

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 25th July 2017

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Ward: Parsons Green And Walham

Site Address:

5 - 17 Michael Road London SW6 2ER



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Reg. No:
2013/00474/FUL

Case Officer:
Aisling Carley

Date Valid:
03.09.2015

Conservation Area:
Moore Park Conservation Area - Number 30

Committee Date:
25.07.2017

Applicant:

Mr John Warr

7 - 17 Michael Road And 611 New Kings Road London SW6 2EL

Description:

Erection of a six storey building plus basement; comprising of motorcycle showroom, workshop, storage and ancillary parking at basement; offices at mezzanine and first floors and 18 flats between second and fifth floors.

Drg Nos: 0910_: P01A; P04G; P05H; P06E; P07D; P08H; P09F; P10E; P11E; P13D; P15; P19A; P20D; P21A; P22A; P27C.

Application Type:

Full Detailed Planning Application

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 up on the completion of a satisfactory legal agreement and subject to the condition(s) set out below

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: 0910_: P01A; P04G; P05H; P06E; P07D; P08H; P09E; P10E; P11E; P13D; P15; P19A; P20C; P21A; P22A; P27C.

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 and G7 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. The 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. The 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 each 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) Where new frontages for the retail unit are to be installed, detailed drawings in plan, section and elevation at a scale of no less than 1:20 shall be submitted in writing for the Council's approval prior to construction commencing and shall be built in accordance with the approved drawings.

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).

- 7) 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, 7.6 and 7.9 of the London Plan (2016)

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

- 8) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the front elevations of the building(s) hereby approved.

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

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

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with 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 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).

- 12) 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)

- 13) 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).

- 14) The glass installed for the retail frontages on the Michael Road and Edith Row elevations 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 of the Development Management Local Plan (2013).

- 15) No external roller shutters shall be attached to the retail frontages to Michael Road and Edith Row elevations.

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).

- 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, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the basement plant room/ car park and commercial uses at ground and first floor from noise sensitive dwellings and premises. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 10 dB above the Building Regulations value and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the criteria $L_{Amax,F}$ of BS8233:2014 within the dwellings/ noise sensitive premises. The 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.

- 18) 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 eg. living room/ kitchen above/adjoining bedroom of separate dwelling etc. The 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).

- 19) 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, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014. The 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).

- 20) Prior to use 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 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. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 21) 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 machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. The 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 (2013).

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 23) 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 Policies 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).

- 24) With exception of the private roof terrace areas shown on approved drawings 0910_: P08F; P09F; P10E; P11E 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).

- 25) The development hereby permitted shall not commence until details and samples of 1.7m high obscure glazed screen as measured from the floor level of the terraces and windows to be used in connection with the roof terraces as shown on approved drawings 0910: P08H and P20D have been submitted to and approved in writing by the Council. The use of terraces 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).

- 26) Prior to the first occupation of any non residential units, details of operational hours shall be submitted to and approved in writing by the Council. Use of the units shall accord with the hours as approved.

In order that noise disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents in compliance with policies DM H9 and DM H11 of the Development Management Local Plan (2013) and SPD Amenity Policy 24 of the Planning Guidance Supplementary Planning Document (2013).

- 27) All external entrance doors in the office and 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 J5 of the Development Management Local Plan (2013).

- 28) 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 nos. 0910_: P04G and P05H 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)

- 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 0910_: P04G and P05H.

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 complied with 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 (February 2013)

or 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), Policies 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 surface water drainage scheme, based on sustainable drainage principles, and a maintenance programme for the sustainable urban drainage measures, have been submitted to and approved in writing by the council. Information shall include 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. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and thereafter permanently maintained in accordance with the agreed details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 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).

- 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 (May 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 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 Sustainability Statement and BREEAM 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, DM H2 of the Development Management Local Plan (2013).

- 35) 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 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 G2 of the Development Management Local Plan (2013).

- 36) Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system with NOx filtration 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 on residential floors to demonstrate that they avoid areas of NO₂ 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. 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), Policy CC4 of the Core Strategy (2011) and Policy DM H8 of the Development Management Local Plan (2013).

- 37) 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_x 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_x and particulates from on-site transport during Demolition, Construction and Operational phases e.g. use of Low Emission Vehicles, and energy generation sources. Evidence shall be submitted to and approved in writing by the Local Planning Authority to show that the Energy Plant installed within the energy centre comply with the relevant emissions standards in the Mayor's Sustainable Design and Construction Supplementary Planning Document (2014). The strategy must re-assess air quality neutral 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. Approved details shall be fully implemented prior to the

occupation/use of the residential development and thereafter permanently retained and maintained

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

- 38) 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 NOx emissions not exceeding 40 mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates shall be provided to the council to verify boiler emissions. Approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained

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

- 39) 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 Mayors 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_x 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 (2012), Policies 7.14a-c of the London Plan (2016), Policy CC4 of the Core Strategy (2011) and Policy DM H8 of the Development Management Local Plan (2013).

- 40) No development shall commence until a preliminary risk assessment report, in connection with land contamination, 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; and a statement of whether a site investigation is necessary to address these potentially unacceptable risks. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 41) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, 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 make provision for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment 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 approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission

of a remediation method statement and determine the remaining risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2016, policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, 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. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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 the approved remediation method statement has been carried out in full if required by the approved quantitative risk assessment, and have been carried out 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 appropriate waste Duty of Care documentation 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 method statement to be submitted and approved by the Council and verification of these works included in the verification report. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 45) 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 setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, 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 the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2011), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document 2013.

Justification for Approving the Application:

- 1) 1. Change of Use: It is considered that the proposed change of land use is acceptable. The intensification of the Class Sui Generis showroom and workshop and ancillary Class B1 office and creation of Class C3 residential premises are acceptable and in accordance with the NPPF (2012), Policy 3.3, 4.2 and 4.3 of the London Plan (2016), Policy B, H1, H4 and LE1 of the Core Strategy (2011) and Policy DM A1, DM A3, DM A9 and DM BE1 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 proposal would preserve and enhance the character and appearance of the adjacent conservation area. 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 and DM G7 of the Development Management Local Plan (2013).

