appropriate mitigation measures have been identified. A Construction and Environmental Management Plan shall be secured by condition which would ensure appropriate mitigation measures are undertaken in response to the detailed methodology of the Demolition Works to be set out by the appointed contractor. In this regard, the

development would respect the principles of good neighbourliness. The proposed development is therefore considered acceptable in accordance with policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7, 7.14 and 7.15 of the London Plan (2016) and policies BE1, H3 and CC4 of the Core Strategy (2011) and policy DM A9 and DM G1 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

4) Highways: The site is highly accessible and well served by public transport. Officers are satisfied that subject to the imposition of appropriate conditions and mitigation measures to be secured through s.106 Agreements, the development would not have an unacceptable impact on the safe operation of the highway or the living conditions of neighbouring residents. The proposed development is therefore considered acceptable in accordance with policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, of the London Plan (2016) and policy T1 of the Core Strategy (2011) and policy DM J1, DM J2, DM J3, DM J4, DM J5 and DM J6 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

5) Flood Risk: Application site is located in Flood Zone 3, within an area benefitting from defences, as identified by the Environment Agency. Flood Risk Assessment (FRA) together with a River wall assessment has been submitted with the application and reviewed by the Environment Agency. It is considered that subject to appropriate condition the development is acceptable and compliant with Policies 5.12 and 5.13 of the London Plan (2016) and policy CC2 of the Core Strategy 2011 and policy DM H3 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

---

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

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

Application form received: 13th April 2017

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2012  
The London Plan 2016  
LBHF - Core Strategy Local Development Framework 2011  
LBHF - Development Management Local Plan 2013  
LBHF - Planning Guidance Supplementary Planning Document  
2013

### **Consultation Comments:**

#### **Comments from:**

Royal Borough Of Kensington And Chelsea  
Natural England  
Royal Borough Of Kensington And Chelsea  
Hammersmith & Fulham Historic Buildings Group

#### **Dated:**

12.05.17  
11.05.17  
03.05.17  
02.05.17

## **Neighbour Comments:**

**Letters from:**

23 Fitzgeorge Avenue London W14 0SY

**Dated:**

30.05.17

### OFFICER'S REPORT

#### 1.0 BACKGROUND

#### SITE DESCRIPTION

1.1 The application relates to the South Fulham Gasworks Area which measures approximately 6.84 hectares of previously developed industrial land bound by Gwyn Close and the Overground railway line to the north; Chelsea Creek residential development to the east; Imperial Road with Imperial Square to the south; and Michael Road to the west. The area includes six redundant gasholders, overground pipes, a Pressure Reduction Station (PRS), and a series of buildings in operational use and non-operational related employment uses (use class B1). The gasholders are numbered 2, 3, 4, 5, 6 and 7. Gasholders 2, 3, 4 and 5 are located in the Northern Sector, while Gasholders 6 and 7 are in the Southern Sector on the opposite side of Sands End Lane. Both vehicular and pedestrian access is taken from the Waterford Road / Michael Road / Harwood Terrace roundabout located to the north west of the Gasworks Area.

1.2 This Planning Application only relates to that part of the Gasworks Area which accommodates Gasholders numbered 3, 4, 5, 6 and 7 including three ancillary operational buildings which are proposed to be demolished. As such, the "Application Site" comprises 3.23 hectares of the Gasworks Area.

1.3 There are four Grade II listed structures within the Gasworks Area including Gasholder No. 2 but none are within the Application Site. Part of the Application Site including Gasholders 3, 6 and 7 and the three ancillary operational buildings proposed for demolition is located within the Imperial Square and Gasworks Conservation Area. Gasholder No.7 (GH7) within the Application Site is included on the Local Register of Buildings of Merit. The relocated war memorial dating from 2000 is considered by the Council to be a non-designated heritage asset but is not included within the Application Site.

1.4 The Application Site is located within the South Fulham Riverside Regeneration Area (Core Strategy Policies A and 'South Fulham Riverside'); the Imperial Square and Gasworks Conservation Area (Core Strategy Policy BE1 and DM Policy G7) and is within Flood Risk Zones 2 and 3.

1.5 The Public Transport Accessibility Level (PTAL) for the Application Site ranges from 3 to 6a with 1a being the least accessible. Train services are available from Imperial Wharf Station 500m east of the Application Site which enables access to the London Overground service. Fulham Broadway Underground station, located 750m north of the site, allows access to the District Line. Bus routes 391 and C3 along Imperial Road and Townmead Road serve the site.

## SURROUNDING AREA

1.6 The surrounding area is characterised by a mix of uses, with predominantly residential buildings to the north with some commercial and business premises located off Michael Road. Similarly, residential areas including Harwood Terrace and Imperial Square are located to the west with commercial units located to the northern end of Imperial Road known as Imperial Studios. There are residential units within No. 11 Imperial Road on the corner of Emden Street and Imperial Road and residential estates on the south side of Imperial Road. To the south lies Chelsea Creek and Imperial Wharf, two higher density residential developments with Chelsea Creek still under development at the date of this report. Lots Road Power Station is located to the east on the opposite side of the railway line which has planning permission for a residential-led mixed use development and work to the Hammersmith and Fulham side of the development commenced construction early in 2014 with first occupation to be later in 2017.

## PLANNING HISTORY

1.7 Planning Permission (2014/03637/FUL) was granted 5 March 2015 to demolish five of the redundant gasholders (nos. 3, 4, 5, 6 and 7) with associated structures and three ancillary buildings. Works include de-watering, de-sludging, removal of above ground structures, partial infilling of gasholder voids and partial levelling of the site in preparation for redevelopment. This permission is subject to a section 106 agreement that requires consent for replacement scheme prior to the demolition of gasholder 7, together with a phasing plan for redevelopment and a building contract. ('2015 Consent')

1.8 Application for prior approval (2015/03392/DEM) was granted 20 August 2015 for the demolition of four brick/pre-fabricated buildings and associated structures, including the removal of ground slabs along the northern boundary of the Fulham Gasworks site.

1.9 Planning Permission (2015/04762/FUL) was granted 17 August 2016 for the erection of a relocated replacement Pressure Reduction Station, to be enclosed within a walled compound, plus associated corridor for underground mains. The compound is surrounded by a 5m exclusion zone that must be left clear of development to safeguard the future operation of the PRS by National Grid.

1.10 Planning Permission (2016/02695/FUL) was granted 2 December 2016 for the erection of a replacement Gas Depot (Depot 1) comprising a building accommodating office, welfare, and storage space, with an associated area of hardstanding for storage and parking and vehicular access for the use of National Grid Gas Distribution at Fulham Gasworks, Imperial Road, SW6 2AD..

1.11 Planning Permission (2016/02697/FUL) was granted 2 December 2016 for the erection of a replacement Gas Depot (Depot 2) comprising a building accommodating office, welfare, and storage space, with an associated area of hardstanding for storage and parking and vehicular access for the use of National Grid Gas Distribution at Fulham Gasworks, Imperial Road, SW6 2AD.

1.12 Planning Application (2016/02983/COMB) was submitted 1 July 2016 for demolition of existing buildings and structures (excluding No.2 Gasholder, 1856 Chief Engineer's Office, 1927 Former Research Laboratory, 1920 WW1 War Memorial and

WW2 War Memorial) and redevelopment to provide a residential-led mixed-use development comprising the erection of new buildings ranging from a single storey pavilion up to 27 storeys to provide up to 1,375 residential units (Class C3) and Use Classes A1 - A4, B1, B8, D1 and D2, the provision of a new publicly accessible open space, new pedestrian and vehicle routes, accesses and amenity areas, basement level car park with integral servicing areas and other associated works. Decision still pending at the date of this report.

1.13 Application for prior approval (2016/03731/DEM) was granted 14 October 2016 for the demolition of three buildings to the west within the Fulham Gasworks site known as the 1955 Building, 1976 Building and Cranewell Building plus associated structures.

1.14 Planning Permission (2016/03835/VAR) granted 22 February 2017 for the variation of Condition 2 of planning permission 2014/03637/FUL granted 5th March 2015 to amend the Development to only partial infilling and partial levelling of the gasholder voids post demolition. These proposed amendments are expected to reduce trip generation on the public highway from 138 to 86 maximum two-way daily trips, resulting in 52 fewer two-way HGV trips per day. ('Feb 2017 Consent')

1.15 A Non-Material Amendment (2016/04647/NMAT) was granted 20 March 2017 to vary the wording of condition 7 pursuant to Planning Permission 2014/03637/FUL granted 5th March 2015 to allow demolition of buildings/structures other than gasholder No. 3, the 19th Century wall supporting the bank surrounding gasholder No. 3 and gasholder No. 7 prior to agreeing an Interpretation Strategy as previously required.

1.16 Planning Application (2016/04676/DET) was submitted 25 October 2016 with details to discharge conditions 4 (demolition and construction logistic plan), 5 (demolition environmental management plan), 8 (preliminary risk assessment report), 9 (quantitative risk assessment), 10 (remediation method statement), 11 (verification report), 12 (long term monitoring method report), 13 (archaeology watching brief), 14 (temporary land uses) and 15 (Travel plan) of planning permission 2014/03637/FUL granted 5th March 2015. Decision still pending at the date of this report.

## CURRENT APPLICATION

1.17 The application seeks permission to vary Condition 7 (Interpretation Strategy) by removing references to Gasholder No.7 (GH7). As all the requirements for GH7 are contained under the S106 agreement, this will now need to be varied to reflect the requirement for an Interpretation Strategy to also be applied to GH7.

1.18 Permission is also sought to allow the removal of GH7 (Building of Merit) as approved under the 2015 Consent before the obligations in the S106 Agreement can be satisfied. The planning obligations currently contained within the S106 agreement specify that the frame of GH7 should not be demolished until; (a) planning permission has been granted for the comprehensive redevelopment of the Fulham Gasworks site; (b) a phasing plan for the comprehensive redevelopment has been submitted to and approved by the Council; and (c) a copy of the building contract (or series of contracts) for the comprehensive or phased development has been submitted to the Council.

1.19 The early removal of the frame of GH7 is required to enable gas infrastructure replacement works to be delivered. If granted works are expected to commence later in 2017.

## ENVIRONMENTAL IMPACT ASSESSMENT

1.20 The 2015 Consent was accompanied by an Environmental Impact Assessment (EIA) including an Environmental Statement (ES). The ES assessed the following topic areas: Traffic and Transportation; Air Quality and Odour; Noise and Vibration; Townscape, Cultural, Heritage and Visual Issues; Archaeology; Ground Conditions; Water Resources and Flood Risk and Cumulative Effects. As this S73 application is a new application for planning permission, for the purposes of the EIA Regulations, it is necessary to confirm as to whether any of the information provided within the approved EIA should be updated because of the proposed amendments.

1.21 The applicant has submitted a Heritage, Townscape and Visual Impact Assessment (HTVIA) Technical Note dated April 2017 which considers whether the Proposed Development causes any significant environmental effects on built heritage, townscape and visual receptors, in addition to those identified within the approved 2015 HTVIA and the supporting information approved under the Feb 2017 Consent.

1.22 The amendments considered to be material are the early dismantling of GH7 within the sequence of demolition works and variation of Condition 7 by removing references to GH7. The principal consideration regarding the Proposed Development is whether the demolition of GH7 earlier in the programme of works would have an additional effect on its heritage value, or the value of other built heritage receptors including the Imperial Square and Gasworks Conservation Area and the adjacent Grade II listed 1927 Laboratory building.

1.23 The 2015 HTVIA assessed the effect of the loss of the gasholder during the demolition phase, and following site clearance. The Feb 2017 Consent took the same approach. These assessments account for the dismantling of the gasholder, regardless of when that event occurs during the sequence of works. The April 2017 HTVIA Technical Note states that, the significance of effect on the gasholder, and on other built heritage receptors, will not change the conclusions of the of the 2015 HTVIA. It further states that the character and function of the townscape receptors would not be impacted by demolishing GH7 sooner in the sequence of works. The Technical Note states that the visual receptors would not experience any new impact as a result of the Proposed Development. The visual envelope of the Application Site will remain limited. Site hoardings erected during the demolition phase will largely restrict views of the Proposed Works to the immediate environment. It is therefore considered that the conclusions set out in the 2015 HTVIA, and which formed the basis of the Feb 2017 Consent, remain sound and robust in the context of the current S73 Application.

### 1.24 SUPPORTING DOCUMENTS

1.25 This Section 73 application for minor material amendments is accompanied by the following information;

- Site Location Plan (5125566-ES-1.2)
- Supporting Statement for early removal of Gasholder No.7 (Deloitte);
- Technical Note on Heritage, Townscape and Visual Impacts (Montagu Evans);
- Technical Note covering Demolition Methodology; Air Quality; Archaeology; Noise and vibration; Water Resources; and Ground Conditions (Atkins);
- Technical Note on Transport (Vectos);

1.26 The following documents from the extant consent is also considered to be relevant;

- Planning Statement, July 2014;
- Design and Access Statement, July 2014;
- Heritage Statement, May/July 2014;
- Environment Statement Vol 1 and Vol 2;
- Env Statement Non-Technical Summary, July 2014.
- Proposed Post-Demolition Levels Plan (ref. 5115843-GHDEM-3.5\_Rev A)
- Heritage Statement, Montagu-Evans, August 2016
- Heritage, Townscape and Visual Impacts Technical Note by Montagu-Evans, Aug 2016;
- Environmental Statement Technical Note by Atkins, 18 Aug 2016;
- Air Quality Technical Note by Atkins, 18 Aug 2016;
- Transport Technical Note by Vectos, 15 Aug 2016;

## 2.0 PLANNING APPLICATION CONSULTATIONS

2.1. The application was advertised by way of site notices and a press notice and notification letters were sent to statutory bodies, local amenity and resident groups as well as to neighbouring properties. The application has been advertised as being:

- An Application within a Conservation Area

## NEIGHBOUR NOTIFICATION

2.2. 1118 letters were distributed to local residents and businesses advising of the planning application. Two representations have been received with one objecting to the principle of removing Gasholder No.7 and any development which is likely to have an adverse effect on neighbouring properties. One letter has been received not objecting to bringing forward the removal of Gasholder No.7 but seeks that some of the complete columns be re-used in any future development and detailed in the Interpretation Strategy.

## AMENITY GROUPS AND STAKEHOLDERS

2.3. Hammersmith and Fulham Historic Buildings Group: Accepts that the guide frame cannot be retained in its present location prior to a replacement scheme being approved but seek that all elements of the frame be surveyed, carefully removed and stored while proposals for re-use in a future development are developed.

2.4. The Fulham Society: Accepts, with reservations, that the guide frame cannot be retained in its present location but seek that some of the complete columns and lattice girders can be incorporated into a future development and wishes to form part of further explorations of the re-use of parts on Gasholder 7.

## EXTERNAL CONSULTATIONS

2.5. Natural England: Has no comment to make on the variation of condition 7 and S106 Agreement.

2.6. Greater London Industrial Archaeology Society (GLIAS): Raises no objection to bringing forward the timing for dismantling Gasholder No.7 but seeks that any Interpretation Strategy should include at least two columns to be re-erected to their full



height with their connecting girders, the guide rails and the guide rollers to be a meaningful structure and piece of architecture.

2.7. Transport for London (TfL): Raises no objection to the proposed works but seeks that a Demolition Management and Logistics Plan be required by condition prior to commencement of any proposed works.

### 3.0 PLANNING CONSIDERATIONS

3.1. The application seeks permission to vary Condition 7 by removing references to GH7 such that the requirement for an Interpretation Strategy for Gasholder No.7 will be contained solely within a varied S106 Agreement. The application also proposes the removal of the frame of GH7 (Locally Listed Structure) before the obligations in the original S106 Agreement pursuant to the 2015 Consent can be satisfied.

3.2. Accordingly, the first consideration for this S73 application is whether the requirement to submit an Interpretation Strategy for GH7 can successfully be achieved solely by the S106 Agreement. The second consideration is whether the dismantling of GH7 earlier in the sequence of approved dismantling works would have an additional impact on the topics covered by the EIA (Traffic and Transportation; Air Quality and Odour; Noise and Vibration; Townscape, Heritage and Visual Impact; Archaeology; Ground Conditions; Water Environment including drainage and flood risk) submitted with the extant permission.

#### FORM OF APPLICATION (SECTION 73)

3.3. Guidance regarding the form of the application, as a minor material amendment to an approved scheme submitted as a variation of condition under Section 73 of the Town and Country Planning Act, advises that proposed amendments should be of a scale and nature that would result in a development which is not substantially different from the one which has been approved.

3.4. The planning application has been assessed against the Development Plan which comprises the London Borough of Hammersmith and Fulham Core Strategy (2011), the Development Management Local Plan (2013) and the London Plan (2016). On 28 February 2017, the council submitted the Proposed Submission Local Plan and supporting documents to the Secretary of State for Communities and Local Government. The Proposed Submission Local Plan will be subject to examination in public between 13 and 22 June 2017 which is a material consideration in the assessment of this application

#### PRINCIPLE OF DEMOLITION

3.5. The principle of demolition of the five gasholders has been set by the 2015 Consent. It was concluded that on balance, the removal of the gasholders with associated structures and three ancillary buildings, subject to appropriate conditions would accord with National Policies within the NPPF and policies 2.9, 3.3 and 3.4 of the London Plan. The proposal would assist with achieving the regeneration aspirations for the site and wider area and result in significant public benefits in accordance with Core Strategy policy SFR and the SFR Supplementary Planning Document.

3.6. Since securing planning permission in March 2015 National Grid has undertaken detailed investigations into the timing of works to relocate gas mains across the Gasworks site. This process has identified that the relocated gas mains as part of the replacement works need to pass through the site of GH7. Once complete the new network will provide sufficient capacity for the foreseeable future for the surrounding area and much of Central and West London. The removal of GH7 and the construction of new mains that pass through the area currently occupied by GH7 have been developed through a detailed design process. As a result, it is necessary to seek a variation to the S106 Agreement to allow the early removal of the frame of GH7 before the obligations in the S106 Agreement can be satisfied. Any lack of flexibility to the timing of the removal of GH7 will have a knock on effect on the supply strategy for Central and West London. Should National Grid have to wait until the S106 obligations are discharged there would also be a lengthy delay to deliver public benefits as part of the comprehensive redevelopment of the site.

## PROGRAMME FOR GAS INFRASTRUCTURE

3.7. The timing of completing the mains diversion works relies on the ability to connect the new mains to the existing gas network. To maintain network resilience, the connection of the high pressure gas pipeline can only be connected during an 'outage' period. Given the need to coincide with other infrastructure works on the site and with the ongoing replacement of old Victorian gas mains, National Grid has programmed the relocation and connection of the new Fulham mains to be undertaken in summer 2018, when an outage is planned for West London. Should the relocated mains not be in place by summer 2018, and bearing in mind that outage periods do not occur every year, the connection works would be pushed back on at least an annual basis until the diversion works have been undertaken.