3. Residential: The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to Policies 3.4, 3.5 and 3.8 of the London Plan (2016), Policies H2, H3 and H4 of the Core Strategy (2011) and Policies DM A2, DM A3 and DM A9 of the Development Management Local Plan (2013), and the amenity provision is considered satisfactory, having regard to the physical constraints of the site, judged against Policy DM A2 of the Development Management Local Plan (2013) and SPD Housing Policy 1 and 3 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, H9, H11 and 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: The development would provide a safe and secure environment for all users in accordance with London Plan (2011) Policy 7.3 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).

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 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 J2, DM J3, DM J5, DM A9 and DM H5 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 5 and 12 and SPD Sustainability Policies 3, 4 and 7 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 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).

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

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 Policies 3.2, 5.3 and 7.14 of the London Plan (2016) and Policy DM H8 of the Development Management Local Plan (2013).

10. Planning Obligations: The application proposes that its impacts are mitigated by way of financial contributions to fund improvements that are necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with Policy 8.2 of the London Plan (2016) and Policy CF1 of the Core Strategy (2011).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 30th January 2013

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:	Dated:
Environment Agency - Planning Liaison	09.01.14
Thames Water - Development Control	17.01.14
Health And Safety Executive	11.09.15
Royal Borough Of Kensington And Chelsea	23.01.14
Historic England London Region	14.09.15
Thames Water - Development Control	01.10.15
Royal Borough Of Kensington And Chelsea	30.09.15
Harwood Terrace Kings Rd Conservation Area Resident Assoc	24.04.17

Neighbour Comments:

Letters from:

Dated:

629 King's Road London SW6 2ES	14.01.14
623 King's Road London SW6 2ES	15.01.14
621 King's Road London SW6 2ES	14.01.14
619 King's Road London SW6 2ES	14.01.14
12 Cambria Street London SW6 2EE	13.01.14
633 King's Road London SW6 2ES	14.01.14
635 King's Road London SW6 2ES	14.01.14
631 King's Road London SW6 2ES	14.01.14
648 King's Road London SW6 2DU	18.09.15
627 King's Road London SW6 2ES	14.01.14
27 Rumbold road London sw6 2hx	17.01.14
631 Kings Road London SW6 2ES	13.01.14
619 Kings Road London SW6 2ES	29.12.13
150 Brookwood Road London SW18 5DD	06.01.14
150 Brookwood Road London SW18 5DD	30.09.15
8 Cambria Street London SW6 2EE	08.01.14
3 Harwood Terrace London SW62AF	08.01.14
633 Kings Road London SW6 2ES	07.01.14
7 Harwood terrace 7 Harwood terrace London sw6 2af	11.01.14
630 Kings Road London SW6 2DU	13.01.14
525 Old York Road London SW18 1TG	15.01.14
525 Old York Road London SW18 1TG	28.09.15
5 Harwood Terrace London SW6 2AF	15.01.14
5 Harwood Terrace London SW6 2AF	15.01.14
5 Harwood Terrace London SW6 2AF	15.01.14
5 Harwood Terrace London SW6 2AF	15.01.14
House of Commons London SW1A 0AA	15.01.14
11 Harwood Terrace Fulham London SW6 2AF	14.01.14
627 Kings Road London SW6 2ES	13.01.14
10 Cambria Street London SW6 2EE	08.01.14
town hall town hall w6 9ju	05.02.14
7 Harwood Terrace Fulham London sw62af	19.09.15
27 Rumbold road London SW62HX	18.09.15
2 Bannon Court London SW6 2YA	14.10.15
6 Gertrude Street London sw10 0jn	28.09.15
30, Groom Crescent Wandsworth SW18 3JB	28.09.15
23 Chalgrove Road Sutton SM2 5JT	29.09.15
Flat 6 35 Elm Park Gardens London SW10 9QF	29.09.15
7 Whiteheads Grove London Sw33ha	29.09.15
11 Harwood Terrace London SW6 2AF	12.10.15
10 Marloes Road London W8 5LJ	29.09.15
37-39 Maida Vale London W9 1TP	29.09.15
4 Chester Gardens Morden SM4 6QL	07.10.15
27 Esmond Road London W4 1JG	28.09.15
2 Cambria Street London SW6 2EE	13.10.15
41. Huntington Road Coxheath Maidstone ME17 4DU	29.09.15
30 Fleet Street City Of London EC4Y1AA	28.09.15
587B King's Road Fulham London SW6 2EH	02.10.15
25 Orchard Road Tewin WELWYN AL6 0HL	28.09.15

4 Greenside Road London W12 9JG	28.09.15
19 Holmead road London SW6 2JE	28.09.15
59 Burlington Lane London W4 3ET	09.10.15
26 Richmond Park Road East Sheen London SW14 8JT	09.10.15
The Old Forge South Road Weybridge KT13 9DZ	29.09.15
2 Imperial Crescent London SW6 2RG	29.09.15
Robins Wood, Aldworth Road Upper Basildon Berks RG8 8NG	02.10.15
27 Alexander Avenue London NW10 3QT	28.09.15
37-39 Maida Vale Richmond, TW10 7LQ	29.09.15
231 Hayes Lane Surrey CR8 5HN	11.10.15
2 Cambria Street London SW6 2EE	13.10.15
11 kingsmere close Felsham road Putney SW15 1AT	06.10.15
33 Margaret Street London W1G 0JD	14.10.15

OFFICERS NOTES

1.1 The existing site (approximately 0.12269 hectares), has been in use as the Harley Davidson Showroom and Workshop (Class Sui Generis) since the 1990s. The site includes a two storey building comprising the motorcycle showroom and workshop at ground floor level with ancillary storage and office floorspace at first floor level. A single storey workshop is located to the northwest of the site. The site is situated at the junction of Michael Road and Edith Row.