3.8. To maintain network resilience, it is critical that the timing of all the works and outages is programmed together. Once complete the new network will provide sufficient capacity for the foreseeable future for the surrounding area and much of Central and West London. The removal of GH7 and the construction of new mains that pass through the area currently occupied by GH7 have been developed through a detailed design process. The early removal of the frame of GH7 is now an integral part of National Grid's overall programming.

3.9. The timing of these works is fundamental to the delivery of National Grid's supply strategy for London. Advancing the work around GH7 to support the strategy will provide the improvements in safety and capacity that are currently planned and will ensure the network remains "fit for purpose" for the foreseeable future. As such, the early removal of GH7 will generate substantial public benefits to National Grid's 250,000 West London customers.

## TOWNSCAPE AND VISUAL IMPACT ASSESSMENT

3.10. A Heritage Statement submitted as part of the 2015 Consent, includes a review of relevant national and local heritage planning policies. The statement establishes the significance of the heritage assets and assesses the impact of the Demolition Works on these assets. The Assessment viewed the proposed demolition works from a range of locations in LBHF and RBKC of varying sensitivity in terms of heritage assets and had regard to the loss of the structures in the context of the existing physical fabric of the area and in the wider skyline of London. It was considered as part of the extant

permission that the Demolition Works would not prejudice the retention of the elements of the Gasworks Area which have the highest significance and these are statutory listed buildings. It was considered that on balance the harm arising from the loss of the Building of Merit (GH7) and the resulting impact on the character and appearance of the Conservation Area and setting of listed buildings is outweighed by the benefits arising from the removal of other structures which detract from the character and appearance of the Conservation Area and setting of listed buildings and the need to prepare the site for future redevelopment which will deliver significant public benefits.

3.11. The Applicant has submitted a Technical Note setting out the effects of the current S73 amendments on the ES Heritage, Townscape and Visual Impact Assessment (HTVIA). It is considered that current S73 application will not change the previously identified HTVIA impacts. The conclusions of the ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same, and the proposed mitigation measures should still be applied.

3.12. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of HTVIA impacts. The proposals are considered to be in accordance with Core Strategy Policy BE1 and policies DM G1, DM G7 of the Local Plan (2013) and Design Policy 21 of the Planning Guidance SPD (2013).

#### INTERPRETATION STRATEGY (CONDITION 7)

3.13. Condition 7 requires the submission of an Interpretation Strategy which shall include details for delivering interpretation projects during and after the demolition works, and include details of how features of the 19th Century wall supporting the bank surrounding GH3 and GH7 shall be incorporated into any future development.

3.14. National Grid seeks a variation to the wording of Condition 7 to remove references to GH7. Therefore, the requirement for an Interpretation Strategy for Gasholder No.7 will be contained solely within a varied S106 Agreement.

3.15. The revised Condition 7 would read as follows;

"Demolition of the 19th Century wall supporting the bank surrounding gasholder No. 3 shall not take place until the applicant (or their heirs and successors in title) has submitted to and agreed in writing by the local planning authority an Interpretation Strategy. The Interpretation Strategy shall include details for delivering interpretation projects during and after the relevant demolition works, and include details of how features recovered from the 19th Century wall supporting the bank surrounding gasholder No.3 shall be incorporated into any future development. The approved Interpretation Strategy shall be implemented as agreed."

3.16. Officers consider that this approach would offer greater control over the re-use of parts of the frame of GH7, would uphold the policy reasons for the implementation of Condition 7 and ensure the safeguarding of special architectural or historic interest of the structures in accordance with Policy BE1 of the Core Strategy 2011; Policy DM G7 of the Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

## RESIDENTIAL AMENITY

3.17. Paragraph 17 of the NPPF makes reference to securing a good standard of amenity for all existing and future occupants of land and buildings. In respect of the Demolition Works the relevant potential impacts to be considered are noise, vibration, traffic congestion, air pollution and contamination.

3.18. Assessment has been undertaken in the ES submitted as part of the 2015 Consent of the likely significant effects of the Demolition Works on the environment with respect to traffic and transport issues; air quality and odour; noise and vibration; and; water resources and flood risk. It was concluded as part of the extant permission that the implementation of the Environmental Management Plan (EMP), Demolition and Construction Logistics Plan (DCLP), as required by condition, plus the use of best practice will act to reduce excessive noise and vibration levels, traffic congestion, air pollution and potential risk of contamination caused by the Demolition Works.

3.19. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the impact on neighbouring properties in terms of Demolition Works carried out. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of impact on neighbouring properties.

## TRAFFIC AND TRANSPORT

3.20. The NPPF outlines that transport policies have an important role to play in facilitating sustainable development. London Plan Policy 6.1 sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport. Policy DM J1 of the Local Plan (2013) sets out the requirement for development proposals to assess the potential impact on traffic and congestion.

3.21. The applicant has submitted a Technical Note setting out the effects of the proposed S73 amendments on the ES Traffic and Transportation assessment. The original ES approved under the 2015 Consent identified that the demolition works would have a negligible effect on local receptors in relation to severance; pedestrian delay; pedestrian amenity; driver delay; accidents and safety; and public transport.

3.22. Previously, to support the 2017 Consent, the applicant submitted a Technical Note produced by Vectos which presented an update to the traffic movements assessed within the original ES. This identified that a reduction in HGV traffic movements would arise as a result of the amended proposals, that this would not have any bearing on the conclusions of the original ES, and that the identified effects would remain as negligible.

3.23. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the impact on traffic. The survey data used within the original traffic assessment is still valid, and the baseline conditions are considered to represent a worst case scenario in the context of the current S73 amendments. The conclusions of the ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same, and the proposed mitigation measures should still be applied.

3.24. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of traffic and transportation impacts. The development is considered to be acceptable in accordance with London Plan Policies 6.1, 6.3, 6.9, 6.10, 6.11 & 6.13, Core Strategy Policy T1 and Policies DM H5, DM J2, DM J3 and DM J5 of the Local Plan.

## NOISE AND VIBRATION

3.25. The NPPF (Conserving and enhancing the natural environment) states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and should mitigate and reduce to a minimum any adverse impacts. London Plan policy 7.15 (Reducing noise and enhancing soundscapes) seeks to minimise the existing and potential impacts of noise on, from, within or near, development proposals. The policy notes that "Reducing noise pollution and protecting good soundscape quality where it exists, contributes to improving quality of life". Policy DM H9 (Noise) of the Local Plan (2013) stipulates measures to be implemented to control the impact of development regarding noise and vibration.

3.26. An assessment of the proposed Demolition Works with regards to noise and vibration was submitted with the 2015 Consent. It was concluded that when appropriate mitigation measures are taken into account, the effect of the Demolition Works will be significantly reduced at all receptors. Officers are still confident that this can be achieved by the Environment Management Plan (EMP) and Demolition and Construction Logistics Plan (DCLP) to be secured by condition.

3.27. The applicant has now submitted a Technical Note setting out the effects of the proposed S73 amendments on the ES Noise and Vibration assessment. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the impact to noise and vibration, the conclusions of the original ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same, and the proposed mitigation measures should still be applied. .

3.28. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of noise and vibration impacts. The proposal is therefore still considered to comply with the requirements of the NPPF, London Plan policy 7.15 and Policy DM H9 (Noise) of the Local Plan (2013) with regards to external and internal noise and vibration by not causing an adverse effect upon neighbouring residents.

## AIR QUALITY

3.29. The NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. London Plan Policy 7.14 seeks to ensure that development proposals minimise pollutant emissions. Policy CC4 of the Core Strategy explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives. Policy DM H8 of the Local Plan (2013) stipulates measures to control potential air quality impacts of development.

3.30. The original ES approved under the 2015 Consent identified that the demolition works would have a minor adverse, short term residual effect on local receptors; and vehicle emissions associated with demolition traffic would have negligible effect on local air pollutant concentrations.

3.31. The applicant has now submitted a Technical Note setting out the effects of the current S73 amendments on the ES Air Quality assessment. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the impact on air quality. The conclusions of the ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same, and the proposed mitigation measures should still be applied.

3.32. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of air quality impacts. Therefore, the conclusion that the effect of construction traffic will not result in a discernible effect on local air quality conditions remains valid, and there would be no change to the conclusions of the approved Environmental Statement.

## CONTAMINATION, SOILS AND GEOLOGY

3.33. The NPPF outlines that planning decisions should take account of potential contamination and potential sensitivities of proposed developments. Policy 5.21 of the London Plan supports remediation of contaminated sites and states that appropriate measures should be taken to control the impact of contamination within new developments. Policy CC4 of the Core Strategy states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place. This is supported by Policy DM H7 of the Local Plan (2013).

3.34. The information within the ES submitted as part of the 2015 Consent includes an assessment of the likely significant effects of the Demolition Works on the environment with respect to land contamination, including effects associated with ground contamination that may already exist on-site, effects associated with the potential for polluting substances used to cause new ground contamination issues on-site and effects associated with re-use and import of soils and disposal of waste soils. Overall, it was considered that the best practice measures incorporated into the Demolition Works and the planned mitigation measures proposed, would ensure that the Demolition Works will have either a minor beneficial or negligible effect on the identified receptors. Although further investigation and information is required, the information provided with the extant permission was considered sufficient to satisfy the Council that any risks from contamination can be abated.

3.35. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the previously identified impacts on ground conditions. The conclusions of the original ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same with no residual impact to ground conditions from the proposed scheme.

3.36. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of ground conditions. Officers considered that with

appropriate conditions the proposals are considered acceptable with regards to contamination in accordance with Policy 5.21 of the London Plan (2013) and Policy CC4 of the Core Strategy.

## FLOOD RISK, DRAINAGE AND WATER RESOURCES

3.37. The NPPF outlines 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 the developments safe without increasing flood risk elsewhere. London Plan Policy 5.12 states that development must comply with the flood risk assessment and management requirements of the former PPS25 (Development and Flood Risk). Core Strategy Policy CC1 requires development to take account of increasing risks of flooding.

3.38. A Flood Risk Assessment (FRA) was submitted as part of the 2015 Consent permission in accordance with the above policies which assessed the likely significant effects of the Demolition Works on the water environment including surface water, foul water and groundwater flows and quality, and flood risk. The FRA confirmed that the Site is located within Flood Zones 2 and 3. It was concluded that overall the Demolition Works will not result in a change to the water discharge volume from the site or to the flood risk to neighbouring areas.

3.39. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the impact to the water environment, the conclusions of the original ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same, and the proposed mitigation measures should still be applied.

3.40. Therefore, in summary, it is concluded that there would be no change the impacts or conclusions identified within the approved Environmental Statement. Officers consider that the proposals are acceptable in terms of flood risk and drainage and is in accordance with London Plan Policy 5.12, 5.13, 5.15, 5.11, Core Strategy Policies CC1, CC2, and SFR.

## ARCHAEOLOGY

3.41. The NPPF requires that the significance of any heritage assets affected should be identified and the potential impact of the proposal on their significance addressed. London Plan policy 7.8 (Heritage assets and archaeology) advises that development should incorporate measures that appropriately address the archaeology of sites. Core Strategy policy BE1 (Built Environment) advises that new development should respect and enhance the historic environment of the Borough, including archaeological assets. Local Plan policy DM G7 states a presumption against proposals which would involve significant alteration of, or cause damage to, Archaeological Remains of National Importance and advises that the loss of archaeological value must be outweighed by the need for the development. The policy advises that archaeological study of application sites will be required before applications are approved.

3.42. An Archaeological Priority Area (APA) is located partly within the Application Site at its northern edge (APA 8 Sandford Manor House). An Archaeological Assessment was included within the ES submitted with the 2015 Consent. It was considered that the

removal of the gasholder superstructures and ancillary above ground elements will not have an impact upon below ground archaeology. The removal of ancillary buildings to ground level is not considered to impact upon potential archaeological deposits. The Greater London Archaeology Advisory Service were consulted on the application and recommend that an archaeological watching brief is carried out during the reduction of the gasholder walls to between 1 to 2m below existing ground level, within the extent of the existing gas holder structures and external clay lining. The proposal does not include the removal of any other structures of heritage significance on the site and therefore no below ground disturbance will take place and there would be no impact on any deeply buried archaeological deposits.

3.43. The current S73 application does not impact the scope of the overall works, and only the sequencing; therefore the revised proposals will not change the previously identified impacts on archaeology. The conclusions of the original ES approved under the 2015 Consent and the supporting information approved under the 2017 Consent are considered to remain the same with no residual impact to archaeology from the proposed scheme.

3.44. In summary, the proposals sought under the current S73 would have no impact on the previous assessments of archaeological impacts. Officers consider that the proposals are in accordance with London Plan policy 7.8, Core Strategy Policy BE1; policy DM G7 of the Local Plan (2013) and the policies in the Planning Guidance SPD in regard to Archaeology.

## CUMULATIVE EFFECTS

3.45. The EIA undertaken to support the extant permission included cumulative impact assessments which, where necessary, took into consideration committed developments. When considering proposed mitigation measures and the final completed development (a cleared site), these studies have not revealed any significant adverse cumulative environmental impacts. Of these schemes, The Tent Site, Sainsbury's Foodstore, and Lots Road Power Station are understood to be under construction and due for completion by 2018/19. The remainder, Carnwath Road Industrial Estate, Hurlingham Wharf, Whiffin Wharf, and Hurlingham Retail Park are understood not to yet be under construction. The ES submitted with the 2015 Consent concluded that the cumulative effects of the committed developments and the Demolition Works upon the environment will be of minor adverse to negligible significance, largely due to the length and disruption of the construction stages and the likely increases of traffic on the road network. The staging of the developments, implementation of best practice techniques and provision of additional infrastructure will minimise disturbance to amenity.

3.46. To support the current S73 application, an updated review of committed developments has been undertaken. The following additional schemes have been identified, which are considered have the potential to give rise to cumulative effects:

- S73 application to amend the Chelsea Island scheme (2016/05302/VAR) - approved
- La Reserve Hotel (2017/01128/FUL) - pending consideration
- Land Including Charlow Close And Bounded By Potters Road And Watermeadow Lane London (2017/01219/FR3) - pending consideration
- Thames Tideway Tunnel1 - approved



3.47. The applicant has considered the above schemes, and recent schemes approved on the Gasworks Site, in the context of their cumulative assessments, and have confirmed that the conclusions of the EIA technical assessments in relation to cumulative impacts have not changed as a result of the proposed S73 amendments and additional cumulative schemes. It is therefore considered that the proposed amendments would not result in any significant cumulative impacts when considered alongside other committed development and / or proposed development close to the Site.

3.48. Officers consider that the development proposals would not have any significant negative cumulative effects or impact when assessed against the committed developments in the area in accordance with Schedule 3(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL) / PLANNING OBLIGATIONS

3.49. The Mayor of London's Community Infrastructure Levy (CIL) came into effect on 1 April 2012. This is a material consideration to which regard must be had when determining the application. Given that the proposal does not comprise of a replacement scheme the Demolition Works will not be liable to any CIL contributions.

3.50. The Town and Country Planning Act, section 106, provides the ability to address externalities arising from development that would otherwise render a development unacceptable, by means of commitments set out by the applicant and if necessary the Local Authority and any other concerned party, in a legal agreement. The underlying principle of the enabling legislation is to maximise sustainable development through the best allocation of resources.

#### PLANNING OBLIGATIONS

3.51. On the 5th of March 2015 the Applicant entered into a S106 Agreement which secures the protection and enhancement of the heritage assets on the Gasworks Area in advance of the subsequent redevelopment. By entering into the original S106 agreement, the Applicant has committed not to demolish the frame of GH7 until (a) planning permission has been granted for the comprehensive redevelopment of the Fulham Gasworks site; (b) a phasing plan for the comprehensive redevelopment has been submitted to and approved by the Council; and (c) a copy of the building contract (or series of contracts) for the comprehensive or phased development has been submitted to the Council.

3.52. The early dismantling of GH7 is now required to enable much needed gas infrastructure replacement works to be delivered. The variation to the extant S106 agreement will ensure that the Interpretation Strategy for GH7 be submitted over two stages. The first Interpretation Strategy will require a survey of the frame of GH7 to determine the quantum of materials to be stored for potential reuse within a replacement scheme plus indicative proposals of how materials will be reused. An updated Interpretation Strategy would be required post dismantling of GH7 identifying the exact quantum of materials, details of storage arrangements and details of how and when these materials will be reused within any replacement scheme. Officers consider that this flexibility would not prejudice the preservation of frame materials and still ensure the safeguarding of special architectural or historic interest of the structures in

accordance with Policy BE1 of the Core Strategy 2011; Policy DM G7 of the Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

## CONCLUSION

3.53. The acceptability of removing the gasholders and associated structures/buildings in terms of impacts on heritage assets, their settings and townscape views has been considered as part of the 2015 Consent. The removal of the gasholders and associated structures and buildings, would be a significant step in realising the future redevelopment of the site and contributing to the overall regeneration aims of the wider area, in accordance with London Plan policy 2.13 (Opportunity Area and Intensification Areas), policy SFR of the Core Strategy and the adopted South Fulham Riverside SPD. On balance it was considered that the proposals would not result in sufficient harm to the surrounding heritage assets or views to warrant refusal of the application, in accordance with policy DM G7 of the Local Plan (2013).

3.54. This S73 application proposes to vary Condition 7 to remove references to GH7 and that the requirement to submit an Interpretation Strategy for GH7 be contained solely within a varied S106 Agreement.

3.55. The application also proposes the removal of GH7 before the obligations in the original S106 agreement can be satisfied. The application proposes new obligations to ensure that the Interpretation Strategy for GH7 be submitted over two stages, pre and post demolition. The application documents demonstrate that the public benefits which arise from the provision of much needed gas infrastructure fully justify the early removal of the frame of GH7. Furthermore, it is important to recognise the progress towards delivering widespread benefits from the Site's redevelopment, and that the timely relocation of the gas mains forms an essential stage of bringing forward those public benefits.

3.56. The implications of the S73 application upon the approved Environmental Statement have been considered. The EIA Technical Review and accompanying Technical Notes submitted by the applicant have concluded that there will be no significant effects on the environment on or close to the Site, beyond those already identified and mitigated for within the approved EIA, as a result of the proposed amendments. Therefore, the assessments and conclusions of the approved Environmental Statement remain valid and robust in the context of this S73 application. Potential impact to these matters can be suitably managed and minimised, subject to appropriate mitigation measures as outlined in the Environment Statement. Such measures would be secured by condition in accordance with policies DM G1, DM G3, DM G6, DM G7, DM H5, DM H7, DM H8, DM H9, DM H10, H11 DM and DM J1 of the Local Plan 2013.

## Section 73 Application Process

3.57. It is considered that the scale and nature of the proposed amendments would result in a scheme that is not substantially different from the approved scheme. It is therefore considered that the proposed amendments would accord with the relevant guidance for minor material amendments to approved schemes and that it would be appropriate for these to be addressed by way of approval under Section 73 of the Town and Country Planning Act.

#### 4.0 RECOMMENDATION

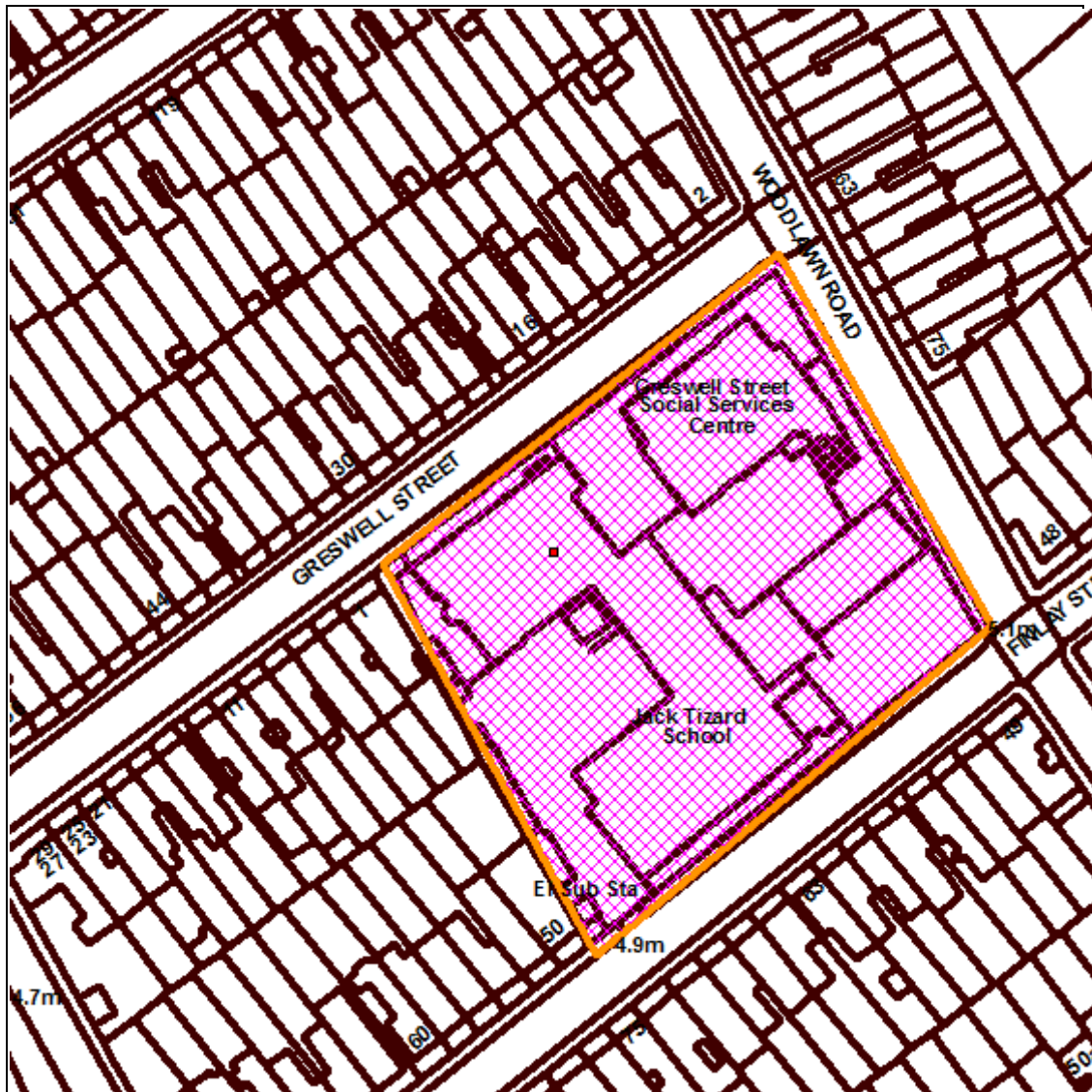
4.1. Officer recommendation is that the Committee resolve that the Lead Director for Regeneration, Planning & Housing Services be authorised to determine the application and grant planning permission upon the completion of a satisfactory variation to the legal agreement and subject to the planning conditions.

---

**Ward:** Palace Riverside

**Site Address:**

Bridge Academy Finlay Street London SW6 6HB



© Crown Copyright. All Rights Reserved. London Borough Hammersmith and Fulham LA100019223 (2013).  
**For identification purposes only - do not scale.**

**Reg. No:**  
2017/01171/FUL

**Case Officer:**  
John Sanchez

**Date Valid:**  
24.03.2017

**Conservation Area:**  
Crabtree Conservation Area - Number 28

**Committee Date:**  
12.06.2017

**Applicant:**

Mr Nathan Crawley-Lyons  
Finlay Street Fulham SW6 6HB

**Description:**

Erection of a two storey school building for post-16 teaching and hall (Class D1), on the corner of Finlay Street and Woodlawn Road; and erection of two, single storey glazed link structures, connecting both the former Greswell Centre building and the new two storey school building to the existing Bridge Academy; involving demolition of former caretaker's house, extension to former Greswell Centre building and part of the existing external workshops; associated external alterations to the existing school buildings; soft and hard landscaping works, including formation of a new games court and playground areas and new boundary treatment; the relocation of the existing parking and servicing; involving the removal of the existing entrance and crossover on Greswell Street; and relocation of entrance and crossover on Finlay Street.

Drg Nos: As listed in Condition 2 below

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

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

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

- 2) The development shall be carried out and completed in accordance with the following approved drawings:  
15086-050; 150; 200/A; 201/A; 202/A; 210/A; 211/A; 212/A; 215/A; 220; 221; 260; 500A; 16413-TLP-101/02; and

Design and Access Statement (incorporating accessibility statement, refuse and recycling statement) prepared by LSI and LBY Architects (March 2017) and Design and Access Statement Addendum 'Section 10.0 Access' (May 2017) prepared by LSI and LBY Architects; Statement of Community Involvement and Planning Statement prepared by Savills (March 2017); Sustainability Statement and Outline Overheating Assessment prepared by Couch Perry Wilkes (March 2017) and Updated Sustainability Statement prepared by Mercserve (23.05.2017); Transport Assessment (March 2017) and updated Travel Plan (May 2017) prepared by TPP; Flood Risk Assessment and Drainage Strategy prepared by Conisbee (March 2017); Tree Surveys, Landscape Strategy and Ecological Appraisal prepared by the Landscape Partnership (March 2017); Ground Investigation Report (October 2016) and Phase 1 Report (June 2016) prepared by Geocon; Noise Assessment (March 2017) and Ventilation Strategy Assessment (13.10.2016) prepared by BDP Acoustics and Draft Construction Logistics Plan prepared by TPP.

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 BE1 of the Core Strategy (2011) and Policy DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013).

- 3) The demolition works hereby permitted shall not be undertaken before notice of demolition and a copy of a signed Building Contract for the redevelopment of the site in accordance with this planning permission has been submitted to and agreed in writing by the Council.

In order to prevent premature demolition of the Building of Merit and to prevent harm to the character and appearance of the Conservation Area arising from premature demolition works, in accordance with the NPPF and policy DM G7 of the Development Management Local Plan (2013).

- 4) The demolition shall not 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 Policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 5) The demolition shall not commence until a Demolition Management Plan and a Demolition Logistics Plan have been submitted to and approved in writing by the Council. The Demolition Management Plan shall include details of the proposed control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Details regarding tree protection should also be included. The Demolition Logistics Plan shall include the numbers, size and routes of demolition vehicles, provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Demolition Management Plan and Demolition Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway and the amenities of occupiers of surrounding properties and the area generally, in accordance with policies 5.18, 5.19 and 7.14 of the London Plan (2016), policies CC1, CC4 and T1 of the Core Strategy (2011), policies DM H1, DM H2, DM H5, DM H8, DM H9, DM 10, DM H11, DM J1 and DM J6 of the Development Management Local Plan (2013) and SPD Amenity Policy 26 of the Planning Guidance Supplementary Planning Document (July 2013).

- 6) The development hereby permitted shall not commence (excluding site clearance and demolition) until a Construction Management Plan and a Construction Logistics Plan have been submitted to and approved in writing by the Council. The Construction Management Plan shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. Details regarding tree protection should also be included. The Construction Logistics Plan shall include the numbers, size and routes of construction vehicles, 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. Approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding properties and the area generally is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM J1, DM J6, DM H9, DM H11 of the Development Management Local Plan (2013).

- 7) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy (2011) and policies DM H7 and H11 of the Development Management Local Plan (2013).

- 8) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy (2011) and policies DM H7 and H11 of the Development Management Local Plan (2013).

- 9) 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. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy (2011) and policies DM H7 and H11 of the Development Management Local Plan (2013).

- 10) No demolition or development shall commence until a written scheme of historic building investigation (WSI) has been submitted to and approved in writing by the Council. No demolition or development shall take place other than in accordance with the agreed WSI and include a programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by Stage 1 then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved in writing by the Council. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

(A) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works



(B). The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Built heritage assets on this site will be affected by the development. The Council wishes to secure building recording in line with NPPF, and the publication of results in accordance with Section 12 of the NPPF.

- 11) The development hereby permitted shall not commence including demolition, until a photographic record has been made of all of the site, including the Caretaker's Cottage and has been submitted to and approved in writing by the Council. The historic building record shall be undertaken in accordance with Levels 1-2 of the Historic England guidance ' Understanding Historic Buildings, a guide to good recording practice'. A copy of the approved photographic record shall be lodged with the Borough Archives.

To ensure that a proper record is made of the buildings prior to their demolition and so that this information is made available to the appropriate statutory bodies, in accordance with policy BE1 of the Core Strategy (2011) and policy DM G7 of the Development Management Local Plan (2013).

- 12) The development hereby permitted shall not commence (save for demolition and below ground works), until detailed drawings in plan, section and elevation and at a scale of no less than 1:20, of a typical bay of the proposed building on both Finlay Street and Woodlawn Road and the glazed links, have been submitted to and approved in writing by the Council. The details shall include:
- (i) New building: fenestration, including opening style;
  - (ii) Glazed links: structural elements including fillers, joints, frame, glazing details including manifestation, doors including openings styles; associated guides and rails and locks and lighting; and
  - (iii) Junctions of the proposed glazed links with the new building and the existing adjoining locally listed buildings.

The facilities shall not be used until the development has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and to preserve the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policy BE1 of the Core Strategy (2011), policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013) and guidance contained within the Planning Guidance Supplementary Planning Document (2013).

- 13) The development hereby permitted shall not commence (save for demolition and below ground works), until details of samples of all materials to be used in the construction of the external surfaces of the development, including details of the brick colours, bond, mortar mix and colour, pointing style; cladding and roofing material; rainwater goods; and fenestration including materials, frames, louvres, opening style and glazing shall be submitted to and approved in writing by the

Council. The development shall be carried out in accordance with the approved details and be permanently retained as such thereafter.

To ensure a satisfactory external appearance and to prevent harm to the street scene, to preserve the character and appearance of the conservation areas; and the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011) and Policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013).

- 14) The development hereby permitted shall not commence (save for demolition and below ground works), until a sample panel has been erected on site for the inspection and approval of the Council's conservation officer. The sample panel shall include detailing of the brick colours, bond, pointing style and mortar colour. The development shall not be used until works have been carried out in accordance with the submitted material samples and brick sample panel, and the development shall thereafter be permanently retained and maintained as such.

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with policy BE1 of the Core Strategy (2011) and policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013).

- 15) No plumbing or pipes, other than rainwater pipes, shall be fixed externally on the Finlay Street or Woodlawn Road elevations of the building hereby permitted.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 16) The development hereby permitted shall not be occupied/used until detailed plans, sections and elevations at a scale of 1:20 of rooftop plant or ducting have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

Reason: To ensure a satisfactory external appearance in accordance with policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 17) Any material changes to the external appearance of the buildings, including the installation of air-handling units, ventilation fans or extraction equipment, not shown on the approved drawings must first be submitted and approved in writing by the Council prior to their installation. The development shall be carried out in accordance with the approved details and permanently retained as such thereafter.

To ensure a satisfactory external appearance and prevent harm to the street scene, and to safeguard the amenities of neighbouring residential occupiers, in

accordance with policy BE1 of the Core Strategy (2011) and policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013).

- 18) Any alterations to the elevations of the existing buildings shall be carried out in matching materials to the existing elevation to which the alterations relate.

To ensure a satisfactory external appearance, in accordance with in accordance with Policy BE1 of the Core Strategy (2011) and policies DM G3 and DM G7 of the Development Management Local Plan (2013).

- 19) The development hereby permitted shall not commence (save for demolition and below ground works), until details of the fencing to the multi use games area (MUGA) has been submitted to and approved in writing by the Council. Such details shall include the colour and style/design of the mesh fencing. The development shall be carried out in accordance with the details as approved and thereafter permanently retained.

In order that the council can be satisfied as to the details of the development in the interests of visual amenity, in accordance with policies with Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G7 of the Development Management Local Plan (2013).

- 20) Prior to the installation of the solar panels hereby approved, details of the solar panels including details of the angle of the PV panels relative to the surface of the flat roof shall be submitted to and approved in writing by the Council. The development shall not be used until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To ensure a satisfactory external appearance, and to prevent harm to the conservation area, in accordance with policies 5.3, 7.6 and 7.7 of The London Plan (2016), Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 21) 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 DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013).

- 22) Pursuant to Article 3(1) and the provision of Article 3(2) of the Town and Country Planning (General Permitted Development) Order 1995, Part 32 of Schedule 2 of the said Order (being development within the curtilage of Schools, Colleges, Universities and Hospitals) (or any Order revoking or re-enacting that Order with or without modification) shall not apply to the school site to which this planning permission relates, and no such development within the curtilage of the school shall take place without planning permission first being obtained.

To enable the Council to retain control over any future development in view of the overall design and integrated appearance of the scheme and the effect of any such development on the external recreational areas of the school and the amenities of the surrounding properties, in accordance with policy DM G1, DM G3 and DM D7 of the Development Management Local Plan (2013).

- 23) The development hereby permitted shall not be used for the display of advertisements, and no advertisements shall be installed on the building hereby permitted without the prior written approval of the Council.

To ensure a satisfactory external appearance and prevent harm to the street scene and the conservation area, in accordance with Policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 24) The development hereby permitted shall not be occupied prior to the submission and approval in writing by the Council of details of the design, location and appearance of a commemorative plaque or sign board with information on the history of the existing buildings on the site. The plaque or sign board shall be located in a position where it can be readily viewed by the public. No part of the development shall be used or occupied prior to the installation of the plaque or sign board in accordance with the approved details, and the plaque or sign board shall thereafter be retained.

In order to ensure that the historic identity of the site is commemorated as a point of reference for the future, in accordance with Policy DM G7 of the Development Management Local Plan (July 2013).

- 25) The development hereby permitted shall not commence (save for demolition and below ground works), until a statement of how "Secured by Design" requirements are to be adequately achieved shall be submitted to and approved in writing by the Council. The approved details shall be carried out in accordance with the approved requirements prior to occupation of the development and shall be permanently maintained thereafter.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2016), policy BE1 of the Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (2013).

- 26) The development shall be implemented in accordance with the submitted in accordance with the accessibility statement within the Design and Access Statement Addendum dated May 2017. The approved details shall then be retained thereafter in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with policy 7.2 of the London Plan (2016) and DM G1 and DM G3 of the Development Management Local Plan (2013).

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

To ensure suitable entry into the building for disabled people. In accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (2013) and SPD Design Policy 1, 2 and 25 of the Supplementary Planning Document (2013).

- 28) The number of pupils enrolled and accommodated on the site shall not exceed 150 at any one time.

In order to safeguard the amenities of neighbouring occupiers and the area generally, in accordance with policy DM H11 of the Development Management Local Plan (2013).

- 29) The use of the proposed building and glazed linked structures hereby permitted shall only be used for any Class D1 use (as defined in the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the special circumstances of the case. Certain other uses may be unacceptable due to effect on residential amenity or traffic generation, in accordance with policies DM H11 and DM J2 of the Development Management Local Plan (2013).

- 30) The development hereby permitted shall not commence (save for demolition and below ground works), until details of external artificial lighting have been submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies DM H10 and H11 of the Development Management Local Plan (2013).

- 31) The development hereby permitted shall not be occupied or used until a scheme for the control of the operation of internal lighting, during periods of limited or non-occupation, within the buildings is submitted and approved in writing by the Council. The internal lighting shall be operated only in accordance with such scheme as is approved.

In order to ensure that the development does not cause excessive light pollution and in order to conserve energy when they are not occupied, in accordance with policy DM H10 of the Development Management Local Plan (July 2013) and policies in the Supplementary Planning Guidance Document - SPD (July 2013).

- 32) Prior to occupation of the development, full details of a School Management Plan for the extended school shall be submitted to and approved in writing by the Council. Upon the commencement of the use, the School Management Plan shall

be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented whilst the use remains in operation. Such details shall include information on the school hours of use; management and hours of use of the MUGA; the number and times of recreation breaks; and a plan for staff supervision at arrival and leaving times and recreation times including after school and pre-school activities.

To ensure that the use does not result in loss of amenity to neighbouring residents in terms of noise and disturbance, in accordance with policy T1 of the Core Strategy (2011) and policies DM H10, DM H11 and DM J2 of the Development Management Local Plan (2013).

- 33) Prior to the occupation of the development hereby permitted, details and samples of all the hard and soft landscaping works, including details of the external hard surfaces, boundary fencing, details of the soft landscaping, including replacement tree planting shall be submitted to and be approved in writing by the Council. No part of the development shall be occupied prior to the implementation of the approved details and they shall thereafter be permanently retained.

To ensure a satisfactory external appearance and satisfactory provision for permeable surfaces in accordance with Policies BE1 and CC2 of the Core Strategy (2011) and Policies DM E4, DM G1, DM G3, DM G7 and DM H3 of the Development Management Local Plan (2013).

- 34) All trees to be retained on site shall be protected from damage in accordance with BS5837:2012. No construction shall take place until any such trees are adequately protected as per BS5837:2012.

To ensure that trees on site are retained and to prevent harm during the course of construction, in accordance with policy BE1 of the Core Strategy (2011) and policies DM G1, DM G7 and DM E4 of the Development Management Local Plan (2013).

- 35) The development hereby permitted shall be carried out in accordance with the details set out within the Flood Risk Assessment and Drainage Strategy prepared by Conisbee March 2017). The agreed flood prevention and mitigation measures as outlined and evacuation plan shall be installed prior to the first use of the development and shall thereafter be permanently retained and maintained as such.