1.2 The site is surrounded largely by business, commercial and industrial uses. Apart from two road frontages, the application site adjoins a petrol filling station to the north-west and a large storage/B1 building to the east, part of the Natural Grid site. On the south side of the roundabout is a public house and residential development along Harwood Terrace. To the west, 1 - 3 Michael Road, a bronze foundry site has recently been granted permission for a four storey mixed use commercial and residential development (2016/01448/FUL).

1.3 The site has a PTAL score of 6 using Transport for London's methodology, indicating that it has an excellent level of public transport accessibility.

1.4 The site was designated within the Health & Safety Executive's Land Use Planning Consultation Inner Zone surrounding the Fulham North gasholder site. However, the Hazardous Substances Consent relating to the Gasholder site was formally revoked by the Secretary of State in March 2017.

1.5 The site is not within a conservation area but is adjacent to the Moore Park Conservation Area and within Flood Risk Zone 2 and 3.

1.6 Relevant Planning History:

1.7 In 1990, planning permission (1989/01747/FUL) was allowed on appeal for a redevelopment to provide a predominantly three storey building, comprising retail and office (B1) floorspace, and car parking (43 spaces) and servicing at basement level. This permission was not implemented and has since lapsed.

1.8 In 1992 planning permission (1991/01498/FUL) was granted for a single storey motor cycle repair/workshop building on the site. This permission was implemented.

1.9 In 1995 planning permission (1994/02188/FUL) was refused for a predominantly four storey (plus basement) building, comprising a motorcycle showroom, workshop, and ancillary offices, together with ten flats and parking for 23 cars. Permission was refused primarily on the grounds of overdevelopment of the site and the introduction of residential accommodation into an employment zone. A subsequent appeal against the Council's decision was withdrawn by the appellants, prior to it being determined.

1.10 In 1997 planning permission (1997/00520/FUL) was granted for a two storey building comprising a motorcycle showroom with associated workshop, offices, and storage. The building would be used in connection with the existing adjacent workshop building. This development has been implemented.

1.11 In 1999 planning permission (1999/00990/FUL) was granted for a single storey rear extension to the building (to provide additional workshop floorspace), including the installation of mechanical plant on the roof of the extension, surrounded by a louvre screen. This extension was not built.

1.12 In 2002, planning permission (2002/00379/FUL) was granted for an extension/enlargement to the existing two storey motor cycle showroom building, ancillary workshop, and office facilities. The proposal involved the enlargement of the ground floor, additional offices at first floor, formation of a full basement level, accessible via a ramp off Michael Road to provide motorcycle repairs/servicing areas, parking bays, canteen plus loading/unloading and storage areas.

1.13 In 2010, planning permission (2010/01096/FUL) was refused for erection of a six storey buildings plus basement; comprising of motorcycle showroom, workshop and storage at ground and mezzanine floor and ancillary parking at basement; offices at mezzanine and first floors and 18 flats between second and fifth floors. The application was refused on public safety grounds due to its location within the HSE (Health and Safety Executive) Inner Zone. The subsequent appeal was dismissed in 2012 on public safety grounds. At that time, the Inspector also concluded that the £200k contribution in lieu of affordable housing and circa £240k Mayoral CIL would render the proposal unviable.

Current Proposal:

1.14 The current planning application was submitted in 2013. The applicant did not want to withdraw the application until the formal procedure relating to the revocation of the Hazardous Substances Consent on the adjoining Natural Grid site had been resolved. These matters were only finalised in March 2017 which meant that the application could not progress until after that date.

1.15 The proposal relates to the demolition of the existing buildings and a redevelopment of the site to include the erection of a six storey building plus basement; comprising of motorcycle showroom, workshop and storage at ground and mezzanine floor and ancillary parking at basement; offices at mezzanine and first floors and 18 self-contained flats between second and fifth floors, associated cycle and refuse storage.

2.0 PUBLICITY AND CONSULTATION

2.1 The application has been advertised by means of a site notice and a press advert, and 376 individual notification letters have been sent to the occupiers of neighbouring

properties. 28 letters of support and 27 objections have been received. The issues raised can be summarised as follows:

- Residential development unsuitable;
- Insufficient affordable housing contribution;
- Overdevelopment;
- Harmful to conservation area;
- Appearance and aesthetic;
- Daylight and sunlight;
- Loss of outlook;
- Loss of privacy;
- Noise and Disturbance;
- Traffic congestion;
- Loss of motorcycle parking
- Poor vehicle access to site;
- Failure to provide flood risk measures or SuDs;
- Insufficient sustainability statement
- Noise and air pollution;
- Inadequate assessment of contaminated land.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan and the Council's adopted Core Strategy, Development Management Local Plan 2013 (hereafter referred to as DM LP) 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; and, traffic impact on the highway network.

LAND USE:

Health and Safety Executive's Land Use Planning Consultation Inner Zone:

3.2 Policy DM H6 of the DM LP seeks to ensure the protection of new and existing residents, by rejecting proposals involving provision for hazardous substances that would pose an unacceptable risk to the health and safety of occupants of neighbouring land, and rejecting development proposals in the vicinity of existing establishments if there would be an unacceptable risk to future occupants.'

3.3 The site is adjacent to the Fulham Gasholder site which includes six redundant gasholders, overground pipes, a Pressure Reduction Station (PRS) and a series of associated operational and employment buildings. It is important to safeguard residential development permitted near such hazardous installations which are subject to stringent Health and Safety controls.