To reduce the risk 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 (2016), policy CC2 of the Core Strategy (2011), and Policy DM H3 of the Development Management Local Plan (2013).

- 36) Prior to the commencement of the development hereby permitted (save for demolition and below ground works), confirmation of the surface water management proposals, having assessed and integrated where feasible, of greens roofs together with the blue roof system proposed shall be submitted to and approved in writing by the Council. The strategy shall aim to achieve greenfield run-off rates for the final discharge of surface water from the site and shall demonstrate how run-off from the whole site would be managed by on-site. The

development shall only be carried out and occupied/used in accordance with the details approved. The development shall be permanently maintained as such thereafter.

To ensure that surface water run-off is managed in a sustainable manner, in accordance with policy 5.13 of The London Plan (2016), Policy CC2 of the Core Strategy (2011) and policy DM H3 of the Development Management Local Plan (2013).

- 37) The development hereby permitted shall only be carried out in accordance with the recommendations set out in the Sustainability Statement prepared by Mecserve (Issue 2 dated 23.05.2017). All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3, 5.7, 5.9, 5.10, 5.11 of The London Plan (2016), Policies BE1, CC1 and CC2 of the Core Strategy (2011) and Policies DM G1, DM H2 of the Development Management Local Plan (2013).

- 38) Prior to the occupation of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013).

- 39) Prior to occupation of the development hereby permitted, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the `Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems` January 2005 by DEFRA. Approved details shall be implemented prior to occupation and thereafter be permanently retained.

To ensure that the amenity of occupiers of the surrounding properties are not adversely affected by cooking odour, in accordance with Policies DM H8, DM H9 and H11 of the Development Management Local Plan (2013).

- 40) No tannoys or public address systems shall be used in relation to the development hereby permitted unless details have been submitted to and approved in writing by

the Council. Approved details shall be implemented prior to use and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with policies policy DM H9 and DM H11 of the Development Management Local Plan (2013).

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

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with policies DM H9 and DM H11 of the Development Management Local Plan (2013).

- 42) Prior to commencement of the development hereby permitted an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor's of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the site specific AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) and appendices (5,7,8,9) of the Majors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road construction traffic e.g. use of Low Emission Vehicles; Non-Road Mobile Machinery (NRMM). Details of all the NRMM that will be used on the development site will be required and the NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM<sub>10</sub> should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016) (including 2013 alterations), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 43) Prior to the commencement of the development (excluding site clearance and demolition) details must be submitted to and agreed in writing by the Council of the Ultra Low Nox Gas fired boilers to be provided for space heating and domestic hot water. The Gas fired boilers to be provided for space heating and domestic hot water shall have dry NO<sub>x</sub> emissions not exceeding 40 mg/kWh (at 0% O<sub>2</sub>). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NO<sub>x</sub> abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler



emissions. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 44) Prior to the commencement of the development (excluding site clearance and demolition) a Low Emission Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology for energy plant, design solutions). This Strategy must make a commitment to implement the mitigation measures (including NO<sub>x</sub> emissions standards for the chosen energy plant) that are required to reduce the exposure of existing residents to poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NO<sub>x</sub> and particulates from on-site transport during Demolition, Construction and Operational phases e.g use of Low Emission Vehicles, and energy generation sources. The strategy must re-assess air quality neutral as agreed in the Air Quality Assessment in accordance with the Mayor of London SPG 'Sustainable Design and Construction' (April 2014) guidance. It must also identify mitigation measures as appropriate to reduce building emissions to below GLA benchmark levels. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016) (including 2013 alterations), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 45) No part of the development hereby approved shall be occupied prior to the setting out of five car parking spaces as identified on approved drawing no. 15086-200/A. These spaces must be clearly identified and marked out, including one space set aside for parking by a Blue Badge Holder and one electric charging point. All such approved details shall be installed and maintained for the lifetime of the development.

To ensure the satisfactory provision and retention of a parking space for wheelchair and non-wheelchair blue badge holders and so as to ensure that the development does not result in additional on-street parking stress detrimental to the amenity of surrounding residents, in accordance with Policy 6.13 of the London Plan (2016), Policy T1 and H4 of the Core Strategy (2011) and Policy DM J1 and DM J2 of the Development Management Local Plan (2013).

- 46) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage/parking as indicated on the approved drawing no. 15086-200/A 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 6.9, 6.13 and Table 6.3 of the London Plan (2016) and Policy DM J5 of the Development Management Local Plan (2013).

- 47) Prior to occupation of the development hereby approved, full details of an updated School Travel Plan shall be submitted to and approved in writing by the Council. Thereafter the School Travel Plan shall be reviewed annually, in line with Transport for London's STAR Framework, to a minimum of 'Bronze' standard.

To ensure that the development does not generate an excessive number of car trips which would be contrary to the Council's policies of car restraint set down in policy T1 of the Core Strategy (2011) and policy DM J2 of the Development Management Local Plan (2013).

- 48) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, including provision for the storage of recyclable materials, as indicated on the approved drawing 15086-200/A and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

To ensure the satisfactory provision of refuse storage and recycling, in accordance with Policy CC3 of the Core Strategy (2011) and Policy DM H5 of the Development Management Local Plan (2013).

- 49) Prior to the occupation of the development hereby permitted, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall specify the number of weekly deliveries and collections and size of vehicles to be used, as well as the times for deliveries, vehicle movements and quiet loading/unloading measures. The measures/scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently retained and maintained in line with the agreed plan.

In order to ensure that the amenity of surrounding occupiers is not adversely affected by noise, in accordance with Policy CC3 and CC4 of the Core Strategy (2011) and policies DM H5, DM H9 and DM H11 of the Development Management Local Plan (2013).

- 50) The development hereby permitted shall not be occupied until the highway works on the Greswell Street, Finlay Street and Woodlawn Road frontages, involving the removal or alteration of existing vehicular access points and making good the footways are completed in line with the Council's Streetsmart standards.

An agreement under section 278 of the Highways Act 1980 for the said highway works shall be submitted to and approved in writing by the Council prior to the commencement of any works.

To ensure safe and accessible pedestrian access and a satisfactory standard of appearance and to maintain pedestrian and highway safety, in accordance with policy T1 of the Core Strategy (2011) and policies DM G1, DM J2, DM J4 and DM J6 of the Development Management Local Plan (2013) and Transport Policy 12 of the Supplementary Planning Document 2013.

- 51) The development hereby permitted shall not be used until a 'Community Use Management Plan' has been submitted to and approved in writing by the Council. The facilities shall be used in accordance with this plan thereafter, unless otherwise agreed in writing by the Council.

To ensure the appropriate management and availability of facilities for the local community, in accordance with policies CF1 and CC4 of the Core Strategy (2011) and policies DM D1, DM D2, H9 and DM H11 of the Development Management Local Plan (2013).

**Justification for Approving the Application:**

- 1) Land Use: The proposal would involve the provision of a post 16 centre (Use Class D1) on an existing education site. It is considered that this existing school site is an appropriate location for the proposed use. The new unit would enhance the provision of special education within the borough and would contribute to maintaining a community use. The proposal would result in the improvement of educational facilities, without resulting in a harmful loss of open space or play space. It is thus considered that the proposal complies with policy DM D1, DM E1 and DM E2 of the Development Management Local Plan (2013), policies CF1, and OS1 of the Core Strategy (2011) and policies 3.18 and 7.18 of the London Plan (2016).

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 proposed development would be appropriate in scale, height, mass, proposed materials and design and although there would be some harm to the in terms of designated and non designated heritage assets, it is considered that the public benefits would outweigh that harm. The building would be designed to meet educational needs, whilst also presenting a suitable response to the context of the surrounding setting compatible with the scale and character of existing development and its setting. It is thus considered that the development would therefore be acceptable in accordance with the NPPF (2012), 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan (2016), Policy BE1 of the Core Strategy (2011), Policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 44 of the Planning Guidance Supplementary Planning Document (2013), which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

Highways matters: The provision of five off street parking space including one disabled parking spaces is considered acceptable. There would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network; subject to measures to limit car trips to school being secured and implemented within a draft School Travel Plan. Satisfactory provision would be made for cycle parking. Mitigation will be secured to address the increase in pedestrian trips. Adequate provision for servicing and the storage and collection of refuse and recyclables would be provided. The proposal is thereby in accordance with the NPPF (2012), policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2016), policy T1 and CC3 of the Core Strategy (2011), policies DM H5, DM J1, DM J2, DM J4, DM J5 and DM J6 of the of the Development

Management Local Plan (2013) and SPD Transport Policies 3, 5, 12 and 34 of the Planning Guidance Supplementary Planning Document (2013).

**Residential Amenity:** The impact of the proposed development upon neighbouring occupiers is considered acceptable. Due to the relationship of the proposed building to residential neighbours and its position, height and bulk, it is considered that the proposal would not materially affect the outlook from, and privacy to, neighbouring properties. Residents' light would not be affected to an unacceptable degree. Measures would also be secured by condition to minimise noise and disturbance to nearby occupiers from the operation of the proposed building. In this regard, the development would respect the principles of good neighbourliness, and thereby satisfy policies DM A9, DM G1, DM G3 DM H9 and DM H11 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013).

**Sustainability:** The proposal would seek to minimise its environmental impact, including measures that would conserve energy, materials and water, reduce air, noise and water pollution, and promote sustainable waste behaviour. Submission of further details of the sustainable design and construction measures, including those relating to carbon reduction will be conditioned to ensure the development is satisfactory. It is considered that the development would not have an adverse impact on a watercourse, flood plain or flood defences, and the implementation of a sustainable urban drainage strategy would be required by condition to ensure there is no adverse impact on localised flooding. Policies DM H1, DM H2 and DM H3 of the Development Management Local Plan (2013), policies CC1, CC2, CC3, and CC4 of the Core Strategy (2011) and policies 5.2, 5.7 and 5.13 of the London Plan (2011) are thereby satisfied.

**Safety and Access:** Subject to conditions the development would provide a safe and secure environment for all users in accordance with policies 7.2 and 7.3 London Plan (2016) and Policy DM G1 of the Development Management Local Plan 2013 (2013). The proposal would provide ease of access for all people, including disabled people, in accordance with Policy 3.8 of the London Plan (2016), Policy H4 of the Core Strategy (2011), Policy DM A4, DM A9, DM G1 of the Development Management Local Plan (2013) and SPD Design Policies 1 and 11 of the Planning Guidance Supplementary Planning Document (2013).

**Flood Risk:** A Flood Risk Assessment (FRA) and drainage strategy has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Further necessary details have been secured by condition. Details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2012), Policies 5.11, 5.12, 5.13, 5.14 and 5.15 London Plan (2016), Policies CC1 and CC2 of the Core Strategy (2011), Policy DM H3 of the Development Management Local Plan (2013) and SPD Sustainability Policies 1 and 2 of the Planning Guidance Supplementary Planning Document (2013).

**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 (2011), Policy CC4 of the Core Strategy (2011), Policies DM H7 and H11 of the Development Management Local Plan (2013), and SPD Amenity Policies 2, 3, 4,

5, 7, 8, 12, 13, 14, 15, 16 and 17 of the Planning Guidance Supplementary Planning Document (2013).

Air Quality: Subject to an Air Quality Management Plan and Low Emissions Strategy, the proposal will ensure neutral air quality outcomes in accordance with Policies 3.2, 5.3 and 7.14 of the London Plan (2016) and Policy DM H8 of the Development Management Local Plan (2013).

---

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

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

Application form received: 21st March 2017  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2012  
The London Plan 2016  
LBHF - Core Strategy Local Development Framework 2011  
LBHF - Development Management Local Plan 2013  
LBHF - Planning Guidance Supplementary Planning Document 2013

### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Environment Agency - Planning Liaison	06.04.17
Greater London Archaeology Advisory Service	07.04.17
Greater London Archaeology Advisory Service	07.04.17
Historic England London Region	15.05.17
Historic England London Region	02.05.17

### **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
55 Ellerby Street London SW6 6EU	24.04.17
40 Finlay Street London SW6 6HD	23.04.17
23 Finlay Street London sw6 6he	25.04.17
498 Fulham palace road London sw6 6jd	25.04.17
48 Finlay Street Fulham London SW6 6HD	23.04.17
17 Finlay Street Fulham SW66HE	24.04.17
48 Finlay Street London SW6 6HD	25.04.17
63 Ellerby Street London SW6 6EU	25.04.17
Woodlawn Road London SW6	21.04.17
47 Finlay Street Fulham SW6 6HE	23.04.17
10 Finlay Street London SW6 6HD	25.04.17
52 Ellerby Street London SW6 6EZ	25.04.17
15 Ellerby Street London SW66EX	25.04.17

57 Ellery street London SW6 6eu	26.04.17
43 Finlay Street London SW66HE	08.04.17
74 Ellerby Street London SW6 6EZ	25.04.17
11 Finlay Street Fulham SW6 6HE	25.04.17
23 Finlay Street London SW6 6HE	25.04.17
23 Finlay Street London SW6 6HE	25.04.17
42 Doneraile Street London SW6 6EP	24.04.17
38 Ellerby Street LONDON SW6 6EY	24.04.17
68 Finlay Street London SW6 6HB	26.04.17
24 Finlay Street London SW6 6HD	25.04.17
70 Finlay Street London SW6 6HB	25.04.17
1 Finlay Street London SW6 6HE	24.04.17
51 Finlay Street London SW6 6HF	24.04.17
87 Finlay St London SW66HF	24.04.17
13 Ellerby Street Fulham London SW6 6EX	24.04.17
58 Finlay St London Sw6 6hb	26.04.17
115 Harbord Street London SW6 6PN	25.04.17
63 Finlay Street London SW6 6HF	24.04.17
53 Finlay Street London SW6 6HF	24.04.17
8 Ellerby Street London SW6 6EY	24.04.17
27,Finlay street Fulham London SW66HE	05.04.17
23 Finlay Street London SW6 6HE	22.04.17
32 FINLAY STREET LONDON sw6 6hd	25.04.17
32 FINLAY STREET LONDON sw6 6hd	25.04.17
34 Finlay Street London SW66HD	24.04.17
55 Finlay Street London SW6 6HF	24.04.17
69 Ellerby road London SW6 6EU	24.04.17
11 Finlay Street London Sw66he	24.04.17
47 Ellerby Street Fulham SW6 6EU	24.04.17
27 Finlay street London SW66HE	25.04.17
97 Rannoch Road London W6 9SX	25.04.17
62 Ellery street London sw6 6ez	25.04.17
36 Greswell Street London SW6 6PP	26.03.17
14 Finlay Street London SW6 6HD	25.04.17
69a Woodlawn Road London SW6 6ps	25.04.17
18 Ellerby Street London SW6 6EY	25.04.17
26 Finlay Street London SW6 6HD	23.04.17
10 Ellerby Street London SW6 6EY	25.04.17
64 Finlay Street Fulham London SW6 6HB	24.04.17
64 Finlay Street Fulham London SW6 6HB	24.04.17
21 Ellerby Street London SW6 6EX	24.04.17
38 Ellerby Street London SW6 6EY	24.04.17
29 Finlay Street London SW6 6HE	25.04.17
14 ELLERBY STREET LONDON SW6 6EY	25.04.17
23 Finlay Street London SW6 6HE	25.04.17
9 Greswell Street London SW6 6PR	26.04.17
30 Ellerby Street London SW6 6EY	25.04.17
30 Ellerby Street London SW6 6EY	25.04.17
62 Ellerby Street London SW6 6EZ	25.04.17
49 Finlay Street London SW6 6HF	09.04.17
32 FINLAY STREET LONDON sw6 6hd	25.04.17
498 Fulham Palace Rd London SW66JD	25.04.17

NAG	25.04.17
73 FINLAY STREET LONDON SW66HF	24.04.17
85 Finlay Street Fulham London SW6 6HF	25.04.17
14 Ellerby Street Fulham London SW6 6EY	25.04.17
29 Finlay street London sw6 6he	25.04.17
79 Finlay St Fulham London SW6 6HF	25.04.17
79 Finlay St Fulham London SW6 6HF	25.04.17
40 Stevenage Road London sw6 6et	24.04.17
48 Ellerby Street London SW6 6EZ	24.04.17
21 Ellerby London SW6 6EX	24.04.17
5 Ellery street London sw66ex	25.04.17
35 Finlay Street London SW66HE	24.04.17
23 Greswell street London Sw66pr	25.03.17
62 Ellerby Street London SW6 6EZ	25.04.17
73 Woodlawn Road London SW6 6PS	25.04.17
73 Woodlawn Road London SW6 6PS	25.04.17
73 Woodlawn Road London SW6 6PS	25.04.17
59 Ellerby Street London SW6 6EU	25.04.17
57 Woodlawn Road London SW6 6PS	23.04.17
44 Finlay Street London SW6 6HD	24.04.17
27 Finlay street London SW66HE	25.04.17
27 Finlay street Fulham London SW66HE	23.04.17
37 Finlay Street London SW6 6HE	25.04.17
49 Finlay Street Fulham London SW6 6HF	20.04.17
14 Finlay Street London SW6 6HD	24.04.17

## 1.0 BACKGROUND

### Site and Surroundings

1.1 The application site (0.612 ha) is located in a residential area and is bounded by three streets: Finlay Street to the south, Greswell Street to the north and Woodlawn Road to the east. Nos. 50 Finlay Street and 1 Greswell Street border the site to the west. Terraces of two-storey, bay fronted residential properties surround the site. Fulham Football Club's stadium (Craven Cottage) and access to the River Thames and Bishop's Park is located towards the western end of Finlay Street and Greswell Road. The site lies at the southern edge of the Crabtree Conservation Area and is bounded in part by the Bishops Park Conservation Area.

1.2 The Bridge AP Academy (or TBAP Academy) occupies the site. The Bridge Academy provides an alternative, full time secondary school provider for 11 -19 year olds who are not accessing mainstream schools. The academy has an agreed Pupil Admission Number (PAN) with the Department for Education (DfE) for up to 180 pupils. The academy has a current intake which ranges between 100 and 135 pupils, supported by 62 staff.

1.3 The site consists of a mixture of educational buildings surrounded by open hard standings/grassed areas. This includes the main brick built buildings and smaller ancillary structures. There are two main blocks on the site comprising three Edwardian buildings; the main school building, the former caretaker's cottage attached to the east elevation of the main school building and the detached Greswell Centre building, formerly occupied by Hammersmith and Fulham Action on Disability's (AoD). All three

buildings were completed in 1905 and are included on the Council's Local Register of Buildings of Merit (BoM's). The buildings are arranged into three wings or a 'J' shaped configuration.