3.4 The application site was within the Health & Safety Executive's Land Use Planning Consultation Inner Zone surrounding the Fulham North gasholder, a hazardous installation. In January 2012, the owners of the site, National Grid de-commissioned their Natural Gas storage facility. In March 2017, the Hazardous Substances Consent which allows the lawful use of the site as gasworks was revoked by the Secretary of State. As the site can no longer lawfully be used as gasworks it

does no longer presents any risk to public health and safety. The proposed use of the site would accord with Policy DM H6 of the DM LP.

Harley Davidson Showroom, Workshop, and Offices:

3.5 London Plan Policy 4.3 encourages mixed use development and offices. Policy B1 of the DM LP supports proposals for new employment uses and the retention and intensification of existing employment uses in accordance with the locational policies in Core Strategy Policies B and LE1.

3.6 The uses on the ground floor would remain unchanged. The existing motorcycle showroom (Class Sui - Generis) and ancillary workshop at ground floor would be replaced with a modernised enlarged floor area (net 280m²). The proposed increase in floorspace is modest in the context of this site and would result in an improved layout and workspace with for the existing business. The retention of the showroom and workshop is appropriate in this location and is supported on land use grounds.

3.7 The more intensive use of the site to provide enhanced office facilities (ancillary Class B1) for this local business will improve existing facilities to enable the local business to stay in the borough, complies with Policy 4.3 of the London Plan, Policy B and LE1 of the Core Strategy (2011), Policy DM B1 of the DM LP.

Residential Development:

3.8 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. 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 Development Management Local Plan (DM LP).

3.9 The proposal provides 18 net additional flats and contributes to the boroughs housing target. The proposal accords with Policy 3.3 of the London Plan, Policy H1 of the Core Strategy and Policy DM A1 of the DM LP.

Residential Mix:

3.10 Core Strategy Policy H4, Policy DM A3 of the DM LP requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. There should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation. The justification to Policy DM A3 of the DM LP identifies a particular need in this borough for more family sized housing (3 or more bedrooms).

3.11 The proposed dwelling mix provides 3 x 1 bed, 10 x 2 beds, 5 x 3 bed flats representing a range of unit sizes, including a provision of larger family sized units. The proposed mix of units accords with Policy H4 of the Core Strategy and Policy DM A3 of the DM LP.

Density:

3.12 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 LP.

3.13 The site is in Public Transport Accessibility Level (PTAL) 6 using Transport for London's methodology, indicating that it is very accessible by public transport. Per the London Plan density matrix, the site is considered to be set in an urban area with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. This would support a density of between 200 and 700 habitable rooms per hectare (hr/ha), or 55-225 units per hectare (u/ha).

3.14 The proposed development site, (approximately 0.1229 hectares) would have approximately 56 habitable rooms which would result in a residential density of 455 hr/ha (equivalent of 146 unit/ha), which falls within the density range stipulated in the London Plan.

3.15 The proposed development would not result in an excessive built environment on site, and layout and provides a satisfactory quality of residential environment and an acceptable level of accommodation for future occupiers of the development, complying with The London Plan Policy 3.4, Policy H3 of the Core Strategy 2011 and Policy DM A2 of the DM LP.

AFFORDABLE HOUSING:

3.16 London Plan Policy 3.13 (Affordable Housing Thresholds) normally requires that affordable housing be provided on sites which include 10 or more homes and that negotiations should take account of development viability.

3.17 Policy 3.11 (Affordable Housing Targets) of the London Plan sets a London wide affordable housing target of at least 17,000 more affordable homes per year.

3.18 Policy 3.12 requires that 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 level; b) affordable housing targets c) the need to encourage rather than restrain residential development; d) the need to promote mixed and balanced communities ; e) the size and type of affordable housing needed in particular locations; and f) the specific circumstances of individual site. The London Plans also states that Boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis taking account of: economic viability and the most effective use of public and private investment, including the use of developer contributions.

3.19 Core Strategy Borough Wide Strategic Policy H2 (Affordability) 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

take into account: financial viability'. Paragraph 8.28 of the Core Strategy 2011 states 'the council will in the context of Policy H2 seek to take account of financial viability in determining the contribution a scheme can make to the provision of affordable housing'.

3.20 Policy DM A3 (Housing Mix) of the DM LP states 'all new housing provided as part of a new major development should provide a mix of housing, including family housing. The justification continues 'there is a particular need in the borough for more family sized housing (3 or more bedrooms), particularly affordable housing. However, some sites may be more appropriate for families with children particularly sites with safe access to amenity and playspace, than other sites that are in town centres where access may be more difficult.'

3.21 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 bedroom: 35%, 3 or more bedroom: 15% of units.

3.22 The Council will need to be satisfied whether the proposal is optimising the site appropriately and why affordable housing is not being provided.

3.23 The applicant's original 2013 submissions included a 0% contribution towards affordable housing. In March 2016, the Council's independent viability consultants LSH, considered the applicants submitted financial appraisal and advised that there was insufficient information to conclude that the site would not be viable if affordable housing was included. In October 2016, following the submission of additional information, LSH concluded that the scheme could deliver affordable housing. In February 2017, the applicants acknowledged this and increased their affordable housing offer to £375k. In May 2017, to help overcome an impasse in negotiations, Officers informed the applicant that based on information provided by the Council's Housing Officers, one new off-site affordable housing unit in this part of the Borough has an estimated build cost of £250,000. This 'model' was used to secure an acceptable 25% off-site affordable housing contribution for the opposing site at 1 - 3 Michael Road (2016/01448/FUL). The applicants noted this and agreed to match that offer on a pro-rata basis of 25% off-site which equates to £1,125,000 contribution for the application site.

3.24 Officers consider that this offer which represents a significant increase from the original 0% to 25% is reasonable and consistent with that for a site directly opposite for which the circumstances are comparable. Given that the proposals also enable the retention of an existing business with improved facilities, the proposed offer is considered acceptable.

3.25 The affordable housing negotiations have taken account of the individual circumstances including development viability and it is considered that the off-site offer accords with the objectives of Policies 3.11, 3.12 and 3.13 of the London Plan, Policies H1 and H2 of the Core Strategy and Policy DM A3 of the DM LP.

DESIGN AND APPEARANCE:

3.26 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

3.27 Section 72 of the Planning [Listed Buildings and Conservation Areas] Act 1990 requires that special attention should be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. The site is adjacent to the Moore Park Conservation Area.

3.28 London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure contributes to the provision of high quality living environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood. 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.

3.29 Policy BE1 of the Core Strategy 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. Meanwhile Policy DM G1 of the DM LP 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.

3.30 Policy DM G7 of the DM LP states 'the Council will aim to protect, restore, or enhance the quality, character, appearance and setting of the borough's conservation areas. The justification continues that 'new development should have a good relationship with the character of the surrounding historic environment.' The site is not within a conservation area but is immediately adjacent to the Moore Park conservation area.

3.31 The design of the scheme has not changed from the 2010/01096/FUL application which was considered inspected at appeal (APP/H5390/A/12/2171988). When that application was dismissed, no objections were raised on design grounds.

Demolition:

3.32 The demolition of the existing two storey building and ancillary single storey workshop is proposed. The architectural merit of the existing building will be reflected in the proposed design as it follows the architectural form, expression, and materiality of the existing showroom building. The existing building presents a visually interesting response to the site which is characterised by its curve, the use of handmade brick, the detailing of the walls and attached buttresses and the detailing of the fenestration.

Townscape:

3.33 The site is immediately adjacent to the Moore Park Conservation Area and sits south of King's Road on the junction between Edith Row and Michael Road. The site is of townscape interest in that it is located at a key position on a staggered junction. It sits one block behind to the principal road frontage of Kings Road, which in this stretch consists of a commercial terrace of low two storey properties. Immediately to the north, lies a petrol filling station which disrupts the townscape, forming a break in the Kings Road terrace, and an open context for the application site. The gap in the frontage allows views through to the existing building. The site also has an important townscape

role in addressing and enclosing the views along Harwood Terrace. The immediate built context is extremely varied both in scale and typology.

Height, Scale, and Massing:

3.34 Views to the site are limited, but those which are afforded would benefit from a building which has presence and which commands the site and brings some form of legibility back to the townscape. The context of Michael Road is an area in transition due to its proximity to the Fulham Gasworks site. The gasworks site accommodated several gas holders prior to its decommissioning, therefore, the backdrop to Michael Road was until recently industrial in nature with some structures of significant height and mass. Immediately west of the site, 1 - 3 Michael Road was recently granted planning permission (2016/01448/FUL) for a four storey mixed use development while the Hand and Flower Public House was granted permission (2016/00842/FUL) for a three storey extension.

3.35 The South Fulham Riverside Supplementary Planning Document (Jan 2013) which relates to the land including the gasworks sites acknowledges west of Wandsworth Bridge building heights would generally be appropriate at 4 to 7 storeys. Along Michael Road proposed buildings of between 5 and 6 storeys would create an acceptable relationship of scale with lower existing buildings on the north side of those streets in and around Michael Road.

3.36 It is proposed to erect a part three/four/five storey plus basement building located on the full footprint of the site. The application site occupies a prominent position at the junction of Michael Road and Edith Row. Excluding the top storey, the fifth floor of the proposed development, which has been set back from the perimeter to reduce its massing, the proposed building is more comparable to the height of the four storey British Gas building on the south side of Michael Road and the recently approved planning permission (2016/01448/FUL) at 1 - 3 Michael Road. It is considered that the proposed six storey building with its set back at top floor would provide a more positive contribution to this corner site. The proposed building height was tested in key views and found to be either not visible, or to have an acceptable impact on the local townscape. Officers believe that the proposal would be more appropriate in townscape terms than the existing smaller building and retains the quality of the existing design for the lower element. The proposal would retain but expand on the same oval-shaped design concept. It is therefore considered that the proposal would not be harmful to the character and appearance of the area through its overall height and bulk.

3.37 Officers consider that progressive reduced massing towards roof level including the recessive set backs on the upper floors reduce the visual impact and perceived bulk of the building in townscape terms to an acceptable degree.

Elevations and Materials:

3.38 The building is expressed in two sections, as a brick base, which replicates the architectural design of the existing building, and glazed upper floors with overlaid detailing. The three upper residential floors would be set back from the lower floors on the south side, forming a crescent shape, and the top floor would be set back again around the perimeter, in order to reduce the apparent mass of the building. The three upper residential floors are wrapped in continuous balconies to provide amenity space which would have an integrated watering system served from the roof. The facade

would also include louvers as well as climbing ladders for planting, incorporated into the external wall of each flat to enable the greening of the building's facade. It is proposed to provide each residential unit with a solar water heating system and these will be mounted on south facing balconies (vertically). The balconies and other features would break down the solidity of the upper floors, giving a depth and articulation to the elevations.

3.39 The development would be divided into three uses including motorcycle showroom/ workshop (ground and basement), office (first floor and mezzanine) and residential between the second and fifth floors. Level access to the showroom would be from the west side of the building and is clearly signalled with an overhead canopy. Access to the offices would be on the east side of the building, with stepped and level access and internal lift and stair access is provided. Residential access is from the north west. Basement parking is via a new crossover on Michael Road and a ramped access down to the basement.

3.40 Given the existing context, officers are of the opinion that the proposed building would not appear out of scale or over-dominant, particularly when viewed from Kings Road and from the adjacent Moore Park conservation area. The design contemporary in style and has architectural merit in its own right. It is considered that the proposal development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough and will protect and enhance the adjacent conservation area.

3.41 The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8, Core Strategy Policy BE1 and Policies DM G1 and DM G7 of the DM LP, which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

QUALITY OF THE PROPOSED ACCOMMODATION

3.42 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. London Plan 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.

3.43 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).