1.4 The main school building stands out on the site and is a part single and part two storey teaching block made up of three interlinked sections, constructed in a 'U' shape around a central courtyard/playground space. The central section contains classrooms and offices. The two projecting wings contain classrooms, a sports hall and a dining hall. A two storey former caretaker's cottage fronts Finlay Street and is attached to the main school. This building is now used as office/teaching space. The Greswell Centre is a detached part single, part two storey building, located in the north-east corner of the site with frontages to Woodlawn Road and Greswell Street. The building has a small hall, offices and classrooms and is now used as teaching space. There are non-original additions and a number of smaller outbuildings and workshops within the grounds, largely located alongside the perimeter of the western boundary. A single storey electricity substation is in the south west corner of the site, located adjacent to the vehicular access leading from Finlay Street.

1.5 The site has hard standing areas, used as playgrounds, games areas and car parking as well as for pedestrian access across the campus. The main car park is located in the south east corner of the site, close to the junction of Woodlawn Road and Finlay Street. Small plots of shrubs and trees are located along the north and east boundary and in the area to the east of the main teaching building and south of the Greswell Centre. A small garden is located in the north west corner of the site and there are two parallel rows of trees found at the Greswell Street entrance. The street frontages are largely enclosed by a close boarded timber fence, with chain link fencing in parts and poor quality landscaping.

1.6 The site has four vehicular access points, two on Finlay Street, one on Greswell Street and one on Woodlawn Road. The main vehicular access is from the easternmost access on Finlay Street and serves the main staff and visitor car park. A second vehicular access on Finlay Street serves the westernmost playground, mini bus access and service entrance. There is a smaller car park area accessed from Greswell Street which provides an entrance and disabled parking for staff and visitors and there is an existing non-operational vehicular access in Woodlawn Road. The Bridge Academy has a total of 19 on-site car parking spaces, 17 spaces accessed from Finlay Street and two accessible parking spaces accessed from Greswell Street. The school currently runs two (17 seater) minibuses, used on a daily basis for the dropping off and collection of pupils. The minibuses are parked within the playground area accessed from the westernmost access on Finlay Street. The main pupil pedestrian entrance is located at the easternmost point on Finlay Street. The westernmost access point on Finlay Street is used as a secondary entrance by pedestrians, cyclist and visitors.

1.7 The site has a public transport accessibility level (PTAL) of 2, on a scale of 1- 6b, meaning it has poor access to public transport accessibility. The No. 424 bus route operates as a 'Hail & Ride' service on streets around the site, with a formal stop and shelter outside the Queens Manor Primary School on Woodlawn Road. Three other bus routes (nos. 74, 220 and 430) are accessible from bus stops on Fulham Palace Road (5 minutes' walk) and other bus routes on Lillie Road. Putney Bridge underground station is located approximately 1.4 km or 15 minutes' away and Hammersmith is approximately 2 km from the site. Stevenage Road is on TfL's Local Cycle Routes.



1.8 The site is located within the borough's Controlled Parking Zone (CPZ) 'Y', which is in force Monday to Saturday, 09.00 to 17.00, with additional parking restrictions on match days for Fulham Football Club, Monday to Sunday (including Bank Holidays) between 09.00 to 21.30.

1.9 The site is also located in Flood Zone 3a of the Environment Agency maps and approximately 250 metres from the River Thames. The site is not within an Archaeological Priority Area but close to a number of designated areas.

#### Relevant Planning History

1.10 The site has been in educational use since its development in 1905 and has included primary, secondary and special needs schools. The Bridge AP Academy has been based on the site since 2004. The TBAP Multi Academy Trust was established in 2013 and is an approved DfE Academy Sponsor. In 2013 the Bridge Academy was judged as 'outstanding' by Ofsted.

1.11 The Greswell Centre was separated from the main school site in 2006 and was used for community purposes by Action on Disability until 2016. Action on Disability have moved to the Normand Croft Adult Education Centre on Lillie Road. The building now houses the post-16 years' students which is in its first year and not operating at full capacity.

1.12 In 1998, planning permission was granted for a vehicular crossover on the Woodlawn Road frontage, involving the formation of a vehicular entrance and the installation of gates.

#### The Proposal

1.13 The development proposal is to modernise and upgrade the existing Bridge Academy campus, provide an up-to-date learning environment and to create an expanded education facility. The development proposal includes extensive renovation works to the existing main school building and Greswell Centre building and the provision of a new building on the current staff car park area, in the south eastern corner of the site. The new building would accommodate a new sixth form unit for 50 pupils (16-19 year olds) and a multi-purpose hall. The development proposal involves the demolition of one of the three Buildings of Merit on the site, the former caretaker's cottage. The main school building and Greswell Centre would be retained and refurbished.

1.14 In summary, the proposed works include:

- Internal refurbishment and minor external alterations to the existing main school building and Greswell Centre building.
- Demolition of the former caretaker's cottage on Finlay Street, a non-original addition and workshops on the site. This includes the extension to the south of the Greswell Centre building, a timber structure to the Westside of the main school building and row of modern yard buildings along the west perimeter of the site.
- The erection of a new two storey school building for the sixth form provision (16-19 year olds), comprising teaching space and a new sport hall.
- Two, single storey glazed link structures, connecting the Greswell Centre and new teaching sixth form facility with the main school building and the possibility of a substation extension.

1.15 The proposed development includes a comprehensive hard and soft landscaping strategy. The works involve the formation of new playground surface, a new outdoor games court area and planting. The proposal would relocate and reduce on-site car parking spaces, alter access and servicing areas and provide a new boundary treatment. In total, five car parking spaces would be provided on site, four standard and one accessible parking space for staff or visitors. Two mini-bus parking spaces would be retained. In total, 38 secure cycle parking spaces would be provided on site for pupils with a further 8 spaces for staff use. Delivery and refuse collections would take place on street next to the existing westernmost vehicular access point on Finlay Street.

1.16 The school's main pedestrian access point would continue to be on Finlay Street, via a new glazed entrance. The existing vehicle crossover which provides access to the staff/visitor car park on Finlay Street would be removed and the footway reinstated with a dropped kerb provided for wheelchair and cycle access. The main vehicle access would be from the existing westernmost point on Finlay Street. This would provide access to the smaller staff/visitor car park. A secondary vehicle access would be located on Woodlawn Road, in the place of the existing vehicular access point. This access would be made available for use of the two mini-buses to park in the Games Court area, turn around, drop off / pick up pupils. The existing vehicular access on Greswell Street would be removed. This crossover would become redundant and be reinstated to footway and the on-street parking bay extended. The changes to the existing vehicular access points to the site would provide an opportunity to reinstate the footpaths on the south side of Greswell Street and create up to 5 on street parking spaces. Alterations to the road markings and changes to the street parking bays on Finlay Street would create a further two spaces. It is estimated that the removal of the vehicular access points and adjustments to road markings would increase the existing on street parking capacity by seven spaces.

1.17 The TBAP Multi Academy Trust provides education and support through alternative provision academies and support teams. The Bridge Academy uses a highly personalised curriculum. The school site has a maximum permitted intake of 180 pupils. The application states that the academy's current intake however stands at 135 pupils, comprises 122 (11-16 year olds) and 13 (16-19 year olds). However, officers have been advised that this number varies as pupils are referred or reintegrated back into mainstream school. There are currently 62 staff on site, comprising 55 staff members associated with the 11-16 year olds and 7 associated with the 16-19 year olds.

1.18 The proposed new building would provide a purpose built teaching facility to accommodate up to 50 pupils (16-19 year olds) for the sixth form provision at the Bridge Academy. The proposals would result in a pupil intake of 100 (11-16 year olds) and 50 (16-19 year olds), bringing the total number of pupils on-site to 150. This would result in an increase of approximately 15 pupils compared to the existing situation. The proposed number of 150 pupils would still fall below the existing maximum permitted intake. Most importantly, the proposal would result in a small adjustment to staff members. In total 46 staff (11-16 year olds) and 14 staff (16-19 year olds) would bring the total number of staff down to 60.

1.19 The Bridge Academy operates standard school times (09.00 - 15.30). Most pupils attend during these times however, there is greater flexibility regarding pupil arrivals and departures. Staff are usually on the site between 07.00 and 19.00.

1.20 In terms of the layout, the different buildings on the site provide conventional classrooms, a dining hall, sports hall, art, science and computer areas and teacher training facilities. The existing layout is well suited for the educational requirements of the Bridge Academy, as each main building is arranged into different teaching zones. The addition of the proposed new sixth form block and connecting glazed links are designed to fit into four defined zones which would provide the following:

- The Enterprise Zone (north section of main building).
- The Creativity Zone (former Greswell Centre building).
- The Community Zone (south section of main building).
- The Free School (for Post-16) and Hall.

1.21 In support of the application, the applicant has highlighted a number of existing problems with the buildings on the site together with the benefits of the proposed development. These are summarised below:

#### Existing Layout:

- The existing internal arrangements are of a poor quality not suited for specialist educational needs. There are no physical connections between the blocks and the facilities do not make the best use of the land.
- The site has out-of-date furnished buildings with poor quality outdoor space and perimeter areas. Non-original additions currently used as classroom space.
- The buildings have narrow corridors; low ceiling's creating poor and narrow circulation areas; awkward positioned entrances and exit points; disconnected room uses; classrooms located off noisy sports halls and no covered links between the buildings.
- The main school entrance has no direct visual link to the main reception.
- The school has a small indoor sports hall and outdoor ball court area and an uninspiring playground area.

#### Proposed Layout:

- Would improve the quality of the education provision on the site and improve the learning environment.
- Designed to fit in with the requirements and needs of four defined zones in the school.
- Would improve internal links between the different buildings, reduce need for external movements and student access through the playgrounds.
- Provide clearer entrances. The main student entrance would be located on Woodlawn Road and visitor entrance on Finlay Street. Existing entrance on Greswell Street would be secured and used for emergency access only.
- Proposed new two storey building would house an up to date Post 16 teaching facilities and a new sport hall, used for a range of school and community activities. Post 16 teaching facilities are currently housed in the smaller Greswell Centre building.
- New building is designed to act as a physical boundary and contain the playground space from Finlay Street.
- The layout would provide naturally secured and supervised playground space.
- Proposal would provide a more consistent boundary treatment around the site.
- The new build is designed to meet the academy's requirements.
- The pupil numbers permitted would be capped below the current published admission number (PAN). Proposed mix of pupils would change, with an increase of more over 16-19 year olds and fewer younger students (11-16 year olds) plus a small reduction in staff numbers to 60.

1.22 The new Post-16 block is designed as a modern brick building with a flat roof design, arranged over 2 floors. The proposal would provide 6th form student classrooms together with indoor sporting facilities. The building would form part of the existing Bridge Academy site with a new (stepped and ramped) visitor entrance on Finlay Street via a connecting single storey glazed link. The new block would be constructed largely out of a buff and red bricks. The Finlay Street elevation would take the form of a series of bays, split into 3-window groupings. The ground level would be set back slightly behind the upper level. Windows would be recessed and incorporate dark grey horizontal louvres. On the Woodlawn Road elevation, the upper level of the building would be angled back from the edge of the site. The rear elevation facing a new sport ball court area and playground would house a double height hall and be finished in a largely translucent glass panel cladding system. Solar PV panels would be erected on part of the flat roof hidden behind the parapet line.

1.23 Two, single storey, glazed link structures are proposed. One would provide the new visitor entrance to the Finlay Street frontage and connect the new Post-16 building and the existing main school building. The other link structure would be on the Greswell Street frontage and join the main school building with the Greswell Centre building. An extension

1.24 The external areas would change and result in alterations to usable hard and soft outdoor space designed as informal and social areas and outdoor learning. On site car parking would be reduced to five spaces and two mini-buses would be parked within a shared space. Delivery and servicing would take place from the street.

1.25 In response to the public consultation, the applicant has amended the proposal to include a revised ramp access to the new visitor entrance on Finlay Street, provided clearer details relating to the additional substation alongside the westernmost boundary, location of proposed ducting system on the existing main building, revision to the proposed tree planting and a reduction to the height of the boundary fencing on the Finlay Road frontage from 2.4 to 1.8 metres.

1.26 A separate planning application would be submitted for replacement windows. The proposed works which do not form part of this application involve the removal of existing single-glazed timber windows in a main school building and Greswell Centre building and replacement with double-glazed timber windows to match the existing.

## 2.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

### Pre-application consultation

2.1 The applicant has submitted a Statement of Community Involvement (SCI) which summarises the public engagement undertaken in advance of the application submission.

2.2 Prior to submitting the planning application, the Bridge Academy held two public exhibitions on-site, inviting local residents, amenity groups and other interested parties. Neighbours were informed via mail drops.

2.3 The first event was held on 5 December 2016 and was attended by 14 people. Attendees were asked to evaluate three different design options for the proposed new Post 16 student building. Local residents, community groups and stakeholders were provided an opportunity to express their views on the principles and details of the

proposed different schemes. The comments received at this session were collated and informed the final design of the proposed building. The feedback provided suggested that a flat roof option should be progressed instead of two pitch roof options.

2.4 The second event took place on 20 and 21 February 2017. A total of 9 people attended across the two days. The feedback from this consultation raised matters relating to potential construction impacts, design of the proposed building and the boundary treatment. These matters have been addressed in the application.

#### Formal Application Consultation

2.5 The application has been advertised by means of site notices, press advert and individual notification letters were sent to neighbouring occupiers in Finlay Street, Greswell Street and Woodlawn Road. The Hammersmith and Fulham Historic Buildings Group, Fulham Society, Friends of Bishops Park, Hammersmith and Fulham Disability Forum Planning Group, Historic England, the Environment Agency, Thames Water and Secure by Design Officer have also been consulted on the proposals.

2.6 In total, 1 representation in support and 91 objections have been received in response to the development. It should be noted that a number of the objections state that they do not oppose the school's use on the site. The main grounds of support and objection are summarised below:

#### Support:

- Cutting edge architecture. Hope the design gives space and resources that are needed to provide a great environment for some very vulnerable and challenging pupils, and provides a positive environment for very hardworking staff.

#### Objections:

- Development does not meet the NPPF, London Plan and local plan policies.
- Development is an eyesore. Out of character and appearance with the conservation areas.
- Fails to preserve or enhance the character and appearance of the conservation areas. Will set a precedent.
- Existing road crossing and open aspect provides a visual break in the housing infrastructure in the area.
- New two storey building and glazed links are inappropriate in style/design or scale/mass.
- Development would increase the building footprint on the site by 24%.
- Out of keeping and context with local architecture and ruins character of the surrounding Alphabet Streets.
- Design is ugly, unimaginative and uninspiring. Takes form of an 'industrial type' block.
- Wrong style, materials. The number and size of windows out of proportion and not in keeping with surrounding residential buildings.
- Too imposing and close to the pavements. Would dominate the corner of Finlay Street and Woodlawn Road. Should be scaled down in size.
- No attempt has been made to blend the architectural style with the existing school buildings on the site or surrounding residential properties. Would undermine the uniform character of the neighbourhood.
- Height is excessive. Much higher than the existing school buildings and surrounding residential properties.
- Flat roof design selected is the least aesthetic of the different options put forward during the consultation process.

- Inappropriate to demolish a heritage asset (existing caretakers house) and the design of new build would have an adverse impact on remaining assets.
- Secure boundary fencing should be erected to ensure pupils remain on the site.
  - Would result in an intensification of the existing use, in terms of present/proposed pupils number permitted and proposed. No guarantee given that numbers will not be increased in the future.
- Use would result in an increase in traffic and noise on surrounding streets.
- Question rationale for reducing parking spaces. Users would look to park on street. No parking permits should be issued to TBAP staff. Use of public transport will not be effective/enforceable.
- Site inaccessible and within existing low PTAL (2) area and not suited for expansion. Insufficient parking and poor public transport will result in a negative impact on availability of on street parking spaces for residents during term time.
- Expansion will result in more mini bus trips, staff cars and deliveries.
- Oppose vehicular entrance off Woodlawn Road.
- Disruption and noise/disturbance during demolition/construction works.
- Adverse impact on surrounding local residents in terms of views, light, outlook and privacy from the proximity of new block. Existing bedroom windows would be overlooked by classrooms which currently face onto an existing open playground or car park.
- Located in high risk Environment Agency Flood Zone.
- The proposal would result in the significant loss of trees/planting on the site changing the character of the site.
- Games court area will increase noise in the local area.
- Noise and disturbance; alarms and lights left on at night.
- Intensification will increase noise, disturbance and antisocial behaviour which is already at a high level from pupils during term times.
- Use/nature of the school will fundamentally change with proposed increase to the 16-19-year-old facility. Would result in a change of use of the site.
- Most of the pupils come from outside the borough. Proposal would have no benefit for the local community. Funds should be spent on other local schools serving the area.
- A more suitable site outside the conservation areas should be considered for this facility.
- Existing threatening and anti-social behaviour problems associated with the school. Development would result an escalation of noise and disturbance associated with existing education facility within quiet residential area.
- Proposed expansion bringing older children will increase existing problems associated with the younger pupils.
- No justification for the funding of the development based on provision of a very small increase in education places.
- Limit hours of use to normal school times and require lights to be switched off at night. School bells should not be audible outside hours.
- All windows facing residential properties should be opaque and/or have shutters/blinds to protect resident's privacy.
- Visual and section drawing inaccurate and inconsistent in respect to proposed height and overhang of first floor.
- Clarification sought on proposed second electricity substation, kitchen extraction equipment and servicing and delivery strategy.
- Public consultation undertaken by school was poorly publicised and attended. The information provided was misleading. No consensus could be drawn from results taken.

2.7 Councillor B. Donovan (Addison Ward) has lodged an objection on the grounds that the proposed development looks out of character with other houses in the area and would stand out like a sore thumb.

2.8 The Environment Agency has no objection to the proposed development. Thames Water and the Secured by Design officer have not responded.

2.9 Historic England confirm they have no objection to the proposed development. The Greater London Archaeology Advisory Service (GLAAS) recommends the inclusion of conditions on any permission granted.

2.10 Hammersmith and Fulham Historic Buildings Group and the Fulham Society have raised no objection to the proposed development and hence not responded.

2.11 Hammersmith and Fulham Disability Forum Planning Group have responded following a meeting with the case officer on 19 April 2017.

- The Group requested a fully justified approach in the Design and Access Statement;
- Do not support the original proposed ramp access to the new visitor's entrance. Alternative step free route suggested is however supported;
- Ensure dimensions and space outside new Post 16 lift are compliant; covered link between all buildings are accessible and inclusive; all doors can be opened independently by a wheelchair user; drawings show compliant accessible toilets and dimensions, width of Blue badge parking bay and manifestation on all glass doors.
- Clarify all existing ramps are to be replaced with compliant ramps; dimensions of existing lifts and space outside are compliant and have sufficient compliant turning circle (1500x 1500mm); provision of accessible changing rooms, showers and lockers in both communal or non-communal changing areas; mitigation proposals be provided for staff with mobility impairments as there is no step free access to staff rooms and staff changing facilities; provision throughout premises for staff with mobility impairments and if a science lab is provided, the provision of accessible work benches be clarified; and
- Consider provision of powered fire doors and advice be provided on accessible and inclusive sport/playground facilities.