3.44 Borough Wide Strategic Policy H3 within the Core Strategy (2011) 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.

3.45 Policy DM A2 of DM LP 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 DM LP 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'. 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.'

Size of Units:

3.46 The 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.

3.47 The minimum requirements for gross internal areas are:

- 1 - bedroom units, minimum requirement is 50sq.m;
- 2 - bedroom units, minimum requirement is 61sq.m;
- 3 - bedroom units, minimum requirement is 86 sq.m.

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

Aspect and Outlook:

3.49 London Plan 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 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.' In this case, two units including the one-bedroom unit on the third and fourth floors, face solely in a northerly direction. Although they are single aspect, the proposed window openings in these units have a large floor to ceiling height and would have access to an outside terrace providing good levels of outlook. The remaining units are south facing or dual aspect and all are considered satisfactory.

3.50 As all the proposed dwellings would exceed the minimum dwelling size requirements of Policy 3.5 of the London Plan and provide good levels of outlook, they are considered to accord with Policy H3 within the Core Strategy, Local Plan Policy DM A2 and A9 and SPD Housing Policy 8.

Daylight/Sunlight of New Dwellings:

3.51 BRE guidance provides a method for calculating the luminance of a room called Average Daylight Factor (ADF). The BRE sets the following recommended ADF levels for habitable room uses:

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

3.52 The applicant has provided a sunlight and daylight analysis that provides ADF figures for habitable rooms. Officers have considered these proposals conclude that all habitable rooms satisfy the target daylight levels set out in the BRE.

Floor to Ceiling Heights:

3.53 The London Plan (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 accords with this requirement.

Amenity space:

3.54 The London Plan Housing SPG Baseline Standards 4.10.1, 4.10.2 and 4.10.3 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. The standard is quantified as 5 sq.m for 1 to 2 person dwellings and an extra 1 sq.m should be provided for each additional occupant.

3.55 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. The policy continues to state that all new family dwellings should have access to amenity or garden space of not less than 36sqm. 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.

3.56 Three of the 3 bed flats would have satisfactory provision of amenity space ranging from 50sq.m to 90sq.m whilst the remaining two 3 bed flats have terraces of 26sq.m (Unit A) and 32sq.m (Unit N), however, in accordance with Housing SPG Baseline Standards 26 and 27 provision of additional internal space equivalent to the area of the private open space requirement has been incorporated into the GIA of the Unit A and Unit N. The 3 x 1 bed flats and 10 x 2 bed flats would all have access to adequate amenity space.

3.57 Given the physical constraints of the site, the outdoor provision or incorporated internal provision is considered acceptable and generally accords with the Housing SPG, Policy DM A2 of the DM LP and SPD Housing Policy 1 and 3.

Access:

3.58 London Plan Policy 3.8, Core Strategy Policy H4, Policy DM A4 of the DM LP, SPD Design Policy 1 (Inclusive design), SPD Design Policy 2 (Access to facilities inside a building) requires new residential development to be built to M4(2) (Accessible and Adaptable Dwellings) and/or M4(3) (Wheelchair Use Dwellings) of The Building Regulations 2010.

3.59 All the units are arranged in compliance with the spatial requirements and minimum room circulation space sizes complying with Part M of the Building Regulations. The 18 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 the building. Two lifts have been provided which meets the requirements of Part M of the Building Regulations, furthermore communal stairs have also been provided with handrails on both sides, and good quality lighting. The proposal accords with London Plan Policy 3.8, Core Strategy Policy H4, DM LP Policies DM G1, DM A9 and DM A4 and SPD Design Policies 1 and 2.

Fire Safety:

3.60 The implementation of means of warning and escape, internal fire spread (linings), internal fire spread (structure), external fire spread and access and facilities for the fire service are issues covered under Part B of the Building Regulations 2010. Building Regulations are statutory instruments that seek to ensure that the requirements set out in the Building Act 1984 legislation are carried out. Accordingly, fire safety issues fall outside the remit of The Town and Country Planning Act 1990.

Secure by Design:

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

3.62 Full details of how the proposed development will incorporate crime prevention measures to provide a safe and secure environment would be secured by condition (Condition 22).

Noise disturbance to new units:

3.63 The Housing SPG Baseline Standard 30 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.

3.64 To safeguard the amenity of occupiers of the development in terms of noise from transport/commercial/mechanical/residential noise sources conditions 17 - 22 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:

3.65 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 DM LP seeks to 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 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.

3.66 The nearest adjacent properties are along Edith Row, Harwood Terrace and King's Road.

Outlook:

3.67 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.

3.67a The neighbouring residential properties along Harwood Terrace (50m away) or Kings Road (20 to 30m away). The increase in the height of the replacement building when compared to the backdrop of existing commercial buildings would not give rise to unacceptable levels of loss of outlook and sense of enclosure.

3.68 In respect of the recently approved applications immediately to the west of the site, the Hand and Flower Public House (2016/00842/FUL) and 1 - 3 Michael Road (2016/01448/FUL), the proposal would be no closer than in any other residential street in an urban context. Furthermore, the upper floors of the proposal have been designed with a sympathetic setback to ensure the development would not have an overbearing and dominating effect on adjoining properties.

3.69 The proposed development complies with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 and SPD Housing Policy 8 (i).

Daylight and Sunlight:

3.70 The applicants have submitted a daylight and sunlight impact assessment which has been prepared based on the British Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight, 2011. The report takes into account the closest residential properties including recently approved applications at 1 - 3 Michael Road (2016/01448/FUL) and the Hand and Flower Public House (2016/00842/FUL). The assessment considers the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing and neighbouring buildings. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly and there are circumstances that will exist where a greater degree of obstruction to light can on occasion, be acceptable.

3.71 The BRE Guidance sets out three different methods of assessing daylight to or within a room, the Vertical Sky Component (VSC), the daylight distribution also known as no-sky-line (NSL) and the Average Daylight Factor (ADF).

3.72 An assessment has been carried out on the following properties surrounding the site which include some 170 windows:

- Cooper House (94 windows);
- 1 - 3 Michael Road (39 windows); and,
- Hand and Flower Public House (37 windows).

3.73 Of the 170 windows assessed, 94 relate to Cooper House, an office block. The BRE guide recommends that windows and rooms within only residential properties need to be assessed, and does not require any assessment on commercial or business properties, although it states that they may also be applied to non-domestic buildings where the occupants have a reasonable expectation of daylight. Officers have considered the VSC, NSL and ADF findings for Cooper House and are satisfied that the office block would comply with the BRE.

3.74 In relation to 1 -3 Michael Road, 17 of the 39 individual windows would result in a reduction of VSC. While all 17 windows that fail would serve habitable rooms, 15 of these windows are double or triple width with a full floor to ceiling height windows which enable improved daylight distribution. Notably, 11 of the 15 windows are not the sole windows to the habitable rooms that they serve. Overall only 2 of the 17 windows fail to comply with VSC and these include a full floor to ceiling height window design which serve separate 2 bedroom flats at first and second floor level. When the VSC takes account of the respective daylight distribution and ADF for these 2 windows, the windows would retain an adequate level of daylight in compliance within the BRE.

3.75 In respect of the Hand and Flower Public House, 5 of 37 windows result in a reduction of VSC and none of these windows are the sole windows to the 2 habitable rooms affected. When daylight distribution and ADF are taken into account the windows are fully compliant with daylight in accordance with the BRE.

3.76 In terms of sunlight, the development would be fully compliant with BRE guidelines.

3.77 Officers consider that the habitable rooms and windows in adjoining properties would have sufficient access to daylight and sunlight after the development has been constructed comply with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 and SPD Housing Policy 3 and 8 (ii) and guidance set out in the Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice".

Privacy:

3.78 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.

3.79 In the context of Edith Row, 1 - 3 Michael Road (2016/01448/FUL) has recently been granted planning permission for a mixed use development, including a residential unit at 3rd floor level facing Edith Row. There is potential for overlooking to this unit from the second floor of the proposed site as a proposed terrace would be within 18m of habitable room windows. To overcome this, the proposed terraces at second and third floor opposing the east elevation of the approved development at 1 - 3 Michael Road have been designed to include a 1.7m obscured glazed to prevent overlooking and loss

of privacy. The sightlines at fourth, and fifth floors of the proposed development are at oblique angles to the approved scheme at 1- 3 Michael Road and would not result in an undue loss of privacy. No other windows or terraces are located within 18m of the proposed site.

3.80 Overall, it is considered that the proposal would not result in a loss of privacy or overlooking. The proposed development complies with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 and SPD Housing Policy 8 (ii).

Noise and Disturbance:

Terraces:

3.81 DM LP 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 by reason of noise and disturbance will not be supported.

3.82 The proposed terraces vary in size from 12sqm to 90sqm and are located between second and fifth floor levels. Generally, the terraces have been designed as narrow strips (maximum 2m depth) to run along the outer edge of the oval shape of the development. Due to the narrow elongated form of the terraces, it would not be possible for large groups to congregate. There are some terraces with a larger irregular shape at second floor (towards the existing garage) and third floor levels (towards Cooper House), however in those case the opposing properties are not in residential use. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas, however, on balance, having regard to the design of the proposed terraces, 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.

3.83 The proposed development would have no significant adverse impact on residential amenity in accordance with Policy DM A9, H9 and H11 of the DM LP and SPD Housing Policy 3 and 8 regarding noise.

Traffic Generation and Car Parking

3.84 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.

3.85 Core Strategy Policy T1 supports The London Plan. Policy DM J3 relates to housing with reduced parking whilst Policy DM J4 of the DM LP requires new development to incorporate ease of access by disabled people and people with mobility impairment. 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. DM J6 relates to development affecting the borough's road network. These are supported by SPD Transport Policies 3, 6, 12, 22 and 33.

Car Parking:

3.86 The proposal would result in a net increase of 18 residential units. A basement car park would be provided with 7 off-street car parking spaces and 3 disabled bay, less than 0.6 parking space per unit, in line with Policy DM J2 of the DM LP. The parking spaces dimensions are in accordance with SPD Transport Policy 6.

3.87 The site has a PTAL score of 6 using Transport for London's methodology, indicating that it has an excellent level of public transport accessibility. The surrounding on-street parking network experience high levels of parking stress. The proposed development will be car permit free and this would minimise the impact of the development on the on-street parking. This will be secured through the Section 106 agreement.

Cycle:

3.88 Cycle parking should be provided in line with London Plan 2011 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.

3.89 For the residential units, secure storage for 22 bicycles is proposed. The plans indicate provision of cycle parking would be made at basement level for the residential units. Secure storage for 32 cycle spaces for the commercial units is proposed at basement level. The number of cycle spaces is considered satisfactory and is secured by Condition 28.

Servicing and Delivery:

3.90 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3 and T1, and Policies DM H5 and DM J5 of the DMLP 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.

3.91 Adequate refuse storage has been provided for both the residential and commercial uses at basement and ground floor level. In addition, Condition 30 would secure the submission of a Servicing and Delivery Management Plan that would provide details of refuse management and collection including times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays and quiet loading/unloading measures.

Environmental Considerations:

Flood Risk and Sustainable Urban Drainage Systems (SuDS)

3.92 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to

comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Policy CC1 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water. Local Plan 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)

3.93 The site is in the Environment Agency's Flood Zone 3. As required, a Flood Risk Assessment (FRA) has been submitted with the application. A Flood Zone 3 rating indicates a high risk of flooding from the Thames. Land in this zone has a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year. This indicates a high risk of flooding from the Thames, although this designation does not take into account the high level of flood protection provided by the Thames Barrier or local river wall defences which defend the site so that the annual probability of flooding from the Thames is 0.1% or less. Should these defences ever fail or be breached, the site is not at risk of rapid inundation by flood waters.