### 3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan (2016), and the Council's adopted Core Strategy (2011), Development Management Local Plan (DMLP) (2013), and the Planning Guidance Supplementary Planning Document (SPD) (2013) include; the acceptability of the proposal in land use terms; the quantum and intensity of the development in terms of loss of open space; design, layout, height, mass and scale and impact on the character and appearance of the conservation areas and local heritage assets; impact on the amenities of neighbouring residents including environmental nuisance; traffic, parking impact and other highways matters; and other material considerations, including flood risk and drainage matters, energy and sustainability, ecology and contaminated land matters.

3.2 On 28 February 2017, the Council submitted the Proposed Submission Local Plan and supporting documents to the Secretary of State for Communities and Local Government for independent examination. The document will be the subject of an examination in public between 13 and 22 June 2017. In view of the representations received and the fact that an independent examination is still pending, it is considered

the Proposed Submission Local Plan should be given limited weight in considering and determining this application.

### Education Use

3.3 In terms of land use, the main issue is the suitability of the erection of a two storey development, comprising a new 6th form of entry on an open area (used as a car park) within the school grounds. The NPPF (paragraph 72) states that weight should be given to the need to create, expand or alter schools. This is supported by London Plan Policy 3.18 'Education facilities' which states that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes. The policy makes it clear that the development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Also states those development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged. Within this context, the Local authorities' strategic role is to take a proactive, positive and collaborative approach to development that will widen choice in education, promoting a good supply of strong schools.

3.4 Core Strategy Policy CF1, 'Supporting Community Facilities and Services' supports the improvement and/or expansion of primary and secondary schools, subject to site specific considerations. The supporting text (para. 8.51) of policy CF1 states that the borough will aim to make improvements and changes to the local schools.

3.5 Development Management Local Plan policy DM D1 'Enhancement of Community Services' states that the proposals for new or expanded community uses (including schools) should meet local need, be compatible with and minimise impact on the local environment and be accessible to all in the community they serve.

3.6 The Bridge Academy School is an existing Class D1 educational use. The academy provides full time education and support through an alternative provision (AP), for pupils who are not in mainstream schools. The academy therefore provides a valued education need and supports both pupils and their families living both in the borough and wider areas. The Bridge Academy currently accommodates 135 pupils and 62 staff on the site which is below the published Pupil Admission Number (PAN) set at 180 pupils. However, as the Bridge Academy provides education for young people who are excluded from mainstream schools or for a number of reasons are not able to attend mainstream education, the number of pupils attending the site fluctuates across the year. The existing school intake comprises mostly of 11-16-year-olds. The post 16 element is currently in its first year, is not operating at full capacity and only has 13 pupils housed in the Greswell Centre building. The proposal would increase the total number of pupils on-site up to 150 and comprise an intake of 100 (11-16 year olds) and 50 (16-19 year olds). This would still be set below the PAN set for this site. The Bridge Academy has indicated that it would be in agreement to a condition which would restrict the overall number of pupils to 150 (Condition 28).

3.7 The proposal would continue and improve the educational use on the site, providing a purpose built facility for post 16 teaching and a hall which could also be available for other community uses. The proposed site layout would house four defined education zones. The proposed connections between each zone would improve internal circulation and better suit the needs of the pupils, while the outdoor space would optimise the amount of useable space on the site. The proposed development would



therefore be in accordance with London Plan, Core Strategy Policy CF1 and DMLP Policy DM D1.

Loss of open space, play space

3.8 London Plan Policy 7.18 and Core Strategy Policy OS1 seek to protect local open space. DMLP Policy DM E1 'Access to Parks and Open Space' states the loss of public or private open space will not be permitted where such land either individually or cumulatively has local importance for its open character or as a sport, leisure or recreational facility or for its contribution to local biodiversity or visual amenity, unless it realises a qualitative gain for the local community and provides for the relocation of the open space. Notwithstanding the need to protect open space. DMLP Policy DM E2 'Play space for Children and Young People' resists proposals which result in the loss of existing children and young people's play space or result in an increased deficiency in the availability of such play space.

3.9 The site is occupied by existing school buildings and surrounded by areas of hard and soft landscaping. Existing hard standings are used as a playground, sport area, servicing and car parking space. Soft landscaping consists of a small grassed area, trees and shrub planting. The location of the proposed new building has been carefully considered in order to maintain the maximum amount of external outdoor space, facilitating secure access around the site and to limit the harm to the existing visual amenity. The proposal would result in a small loss of outdoor space. However, the open area lost is currently utilised as a hard car park surface. It is estimated that the net total useable outdoor space on the site would in fact increase from 1,833 sqm to 1,947 sqm as a result of the loss of additions and outdoor buildings. A replacement multi-use games area (MUGA pitch) and hard outdoor playground would provide 958sqm and a further 989 sqm would be provided in the form of outdoor informal learning and social areas. The total building footprint would increase by 628 sqm to 3,193 sqm. However, this is mainly off-set by a reduction in size of the on-site car parking provision to a maximum of 5 spaces. The proposal would result in only a small decrease in the net buildings or unusable outdoor space from 4,277 to 4,163 sqm and would result in a larger area of the site being utilised for outdoor play space. Whilst it is acknowledged that the building footprint on-site increases, the site's outdoor space would be organised and utilised more efficiently resulting in a greater provision of useable open space in addition to the proposed indoor space designed in the new building. The external play space would be landscaped to improve the usability. The proposed landscaping plan details a variety of outdoor learning spaces to reflect a range of different but simultaneous uses: MUGA; a stimulating play area; secure play area for the resource centre. The implementation of the landscaping plan prior to the occupation of the proposed development would be secured by a condition (Condition 33).

3.10 The proposed size of the education facility in terms of allowable pupil numbers would not change significantly and as such the outdoor provision is considered to be sufficient for the number of pupils proposed. This loss of the existing car park space would also be largely offset, in officers' view, by the qualitative gain experienced by the use of the land as an educational building. The remaining outdoor space is considered sufficient to serve the academy's functions. Policy DM E1 acknowledges that situations may arise when the benefits of protecting existing open spaces need to be considered against the benefits of allowing some limited development on them. Given the modest amount of open area being lost and the wider community benefits, the loss of open space is considered acceptable in this case. In view of the above the proposed development is judged to accord with the abovementioned policies DM E1 and DM E2.

## Trees

3.11 London Plan Policy 7.19 'Biodiversity and Access to Nature' and Policy 7.21 'Trees and Woodland' are concerned with protecting biodiversity and trees. The policies require that if a tree is to be removed, it should be replaced following the principle of 'right tree, right place'. DMLP Policy DM E4 'Greening the Borough' seeks to protect existing trees and maximise planting and SPD Sustainability Policy 22 encourages the planting of additional trees.

3.12 There are a number of semi-mature trees on the site, notably within a small landscaped open area to the east of the main building and to the south of the Greswell Centre. A detailed tree survey of the existing trees has been undertaken as part of the design proposals. There are in total 32 trees classified on the site as: 3 Category 'A' (trees of high quality and value); 23 Category 'B' (trees of moderate quality and value); 5 Category 'C' (of low quality and value); and 1 Category 'U' item. No trees within the site boundary are subject to a Tree Preservation Order.

3.13 The proposal would result in the loss of 12 trees (10 x Category B, 1 x Category C and 1 x Category U). Three trees would be removed to create the northern glazed link, five to create the new games court area and two due to proximity to the proposed new building. The remaining two trees in the centre of the site would be removed due to proximity to the main school building. Under Policy DM E4, the loss of trees is not normally acceptable. The policy however acknowledges new development schemes provide the opportunity for high quality landscaping schemes including new tree planting. In this case, it would be difficult to construct the proposed development and play areas without removing the trees identified. It is considered that the proposed new landscaping scheme would improve the quality of the outdoor areas, and the plant species chosen would ensure they are appropriate in scale. In total 7 new trees are proposed within the site as part of the proposed landscape works. The new trees would be planted around the perimeter of the site and help anchor the development into the surrounding landscape character of the site. In addition, a tree protection plan would ensure that the remaining trees would be protected in accordance with the provisions of BS5837:2012 (Recommendations for Tree Work). This would be secured by condition (Condition 34). Overall, given the wider benefits of the development, the proposed impact on trees within the site is considered acceptable in accordance with Policy DM E4 of the DMLP.

## Outdoor Space

3.14 The proposal would create more inspiring play areas than the existing arrangements on the site, by consolidating parking and servicing areas. The outdoor space would be split into two main parts with smaller outdoor teaching zones and quieter areas proposed along the eastern and northern boundaries. The outdoor playground and sports area would continue to be hard surfaced but porous but layout in a more coherent form that is robust and low maintenance. It is not considered that the multi-purpose ball court proposed to the rear of the new building would not detract from the setting of the non-designated heritage assets.

## HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

3.15 Among the core planning principles of the NPPF are that development 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.

3.16 London Plan Policy 7.1 'London's Neighbourhoods' requires that all new development is of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. London Plan Policy 7.4 'Local Character' requires development to 'have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.' London Plan Policy 7.6 'Architecture' relates to architecture and the design of developments. The policy says that 'development should be of a high quality of design, of a scale that is appropriate to its setting, and built using high quality materials. It should complement the surrounding built form and should not cause unacceptable harm to the amenity of surrounding buildings'. Policy 7.8 D states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials, and architectural detail.

3.17 Core Strategy Policy BE1 'Built Environment' requires 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. 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.

3.18 DMLP Policy DM G1 'Design of New Build' builds on the above mentioned 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. Policy DM G3 'Alterations and Extensions' seeks to ensure that extensions or alterations are compatible with the scale and character of the existing development and neighbouring setting. Policy DM G7 'Heritage and Conservation' seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment including listed buildings. This is supported by SPD Design Policy 44 where new buildings must be carefully conceived to achieve harmonious relationship with their neighbours. SPD Design Policy 21 relates to Buildings of Merit.

3.19 The site is located within the Crabtree Conservation Area and is bounded by part of the Bishops Park Conservation Area. There are significant views of the site from Finlay Street, Greswell Street and Woodlawn Road. The main school building, the Greswell Centre building and the former caretaker's cottage are collectively included on the Council's local register of Buildings of Merit, for their local townscape, architectural or historic importance. Buildings of Merit are non-designated heritage assets.

#### Significance of heritage assets

3.20 The issue of designation is an important one since it will affect which paras. in the NPPF, which of the Council's planning policies and which statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are applicable in the assessment of the applications. The Council is required to undertake an assessment of the impact of the submitted proposals based on the significance of the heritage assets affected. In this case this relates to the impact of the proposal on both designated (Conservation Areas) and non-designated (Building of Merit) assets.

3.21 It is key to the assessment of the application that the decision making process is based on the understanding of specific duties in relation to conservation areas required by the relevant legislation. A conservation area is defined in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as an area 'of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. The Crabtree Conservation Area was designated in April 1989. Bishops Park Conservation Area was designated in March 1971. The conservation area was subsequently extended in May 1980 to include an area to the north of the existing conservation area. The Council has produced a Conservation Area Appraisal for both conservation areas which sets out the history of the area and its reason for designation. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant and in relation to Conservation Areas it states that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

3.22 Paragraph 132 of the NPPF states that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

3.23 Paragraph 134 of the NPPF states that:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

3.24 The paragraph makes a key distinction between 'substantial' harm and 'less than substantial' harm which is important as the NPPF advises that there is a presumption against development if the harm is substantial, but if less than substantial it advocates weighing harm against the public benefits (para. 134).

3.25 Paragraph 135 of the NPPF relates to the effect of an application on the significance of a non-designated heritage asset (Building of Merit) and states "...In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

The Conservation Areas

3.26 The site marks part of the southern boundary of the Crabtree Conservation Area and is located adjacent to part of the northern section of the Bishops Park Conservation Area. The Crabtree Conservation Area and northern section of the Bishops Park Conservation Area were relatively undeveloped from the 11th century until the end of the 19th century. During this time, the area was largely under cultivation with a number of apple and pear orchards. It was not until the development of the railway in the 1880's

that urbanisation of the area began in earnest, with a mix of late Victorian and Edwardian properties. Ordnance Survey maps between 1894 and 1916 demonstrate the change and increasing urbanisation of the area at this time. Where the school is located, the area was not developed until the very end of the 19th century/ beginning of the 20th century. OS maps show that up until at least 1894-96 the area immediately surrounding the application site was still largely undeveloped with only a few individual buildings present. However, by the 1916 OS Map the area is largely developed as it is today with a number of streets surrounding the school buildings with primarily two storey terraced houses making up the majority of built form in the area.

3.27 This part of the Conservation Areas forms a consistent group of terraced houses, arranged in rectangular short blocks. The site forms part of one of the rectangular street blocks which is characteristic of the residential streets in this part of Fulham and is well integrated in the established urban grain of the area. The residential properties tightly define the street edge and the scale. The school campus to some extent breaks the rhythm, grain and patterns of the typical residential street block in the conservation areas in terms of the form, layout and orientation of the existing buildings.

3.28 The site comprises a consistent, early 20th century brick built campus of school buildings set back slightly from the street frontages. They have a strong dominant presence in the street scene and in its own way it makes a contribution to the primarily Edwardian surroundings of the Crabtree Conservation Area and late Victorian Bishops Park Conservation Area. The proposed development includes a new two storey building on the corner of Finlay Street and Woodlawn Road and the demolition of the former school caretaker's cottage, part of the existing Building of Merit on the site. It is acknowledged that in conservation area terms, the former caretaker's cottage shares many similar features with the main buildings by way of its architectural detailing and materiality.

#### Buildings of Merit

3.29 Dating from August 1905, the three buildings were designed by Henry R. Perry for the School Board for London. The school buildings are typically Edwardian in character, built in London stock brick with red brick dressings and timber windows. Records indicate that there are some original external features such as cast-iron hoppers and downpipes. The main teaching building has strong Queen Anne references and a complex roof plan and includes a bell tower on the main hall wing. There are some later additions to the main building, in the form of a part single, part two storey western extension to the central block and a single storey first floor extension between the central block and the hall wing. The Greswell Centre also has an intricate roof plan and is a particularly distinctive two storey block facing into the school grounds in the style of a Queen Anne house with tall chimney stacks. There is a later single storey addition off the south elevation of the building. The two storey former school keeper's cottage is attached to the main school building and also dates from the same period. This building is prominent due to its scale and location fronting onto Finlay Street with its eastern façade also prominent in approaches from Woodlawn Road. It therefore, makes a small contribution to the significance of the conservation areas as part of the wider group of buildings on the site. The boundary treatment extends along three residential streets frontages consists of a close boarded fence and no original elements survive.

#### Demolition of Building of Merit and other non-original extensions/structures

3.30 The proposed development involves the demolition of a non-original addition, outbuildings/workshops and the former school caretaker's cottage.

3.31 The non-original addition is a single storey brick extension to the south of the north-east block (Greswell Centre). Whilst this extension employs sympathetic use of materials, it possesses a low level of architectural decoration unlike the other main buildings and is not a key element in the design or historical significance of the school campus. The extension is not considered to positively contribute to the local townscape or the setting of the Crabtree Conservation Area or adjoining Bishops Park Conservation Area. Both the non-original extension and other outbuildings/workshops identified for demolition are of limited visual merit and as such equate to less than negligible harm. For this reason, their demolition is considered acceptable providing a suitably designed new development is proposed.

3.32 The caretaker's cottage does contribute more to the significance of the campus and surrounding conservation areas, as the building is located in a more prominent location on Finlay Street and is more attractively detailed, in a manner consistent with the rest of the main school buildings. However, it is not vital in terms of understanding the significance of the local heritage asset. This is more substantially defined as a school campus by the main school and Greswell Centre buildings. Officers therefore regard its proposed demolition as equating to less than substantial harm. It is recommended that an archaeological building record of the interior/exterior of the caretaker's building be undertaken prior to demolition in line with the NPPF. The outcome would be an archive and a report may be published (Condition 11).

3.33 Whilst the loss of part of the Buildings of Merit is regrettable, officers consider that the impact of the demolition of the caretaker's cottage would be outweighed by the public benefits of the development. It is considered that its retention would significantly limit the continued requirements and expansion proposal of the academy, as the existing internal space within this building is limited and unconventional for teaching space. The benefits which would accrue by maximising the development potential of the site would be reduced with retention. Officers consider that the largest and most important buildings in the school group would be retained and the understanding of the significance of the site as an early 20th century school campus would still be clearly discernible. As set out above, the proposed development would bring about significant social and educational benefits, through an update and refurbishment of the existing buildings and a new Post 16 learning facility. These should be weighed against the level of harm that has been identified which would be considered against the heritage assets. This complies with Para. 135 of the NPPF on reaching a balanced judgement to the scale of any harm and loss of the local heritage asset. Officers therefore consider the demolition of the building is justified.

3.34 Overall, officers are satisfied that, on balance, the proposed demolition works would cause less than substantial harm to the significance of the conservation areas which is outweighed by the public benefits. Subject to the provision of a suitable replacement building, the proposed demolition would be in accordance with Para. 134 of the NPPF, London Plan policy 7.8, Development Management Local Plan policy DM G7 and SPD Design Policy 21. Similarly, the latter additions to the school campus, including the one storey extension to the Greswell Centre provide a negligible contribution to the significance and setting of the conservation areas and as such, their demolition would have a negligible impact upon that significance. Assessment of the design of the proposed replacement development is set out below.

## Townscape

3.35 There is a strong uniform building line throughout the surrounding area with two storey houses fronting onto streets. The facades of the houses provide a definite rhythm with their two storey bays. The short front gardens are bounded mainly by low brick walls, with hedges or railings above in places. Woodlawn Road is a main route through the conservation areas. It is characterised by the flank walls of end of terrace properties which together with high boundary walls form the street edge. This section of Woodlawn Road does however consist of a short residential terrace of two storey properties located opposite the east boundary of the application site (nos. 49-75 Woodlawn Road). The existing car park at the junction of Finlay Street and Woodlawn Road creates a break in the street pattern.

## Views

3.36 The application site provides boundary edges along three sides on Finlay Street, Greswell Street and Woodlawn Road. There are existing key views of the site from these surrounding streets. The key views of the site can be seen at the junctions of Greswell Street with Woodlawn Road and Finlay Street with Woodlawn Road.

3.37 In terms of the view from the corner of Finlay Street with Woodlawn Road, the site appears in the street scene as a gap, currently occupied by an open car park area. Although the openness of this part of the site is considered to be of visual benefit to the immediate neighbours in Finlay Street and Woodlawn Road, in townscape terms it provides a visually weak corner. It is considered that this part of the street and the conservation areas would be enhanced by a sensitive infill development of an appropriate scale and design which provides a stronger definition for the corner.

## New development

3.38 The proposed development includes the erection of a new building on the south-east corner of the site, on the current car park, bounded by Finlay Street and Woodlawn Road. The building is positioned to reflect and follow the orientation and building line of the neighbouring properties. The proposed building footprint has an approximate figure of 684 sqm and a total gross internal floor area of 995 sqm. The proposed building would include classrooms, changing rooms and a sports hall. The first floor would include a further classrooms and a void area above the ground floor hall. The flat roof would contain space for storage of surface water runoff and an arrangement of south facing Photo Voltaic Panels. The front of the building on Finlay Street aligns with the general position of the main face of the main school building. The new build would comprise a 2 storey part brick, part glass building and an associated single storey link. This glazed link structure would connect the new block with the existing main school building. A further one storey link is proposed to the north of the site, and connect the Greswell Centre with the main school building.

3.39 The proposed building is considered compatible with the surrounding development and would be acceptable in terms of height, scale and massing. The two storey building would measure 9m from street level. The development would be similar to the highest point of the existing buildings on the campus and slightly higher than the ridge line of the nearby residential terraces. The massing of the proposed building would respect the scale and typology of the existing adjacent street frontages and facilitate a more active relationship with the surrounding streets appropriate for the size of the site.

3.40 The principal street elevations are well articulated with a simple palette of materials. The primary, street facing material of the new building would be brick, (both buff and red) to echo the surrounding late Victorian and Edwardian buildings. The architecture would be simple and modern in style, so the building would have an identity that nevertheless draws on the character of the surrounding buildings and provides an important cross-reference to the existing academy buildings. The design is considered to be appropriate in its context. The principal elevation on Finlay Street picks up on the rhythm of vertical bays established in the terraced houses and the fenestration pattern would further enforce the verticality through use of elongated windows in each bay. Double glazed windows openings with grey powder coated metal frames are proposed. Deep window reveals would add depth. The first floor would project above the ground floor to create more articulation on the long façade and in particular it would create corner emphasis with a projecting bay on this façade at its junction with Woodlawn Road.

3.41 On the Woodlawn Road elevation, the façade would respond to the unique character of the street referred to in the Conservation Area Profile which states "Woodlawn Road has a character of its own, defined mainly by the sides of the properties". High brick garden walls with planting behind them are a strong repetitive feature along the street. The proposal acknowledges this design characteristic and has a continuous ground floor storey that follows the boundary line and creates a wall effect. The first floor façade is recessed and splayed back to assist the illusion of a separate building rising from within the site behind the boundary wall. The splay helps to reveal the gable end of the Greswell Centre in views from the south of the site looking north along Woodlawn Road and helps to embed the new building into the campus in a respectful manner to the existing composition. A row of windows on the first floor adds visual interest to this elevation and the ground floor wall is broken up with stairwell windows and decorative red and buff patterned brickwork panels.

3.42 The north façade would face into the site. The buff brick and fenestration treatment of the first floor of the Woodlawn Road elevation wraps around onto this elevation so that in long views from further north on Woodlawn Road, a part brick elevation is visible above the planted fencing. Set further into the site, the façade treatment on this elevation is constructed of wholly glazed panels to let light into the games hall. This recessed part of the elevation is a use of glazing not seen elsewhere in the conservation area but it provides a modern and calm exterior to this elevation that does not compete with the more decorative facades of the original buildings that form the other two sides of the new games court area. Glazed facades are typical of sports halls on school campuses and this proposal reinforces the campus character.

3.43 The use of a flat roof design hidden behind a continuous parapet line gives the building a contemporary appearance and provides a clearer and understandable development for the use involved. In this form, it is also considered that the proposed building would have a less imposing or dominant presence in the street scene compared to the other two options tabled by the applicant during the consultation stage which replicated gabled features found on domestic scale buildings in the surrounding streets.

3.44 The main visitor entrance on Finlay Street is deeply recessed and primarily glazed so as to be as transparent as possible. As such it would form a calm, discreet and subservient link between the original building Edwardian architecture and the new wing. The bridge link on Greswell Street between two existing Edwardian buildings



would be similarly glazed, recessive and subordinate in scale to the original architecture. A condition is proposed requiring details to be submitted of the glazed links (Condition 12). The layout and position of the proposed disabled ramp access on the Finlay Street elevation has been amended in order to improve the accessibility into the buildings for wheelchair users in line with the comments from the Disability Forum.

3.45 The proposed development includes the repositioning and re-surfacing of the existing outdoor games space, in the form of a Multi-Use Games Area (MUGA). The conversion of an area of the existing hard/soft landscaping to outdoor sports area would retain this open space on the site.

3.46 The current substation provides the electricity delivery system for the existing site. The distribution network operator for electricity has not yet determine whether there is sufficient cover with the existing substation for the proposed development or if further provision is required. The proposal therefore includes a single storey sub station extension adjacent to the current substation. The proposal would comprise of a brick built louvered box measuring 15.5 sqm, positioned alongside the existing substation and the western boundary. It is acknowledged that the sub station extension would be located adjacent to the neighbour's boundary at 50 Finlay Street. However, it is considered the substation would not have a harmful impact in terms of loss of visual amenity as the height would not exceed the existing substation and would be set below the existing boundary wall. It is considered that if the equipment is installed on the site, it should be in accordance with the recommendations set out in the noise report, to ensure that there would be no adverse impact on neighbouring properties in terms of noise and disturbance. On this basis, it is not considered that the installation of the substation would have a harmful impact on the residential amenity of nearby residents. The proposal also shows the outline of a kitchen extract located behind the bell tower and roof on the main school building, to reduce its visibility. As yet, full details of any plant or extract system for the kitchen are not yet known and therefore a condition is recommended on this aspect so further details are submitted for approval before any plant is added (Condition 39).

3.47 The existing boundary treatment is inconsistent, detracts from the setting of the Building of Merit and is harmful to the character of the conservation areas. The close boarded fencing is of a low quality appearance and prevents glimpses into the site. The proposed development is for a consistent edge treatment which includes the erection of low brick walls and weldmesh fencing above. This treatment would be consistently applied to the street boundaries, with planting behind to create a softer, greener boundary, with the possibility of glimpsed views into the campus.

3.48 Significant effort has been made to minimise the impact of the proposed new building on the heritage assets. As demonstrated the scheme would bring about significant environmental and social benefits, as well as some heritage benefits. In this case, to secure these benefits it is considered that some very limited harm to the conservation areas and this can be justified in accordance with paragraphs 132-134 of the NPPF. Officers consider that the proposal would preserve the character and appearance of the Crabtree Conservation area and adjacent Bishops Park Conservation Area.

3.49 Overall, the new building is considered to be respectful of the scale, alignment and materiality of the school campus. The facades are responsive to their context in terms of their articulation, alignment and materiality. The proposal is therefore compliant

with Policy DM G1, DM G3 and BE1 of the Core Strategy. Conditions are recommended to be attached to any approval on the detailed design to ensure that the design is developed to provide a quality scheme.

3.50 The proposal is also considered to be compliant with Policy DM G7. There would be less than substantial harm to the character and significance of the school campus with the demolition of the caretaker's cottage. The proposed building would be a high quality addition to the school campus that adds to the understanding of the evolution of the site as a school campus without seeking to copy the existing buildings. The scale and detailing are responsive to character elements found in the conservation area and whilst creating a distinctive modern building it would contribute positively to the conservation areas. It is therefore considered that the public benefits of the proposed development would outweigh any harm caused by demolition of the Buildings of Merit and outweigh any harm to the character and appearance of the conservation areas.

#### Accessibility

3.51 NPPF section 7 'Requiring Good Design' and London Plan policy 7.6 'Architecture' says that developments should incorporate inclusive design. Policy 7.2 'An Inclusive Environment', DMLP Policy DM G1 'Design of New Build' and SPD Design Policies 1, 2 and 3 all relate to access to buildings, requiring that buildings should be accessible and inclusive both internally and externally. The applicant has submitted a revised accessibility section which details the amendments to the external access arrangement to the proposed entrance on Finlay Street and responds to the comments made by the Disability Forum.

3.52 Access within the existing and new buildings has been designed to be wheelchair accessible where possible whilst recognises the constraints of the fabric of the locally listed buildings. Internally, there is an existing lift in the central spine of the main school building and the central corridor would be widened. The new building would include a lift to allow access to the first floor. Both lifts are sized to accommodate wheelchair users and have sufficient wheelchair turning space outside. The proposed building would have accessible changing rooms, WCs and showers. In total there would be five accessible toilets on the site to be used by pupils, staff and visitors. The proposal would provide accessible workstations and desks as part of the proposed general refurbishment works. All entrances and doors would be DDA compliant and the glazed main entrance would have power assisted doors. Security access / communication systems would be clearly visible and located at convenient heights for wheelchair and non-wheelchair visitors and users. Externally all the entrances for students, staff and visitors would be step-free with either level or shallow-ramped approaches. The proposed new main entrance on Finlay Street would have a ramp access for wheelchair and disabled access, designed to be 1.2m wide and a gradient at 1:20. A wide bank of three steps at the entrance would be divided by handrails 2m apart. The glass entrance doors would be operated by automatic sliding doors and the glass surface would be designed with manifestations. Changes to existing external ramps providing access to existing buildings are also proposed. The proposal would include two new complaint ramps and six would be removed. Four other ramps would be retained but refurbished with handrails. These ramps are not serving the main entrances but service entrances and alternative links to external areas. The proposed alterations to the outdoor play space and other sport facilities would also be accessible to all, and the proposed alterations to landscaping and surfacing would provide an opportunity to secure level access. One accessible parking space would be provided in the staff/visitor car park. It is considered that the proposed development would improve ease of access for all users where this is

achievable and a condition is recommended to ensure that the development is constructed according to these relevant criteria (Condition 26). Officers are satisfied that the access arrangements of the proposal are in accordance with London Plan Policy 7.2 'An Inclusive Environment', DMLP Policy DM G1 'Design of New Build' and SPD Design Policies 1, 2 and 3.

#### Secure by Design

3.53 Policy BE1 of the Core Strategy and Policy DM G1 of the DM LP requires proposals to meet 'Secured by Design' requirements. The crime prevention officer was consulted with no representations received. The new build would need to be designed to Secured by Design requirements and therefore, a condition would be attached requiring final details of the measures to be confirmed, submitted for approval and implemented (Condition 25).

#### Residential Amenity

3.54 Policy DM G1 of the DM LP states all proposals must be formulated to respect the principles of good neighbourliness. DM H9 and DM H11 of the DM LP relate to noise nuisance. SPD Housing Policies 7 and 8 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.55 The new development would introduce a new two storey building on the south side of the site with the main frontage to Finlay Street, replacing an existing open car park area. The closest residential properties are on Finlay Street and Woodlawn Road. The height of the proposed building would be set within the overall height of the existing school premises. Due to the orientation and position of the neighbouring properties in Finlay Street and Woodlawn Road and the siting, height and design of the new building, it is not considered that the proposed building would adversely affect existing residents in terms of loss of light, outlook or privacy.

3.56 Bearing in mind the protection of adequate daylight and sunlight to existing buildings, officers have had regard to the guidance set out in the Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". The guidance aims to help rather than constrain the designer. Although it gives numerical guidelines "these should be interpreted flexibly, because natural lighting is only one of many factors in site layout design". Nevertheless, the BRE guidelines, applied together with on-site judgement are useful tools in assessing the potential impact of a development on daylight/sunlight to neighbouring properties.

3.57 The first part of the BRE guidelines applies a 25-degree test and this has been used in this case. The proposed building has been designed to ensure that the proposed development would not intrude across a 25-degree vertical angle taken from the centre of the lowest ground floor windows in Finlay Street and Woodlawn Road and would therefore pass the initial BRE test for windows opposite. The proposed development would thereby ensure that suitable daylight to habitable rooms would be maintained following the construction of the scheme. It is considered that due to the separation distance and proposed height of the proposed scheme, no significant loss of daylight would therefore occur to the nearest residential windows.

#### Sunlight

3.58 Similarly the proposed scheme would not result in loss of sunlight to neighbouring residential properties to the south on Finlay Street because to the proposed location of

the new building. It is considered that only the end terrace property (48 Finlay Street) to the east on the opposite side of Woodlawn Road could potentially be affected. The first floor windows would however, be some 15m and would be beneath a 25-degree line from the centre of the lowest window opposite. Officers are therefore satisfied that there would be no detrimental impact on sunlight to neighbouring occupiers as a result of the proposed development.

#### Outlook

3.59 SPD Housing Policy 8 (i) 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. The main impact of the proposals in terms of outlook would be on properties opposite sides of the street to the proposed new building, to the south and east in Finlay Street and Woodlawn Road.

3.60 The height of the proposed building would be similar to those already in the surrounding area and the siting would replicate a common relationship which is already found with the existing school buildings on the surrounding roads. The proposal would have no adverse outlook impact to properties on the south side of Finlay Road, including 48 Finlay Road to the east, located on the opposite side of Woodlawn Road. Windows in the ground, first and second floor level of 48 Finlay Road are set back from the boundary wall, and some are multi aspect. It is for this reason that it is considered the proposals would not result in loss of outlook or an increased sense of enclosure for residents in accordance with DMLP Policy DM G1 and DM A9 and SPD Housing Policy 8.

#### Privacy

3.61 SPD Housing Policy 8 (ii) relates to privacy and overlooking and 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.

3.62 On Finlay Street, the new building would be positioned at a similar separation distance to the existing main school block and would follow the general pattern of neighbouring houses and separation distances in the rest of the street. The proposed windows would therefore be no closer than any other residential street in an urban context. The main elevation of the new building would have windows at ground and first floor level, opposite the residential properties on the south side of Finlay Street and at first floor level across the street on Woodlawn Road where none currently exist. The windows on the upper floor of the proposed building facing both streets would serve mainly classrooms and would generally be used during school hours. The design of the fenestration would incorporate the use of louvres on the Finlay Street elevation. The proposed fenestration would however have an 'across the street' relationship with street facing windows to the south and east and would not be regarded as detrimental to

neighbouring residential amenity. Window to window separation distances between the proposed development and windows on the south side of Finlay Street would be over 17.5 m and it is not considered that any objection could be raised to this scheme on grounds of overlooking of houses on the opposite side of the street. To the east, the new build would face on to the flank wall and windows to 48 Finlay Street. The separation distance would not result in any loss of privacy to the occupiers of this property to warrant refusal of permission.

3.63 It is considered that the proposal would not have an unacceptable adverse impact on residential amenity in terms of daylight, sunlight, outlook, or loss privacy and would thereby accord with Policy DM G1 of the DM LP and SPD Housing Policies 7 and 8.

#### Noise and Disturbance

3.64 The most likely impact from the development in regard to noise and disturbance would arise from use of the new building and sports facilities and associated plant / machinery and possible new substation. The application includes a Noise Assessment which considers the impact of the noise from the proposed changes to existing and new plant on nearby residential properties. It also considers potential noise break-out from the use of the new building.

3.65 London Plan policy 7.15 'Noise and Soundscapes' states that 'Development proposals should reduce noise by minimising the existing and potential adverse impacts of noise, separating noise sensitive development from major noise sources and promoting technologies and practices to reduce noise at source'. Policy DM H11 of the DM LP 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.

3.66 The use would essentially continue to be for a school and primarily occupied during the day. The hours of operation of the proposed building would be the same as they are at present with the existing Bridge Academy. There is no significant change in pupil capacity numbers. A background noise assessment has been undertaken and outlines that noise levels emitted by plant would be at least 10dB lower than the existing background level. A Ventilation Strategy assessment has also been provided which explains how noise levels within the school buildings would either be naturally ventilated or have attenuated natural ventilation.

3.67 It is considered that with the appropriate attenuation of ducting and plant machinery as required by conditions, the proposed development should not have an unduly detrimental impact upon neighbouring residential occupiers; and that the scheme would be in accordance with London Plan and local plan policies.

3.68 It is considered that the use of the rearranged external sports facilities would not result in a significantly different impact to the use of the existing sports facilities on this site. No external lighting is proposed to the outdoor games area. It is therefore considered that such use would not have an unduly detrimental impact upon the occupiers of neighbouring residential properties.

3.69 A School Management Plan would be required by condition (Condition 32) which would detail the numbers using the external play areas, the number and times of recreation times as well as management of other anti-social behaviour issues such as

the staffing at the school gates to control the potential for noise and disturbance in surrounding streets.

3.70 The Bridge Academy has indicated that they would allow the use of the new building for local community use. At this stage it is difficult to predict the likely level and frequency of use of the proposed building outside school hours, particularly at night or at weekends. A condition is therefore included relating to the type and scale of community use including the hours of operation (Condition 51). However, given the nature of the proposed use, it is considered unlikely that this element of the development would generate unacceptable levels of noise and disturbance in terms of people arriving and departing the site.

3.71 With regards to noise during construction, conditions 5 and 6 would require the submission for approval of a Demolition Management Plan and a Construction Management Plan prior to the commencement of development. Informatives are also suggested to be attached to any permission recommending best practice guidance, including hours of works.

#### Lighting

3.72 Policy DM H10 of the Development Management Local Plan seeks to ensure that development proposals include lighting that is appropriate for the intended use, is energy efficient and provides adequate protection from glare and light spill to surrounding residential properties.

3.73 No detailed plans have been submitted of an external lighting strategy for the proposed development. It is therefore recommended that these details be covered by condition (Condition 30). Similarly, it is also recommended that all associated internal lighting be fitted with timing devices to reduce light pollution thus minimising any disturbance to the neighbouring residential properties and this would also be ensured by condition (Condition 31).

3.74 Overall, officers consider that the proposed development would, subject to conditions, not have an unacceptable adverse impact on residential amenity in terms of noise and would thereby accord with Policy DM A9, H9 and H11 of the DM LP and SPD Housing Policy 8.

#### Traffic and Highways

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 Policies 6.1, 6.3, 6.9, 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 and cycle standards.

3.77 Core Strategy Policy T1 supports The London Plan. Policy J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policy DM J2 of the DM LP requires new development to

accord with the car parking standards set out in the London Plan whilst Policy DM J4 of the DM LP requires new development to incorporate ease of access by disabled people and people with mobility impairment. DM J6 relates to development affecting the borough's road network. These are supported by SPD Transport Policies 3, 6, 12, 22 and 33.

3.78 The application is accompanied by a Transport Assessment. A School Travel Plan (STP) framework has also been submitted.

3.79 The site currently utilises several entrances on surrounding streets. Staff and vehicles enter from Finlay Street and Greswell Street with access to the car parking areas and playground. Pupils and visitors also enter from Finlay Street. The proposed main vehicular access would be from the existing westernmost entrance on Finlay Street and would provide five car and two minibus parking spaces. The Bridge Academy has two mini buses which are utilised for transporting pupils to and from the site. The academy proposes the drop off / collection point for pupils travelling by minibus to be within the site and to take place on the proposed games court, utilising the existing vehicle access on Woodlawn Road. These arrangements would be managed by academy staff. A swept path analysis of the mini-bus accessing both the games court pick up/drop off point on Woodlawn Road and parking off Finlay Street has been undertaken and is considered acceptable.

3.80 The proposal would result in the provision of five off-street car parking spaces, including one wheelchair accessible space, a reduction of 14 on-site parking spaces. There are no specific parking requirements for schools in the London Plan or Local Plan and each application is treated on its own merits. This would encourage a reduction in car use by staff which is targeted in the school's travel plan and would be acceptable in accordance with both sustainable travel policies (London Plan policy 6.13 and Table 6.2). School visitors with mobility issues, including blue badge holders, would need to discuss travel arrangements with the academy on an individual basis. It is recommended that one electrical car charging point be provided in line with London Plan policy 6.13 and this is conditioned (Condition 45).

3.81 It is considered that the small increase in pupil numbers and the predicted staff levels when the school is fully occupied would be similar to the existing levels with only a small uplift in the total number of trips. Most of the pupils travel by bus or school bus. The Transport Assessment states that the main modes of travel would not change with the proposed scheme. Using the modal travel predications for the site, it is expected that 31 pupils (20.4%) would walk, 3 (2%) would travel by cycling, 0 (0%) would travel by underground, 92 (61.2%) would travel by bus and 24 (16.3%) would travel by school bus. Most staff would travel to the academy by bus, cycling, underground or rail.

#### Parking stress

3.82 SPD Transport Policy 4 states that the level of overnight parking should not leave less than 20% free notional on street overnight parking capacity following development. Although this is usually relevant to residential conversions, it is considered that this test would inform whether the development under consideration will have any significant impact on the existing parking stress.

3.83 Local residents have raised concerns regarding the likely impact of the proposed development on existing on-street car parking levels in the surrounding streets. The residential streets surrounding the site have on-street parking bays which are

designated as permit holders and pay and display. During the daytime, on street parking controls are in force (between 9.00 am and 5.00 pm Monday to Saturday) which allows permit holder and pay and display parking within the marked bays, with additional restrictions for Fulham Football Club match days of Monday to Sunday between 9am to 9.30pm. The site is located within PTAL zone 2, but has good public transport links with local bus services on Fulham Palace Road and Putney Bridge underground station is within 15 minutes walk of the site.

3.84 The proposal would result in the removal of two access points, an alteration of the 'School Keep Clear' road markings on Finlay Street and increase the on-street parking capacity in the area by seven space (5 on Greswell Street and 2 spaces in Finlay Street). The parking stress survey undertaken on behalf of the applicant demonstrates that during the week and on weekends, parking utilisation within 200m walking distance of the site is at less than 50%. The Council own parking surveys demonstrate availability of on street parking capacity throughout the day. The loss of 14 on-site spaces is considered to have minimal impact on local on-street parking, in addition to the daily parking charges for staff to use these parking spaces, and further mitigation measures to be agreed in the School Travel Plan.

#### Cycle parking

3.85 Cycle parking should be provided in line with London Plan policy 6.9 and Table 6.3. Policy DM J5 of the DM LP encourages increased cycle use by seeking the provision of convenient and safe cycle parking facilities. This is supported by SPD Transport Policy 12. Policy 6.9 of the London Plan includes minimum standards, for land use D1 which are split into two categories: long stay and short stay. For long stay, minimum requirements are: 1 cycle parking space per 8 staff or students, whereas for short stay a minimum of 1 cycle parking space is required per 100 students. LBHF's minimum cycle standards are 1 secure space per 2 students, resulting in the need for 75 cycle spaces. The proposal incorporates 28 cycle parking spaces for students and 8 spaces for staff on site in the form of Sheffield type stands. The Bridge Academy currently has limited on site cycle parking/storage provision in the middle of the site and on balance the additional cycle parking spaces proposed are consider a reasonable compromise position. The provision of the cycle spaces would be secured by condition (Condition 46). Cycle parking usage would also be monitored as part of the School Travel Plan.

#### School Travel Plan

3.86 The Bridge Academy has an existing Draft School Travel Plan (STP), prepared in consultation with the Council's School Travel Adviser. A separate STP has also been prepared and submitted in support of the application. As stated above, the proposed facilities would not result in a material increase in trip generation as the number of staff is not set to increase; and any increase in pupil numbers would not be significant.

3.87 The STP has been assessed against TfL's criteria. A full STP would still need to be approved by the Council prior to occupation. The action plan initiatives would need to be agreed and implemented in order to move towards greater use of sustainable modes of transport for students and staff. Monitoring of smart targets will need to be carried out annually and a report forwarded to the Council as part of an on-going review. Additional measures may be introduced to support the further improved thereafter. The details of a final STP would be secured by condition (Condition 47).



#### Refuse/recycling - Servicing and Delivery:

3.88 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3, and Policy DM H5 of the Development Management Local Plan 2013 sets out the Council's Waste Management guidance, supported by SPD Sustainability Policy 3, 4, 7, 8, 9 and 10.

3.89 The existing school generates a demand for servicing, in the form of food deliveries/general supplies, as well as refuse collection. Deliveries undertaken by larger vehicles are done in front of the eastern access point on Finlay Street. This existing vehicular access on Finlay Street would be 'closed' with removal of the build outs and the crossover being reinstated to footway level, as well as extending the length of the current parking bay with the parking restrictions. The level of servicing/delivery and refuse collections is unlikely to change significantly from the existing situation. It is not considered that the level of servicing/deliveries required by the proposed development would therefore merit the need for a dedicated loading bay on Finlay Street and would take place from a proposed single and existing double yellow line next to the westernmost vehicle access on Finlay Street. This area would be available for residents parking, when not in use providing additional parking bays on Finlay Street. Refuse collection is also undertaken from the front on the westernmost access on Finlay Street. Bins are brought out to the collection vehicles via the drop kerb. The details of a Delivery and Servicing Management Plan would be secured by condition (Condition 49).

#### Demolition / Construction

3.90 The main impact of the development in highway terms would be at demolition and construction stages. It is anticipated that the proposed works would be done in phases with construction of the new building overlapping with refurbishment works to the existing buildings. A draft Construction Logistics Plan (CLP) has been prepared and submitted with the application. All vehicles would use the strategic road network and Fulham Palace Road and Finlay Street on the borough road network to access the site. Construction vehicle routing would aim to avoid two-way traffic on the surrounding residential streets. The contractor would appoint a Construction Logistics Plan Coordinator, responsible for vehicle movements to and from the site. At this stage it is proposed that vehicles would enter and leave the site via Finlay Street. Conditions xx and xx would require the submission of a detailed Demolition Logistics Plan and a Construction Logistics Plan which would assess all the construction and demolition impacts on highways and potential mitigation measures.

#### Highway Works

3.91 Alterations to the public highway, in terms of alterations or removal of crossovers, realignment of pavements, removal of school markings and increase in on street parking bays would be secured and carried out under a S278 agreement under the Highways Act. The applicant would be required to wholly fund these works and changes to the Traffic Management Order and all the works would have to be carried out by the Council's highway contractors to Street smart standards. The proposed works would involve:

- Redundant crossover serving the site from Greswell Street to be reinstated to footway and the on-street parking bay extended.
- The vehicle access on Woodlawn Road to be turned into a dropped kerb arrangement with the footway reinstated to give pedestrian priority.
- The 'School Keep Clear' road markings on Finlay Street would need to be adjusted to be centred on the proposed pedestrian access location, with the vehicle crossover removed and the footway reinstated.

- A single yellow line would need to be provided adjacent to the proposed staff car park access to enable delivery and servicing to take place throughout the day. The single yellow line will also provide two extra overnight on-street car parking spaces.

3.92 Officers consider that subject to conditions relating to the submission of an updated school travel plan, provision of cycle parking, a refuse and servicing delivery plans, restrictions relating to hours of use and the submission of a satisfactory demolition and construction logistics plans, the development would not detrimentally impact on the highway network and would be in accordance with London Plan policy 6.3, Core Strategy policy T1, DM LP policies DM J1, J6, H5, H8, H9, H10 and H11 and SPD Transport Policies 2 and 28.3.

## ENVIRONMENTAL CONSIDERATIONS

### Environmental Quality:

#### Flood Risk

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

3.94 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. The London Plan Sustainable Design and Construction Supplementary Planning Guidance (SPG) April 2014 provides guidance to meet the objectives of London Plan policies relating to sustainable design and construction.

3.95 Borough Wide Strategic Policy CC1 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 'Water and Flooding' and DMLP Policy DM H3 'Reducing Water and the Risk of Flooding' require development proposals to reduce the use of water and minimise existing and future flood risk and the adverse effects of flooding on people by implementing a range of measures such as Sustainable Drainage Systems (SUDS) (where feasible) and also the use of water efficient appliances. These policies are supported by SPD Sustainability Policy 1, which requires the submission of information relating to flood risk.

3.96 As required, the applicant has submitted a Flood Risk Assessment (FRA) which also includes a surface water drainage strategy. The Environment Agency is satisfied and does not object to the development pending compliance with details relating to proposed finished floor levels.

3.97 The site is located within Flood Zone 3a which indicates a high risk of flooding from the River Thames. This does not take account of the presence of flood defences such as the Thames Barrier and local river walls which provide a high level of flood protection, so that there is a less than 1 in 1,000 annual probabilities of river or sea flooding. If these were breached or over-topped, the site could be impacted by flood water. No basement level development is proposed so sewer and groundwater flood risks are low. The site is also not in a surface water flooding hotspot, so this risk is also considered to be low.

3.98 The FRA shows, with reference to the Environment Agency breach modelling information that the risk of tidal flooding is only realised in the event of a breach of flood defences but not until the 2100 scenario which could result in 150mm depth of flood water on the site. To deal with this residual risk, the FRA includes an Emergency Evacuation Plan which details the actions to be taken in the unlikely event of a flood on-site. The FRA states that the new development would incorporate flood resilient techniques to help protect the site from flood risk. These include bringing down electrical services from ceilings, where possible; raising wiring and power outlets on the ground level; all plumbing insulation to be of closed-cell design; any kitchen units to be of solid, water resistant material; use of MDF carpentry (i.e. skirting, architrave, built-in storage) to be avoided at ground floor level; sign up to the EA Flood Warning Service. Water tight flood resilient seals will also be installed for any ground floor opening level windows, and doors to ensure flood water cannot enter. The FRA also outlines the proposed finish floor levels for the new building and explains that it wouldn't be possible to raise the FFLs above the modelled breach flood level due to the necessity to tie in with the existing levels of the buildings to be retained on the site and need to meet disabled access requirements. The measures set out in the FRA are considered to be adequate and their implementation is conditioned (Condition 35).

#### Drainage Strategy

3.99 A Surface Water Drainage Strategy has been submitted as part of the Flood Risk Assessment, to demonstrate how surface water would be managed on site in line with the requirements of London Plan policy 5.13 and Local Plan policy DM H3 and associated guidance. As this is a major proposal, the integration of sustainable drainage systems (SuDS) is expected and in line with the London Plan and Local Plan policies on management of surface water run-off, the scheme should seek to maximise the levels of attenuation of run-off from the site and reduce final discharge rates of surface water to greenfield rates wherever possible. SuDS would ensure that there is no increase in run off volume and a reduction in peak flows of 50%. A new surface water system is proposed under the new playground which would be of permeable construction and the proposed building would incorporate a blue roof for the collection and storage of rainwater which would attenuate water flows into the existing sewer system. The Council has also sought to promote green roofs where feasible within the proposed development and this would be conditioned (Condition 36).

#### Energy and Sustainability

3.100 As a major development, the proposal needs to comply with London Plan policies relating to climate change and mitigation. The London Plan energy and sustainability requirements are set out in Chapter 5. Policy 5.1 deals with climate change mitigation and policy 5.2 seeks to minimise carbon dioxide emissions. Policy 5.3 deals with guidance on sustainable design and construction. Policies 5.5 and 5.6 relate to decentralised energy networks and energy in development proposals. Policy 5.7 relates to the provision of renewable energy and policy 5.9 sets out objectives to minimise energy requirements for cooling, by reducing overheating through effective building design and careful specification of cooling systems. In addition, the Mayor of London's SPG on Sustainable Design and Construction (April 2014) provides a framework for implementing the London Plan policies. Core Strategy policy CC1 deals with reducing carbon dioxide emission and CC2 relates to ensuring sustainable design and construction. Policies DM H1 and DM H2 of the Development Management Local Plan seek to promote development which incorporates measures to reduce carbon dioxide and utilises sustainable design and construction methods.

3.101 A sustainability statement and an outline overheating assessment have been carried out in line with London Plan policies. A supplementary Sustainability Statement was requested and has also been included and considered. These statements demonstrate how the proposal would improve the sustainability of the existing buildings where feasible and provide a sustainable new building. An energy and carbon reduction appraisal is included and outlines the proposed energy efficiency measures and low/zero carbon technology would reduce the expected energy demand and CO2 emissions beyond the 2010 Building Regulations requirements. The use of on-site renewables such as solar photovoltaic panels would achieve significant CO2 emission reductions for the development in comparison with the existing baseline. It is estimated that the proposed development would achieved a CO2 emissions reduction of 36.4% over the baseline carbon emissions.

3.102 The proposal has followed the Be Lean, Be Clean and Be Green hierarchy set out in the London Plan. The proposed new build is designed to have an efficient envelope and passive strategies have been incorporated in the design for the proposal where possible. Efficient building services and lighting are proposed to reduce energy consumption. A feasibility study has also been carried out to assess the potential of connecting the scheme to a district heating network. It was found that currently no local decentralised energy infrastructure is in place. The installation of a Combined Heat and Power (CHP) system for the development was considered and not found to be feasible. A CHP system would also raise air quality issues and therefore the use of renewable energy technology was considered more efficient in this case.

3.103 The scheme would make the use of photovoltaic panels. The PV panels would be installed on the roof of the new building. The energy proposals are considered to be appropriate for a development of this size. A condition is recommended requiring further details for the positioning of the PV panels to ensure their acceptability (Condition 20). Other forms of sustainable measures would be incorporated into the proposed development through both the construction and operational stages.

#### Air Quality

3.104 London Plan Policy 7.14, Core Strategy Policy CC4 and Policy DM H8 of DM LP seek to reduce the potential adverse air quality impacts of new major developments by requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and requiring mitigation measures to be implemented to reduce emissions where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives. A Combined Heat and Power (CHP) system has not been recommended for the proposed development. The existing boiler would remain in place and when it is renewed the academy would need to consider all potential solutions. The proposal seeks to rely on green renewable energy technology instead in order to overcome air quality issues with the installation of solar PV panels on the roof of the building.

3.105 The Council's Environmental Quality team have considered the proposal and have recommended a number of conditions relating to air quality, namely in relation to Gas Boilers Compliance with Emission Standards, Low Emissions Strategy, and Non-Road Mobile Machinery (NRMM). This has been secured by Conditions 42-44.

## Contamination

3.106 Policy 5.21 of the London Plan, Core Strategy Policy CC4 'Protecting and Enhancing Environmental Quality' and DMLP Policies DM H7 'Contaminated Land' and H11 'Control of Potentially Polluting Uses' states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.107 A Phase 1 Preliminary Risk Assessment and a Ground Investigation report has been submitted with the application. The site comprises of made ground comprising layers of hardstanding to depths ranging between 0.55 and 1.6 metres from the ground level. Below this is the Kempton Park Gravel Formation. The report identifies contaminant concentrations in excess of current generic guidelines. Therefore, a precautionary approach should be taken. Conditions are recommended to be attached in event of permission being granted in order 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 Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan. (Conditions 7 to 9).

## Archaeology

3.108 Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. Paragraph 141 says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

3.109 The planning application is not within an Archaeological Priority Area but lies to the west of an area of archaeological interest and to the north-west of Fulham Palace, a Scheduled Monument and Bishop's Park. The site is located in an area which has potential for significant prehistoric remains, as two Neolithic settlements are recorded nearby. Numerous find-spots from the Roman and medieval periods are also recorded in the vicinity. Pottery possibly dating from the early Bronze Age was recorded during archaeological work at All Saints Primary School, Bishops Avenue. The Archaeological and Heritage statement submitted with the application includes an assessment of the archaeological records, using the Greater London Historic Environment Record. However, the significance of the prehistoric potential in this area and deposits from these periods were not highlighted fully in the assessment. Heritage England (GLAAS) recommends a two stage condition relating to the process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains in the form of a desk-based archaeological assessment report followed, if necessary, by a full archaeological investigation (Condition 10).

## Ecology

3.110 An ecological appraisal has been carried out for the proposed development which comprises a desk top study. A Phase 1 Habitat Survey and assessment of the potential of the site to support bats has been carried out. The assessment concludes there is no evidence of bat activity in any of the buildings and the site has a small potential to support other species except for birds. It is recommended that trees and small hedgerows be retained where feasible and small scale enhancement for species

in the form of bird boxes be included. Both the blue and green roofs would also enhance the ecological value of the site and provide biodiversity.

#### CIL

3.111 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. In this case, the application proposes a building and extensions for educational use for which the CIL levy is currently set at £0 per square metre. So, the applicant is, in effect, exempt from payment of Mayoral CIL.

3.112 Hammersmith & Fulham's local CIL came into effect in September 2015 and is a material consideration to which regard must be had when determining this planning application. In this case, the application proposes buildings and structures for educational use for which the local CIL levy is currently set at £0 per square metre. So, the applicant is, in effect, exempt from payment of local CIL.

#### 4.0 CONCLUSION AND RECOMMENDATION:

4.1 Officers consider that the proposed development would provide a valuable facility which would meet an identified need for the school. The new building is considered to be of a good quality having regard to the needs of the building's users and the character and appearance of the conservation areas and building of merit. Officers consider that the character, appearance and setting of local heritage assets and the character and appearance of the conservation area would not be substantially harmed. Officers consider that the wider public benefits outweigh the concerns about the loss of one of three locally listed buildings on the site. It is also considered that the proposal would not result in harmful levels of traffic generation or impact on on-street parking, and would not have a demonstrably harmful impact on the amenities of surrounding residents. The proposal would deliver a secure and accessible development which would not be at risk from contamination. Subject to conditions the development would not have a further impact on flood risk.

4.2 For these reasons, it is recommended that planning permission is granted, subject to the conditions.