3.94 The residential units are planned for 2nd to 6th floor levels with car parking at basement, retail at ground floor and offices at first floor. The more vulnerable use is therefore at floor levels that are well away from flood risk. However, the FRA recommends that the Environment Agency's free Flood Warning Service should be subscribed to and a flood warning and evacuation plan should be developed to allow evacuation of the site.

3.95 The basement level of the development will be constructed to reduce the risk of flooding, although the planned method of managing groundwater flows is subject to further confirmation and consent from Thames Water. It is proposed the levels at the entrance of the basement to be raised (by providing a speed ramp) above the road levels preventing any overland flows from flooding the basement car park.

3.96 Consideration should also be given to integrating flood resilient design measures at ground floor - Information on flood resilient construction can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7730/flood_performance.pdf.

3.97 Sewer flooding is a known issue in the borough, with Thames Water having records of over 800 sewer flooding incidents in the SW6 postcode area. A non-return valve should be fitted to help protect the property from sewer surcharge flooding. Condition 31 will secure the implementation of the FRA.

3.98 The existing site is 100% impermeable, with no soft landscaping etc. All surface water run-off is currently directed into the sewer network. A Drainage Strategy has been submitted where 498m² of green roofs will be incorporated. Opportunities to incorporate blue roofs will be considered during the detailed design stage (including blue roofs with integrated green roofs). The remaining roof area will serve a rainwater harvesting system and 84% of the residential unit WCs can be served by this system. The SUDS strategy has been developed based on the worst case scenario and therefore the report

states an underground attenuation tank of 58m³ would be required. Opportunities to use the rainwater harvesting tank for attenuation will be assessed during detailed design. The pump will limit the surface water run-off rate to 3l/s and this is elaborated further in the report. Condition 32 will secure the implementation of the Drainage Strategy.

Energy Assessment:

3.99 Policy 5.2 (Minimising Carbon Dioxide Emissions) in The London Plan states that the Mayor will work with boroughs and developers to ensure that major developments meet the following targets for CO₂ emissions reductions in buildings. The policy outlines stringent CO₂ reduction targets compared to the Building Regulation minimum requirements and requires that major development proposals include a detailed energy assessment to demonstrate how the targets for CO₂ emissions reduction are to be met. Policy 5.3 of The London Plan also states that major developments should meet the minimum standards for sustainable design and construction as outlined in the Mayor's SPG. The policies contained in the Core Strategy and Development Management Local Plan are in line with these standards.

3.100 An Energy Assessment has been provided which shows that energy efficiency and low/zero carbon technologies are planned for the site to help reduce energy use and minimise CO₂ emissions. The residential flats will be designed and constructed to reduce CO₂ emissions by 35% below the minimum requirement of 30 tonnes (Building Regulations 2013). The commercial units will achieve a CO₂ reduction of 28% which is below the target of 35%. However, in accordance with the London Plan, the Energy Strategy proposes a £44,052 payment in lieu to mitigate the shortfall required to meet the target. The payment would be used to implement local carbon reduction measures in the borough (such as energy efficiency and carbon reduction measures in public buildings) and would be secured through Condition 33 and a Section 106 Agreement.

Sustainability:

3.101 As required of a major development, a Sustainability Statement has been submitted with the application. This shows that the non-residential aspect of the development has been designed to meet the "Very Good" BREEAM rating in terms of sustainable design and construction. The new flats have been designed with reference to the requirements of the London Plan and the GLA Sustainable Design and Construction SPG and will achieve high levels of sustainability performance by meeting all of the Mayor's priority targets.

3.102 Details of a range of sustainability measures have been submitted including energy efficiency measures, low/zero carbon systems in the form of solar PV panels on the roof, water efficiency measures, use of environmentally low impact materials and separation of waste and recyclables. The attainment of an "very Good" BREEAM rating for the non-residential floorspace and the GLA's priority sustainability measures for the new residential units is acceptable in terms of complying with the requirements of Policy 5.2 of the London Plan and Policy DM H2 of the DM LP on sustainable design and construction. This will be secured by Condition 34.

Air Quality:

3.103 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.

3.104 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, Mechanical Ventilation and Low Emissions Strategy.

3.105 Building Emissions are controlled by Policy 3.2, 5.3 and 7.14 London Plan and Policy DM H8 of the DM LP. 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.

3.106 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. These are outlined as part of air quality requirements in Conditions 36 to 39 (inclusive).

Contamination:

3.107 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and Policy DM H7 and H11 of the DM LP 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.

3.108 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions would be attached covering the assessment and remediation of contaminated land if the application were to be approved (Conditions 40 - 45).

COMMUNITY INFRASTRUCTURE LEVY:

Mayoral CIL:

3.109 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 £274,200 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. The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3.

Local CIL:

3.110 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 in order 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 £996,626 based on the additional floorspace has been calculated.

PLANNING OBLIGATIONS:

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

3.112 In the event that planning permission were to be acceptable, in accordance with Section 106 of the Town and Country Planning Act 1990 (As Amended) the applicant would be required to enter into a legal agreement. The Legal Agreement will include the following Clauses:

(1) Developer to pay £1,125,000 contribution towards off-site affordable housing provision

(2) Any reconfiguration to increase the total number of residential units be subject to a revised affordable housing financial appraisal.

(3) Developer to pay £44,052 to account for the shortfall in terms of meeting the London Plan's requirement for major development to achieve zero carbon emission.

(4) Parking permit free development.

(5) Developer to pay for Highway Works comprising of the following:

- (i) footway repaving;
- (ii) reconstruction of the crossover fronting Michael Road.

4.0 CONCLUSION :

4.1 The proposed development would create well-designed mixed use - residential scheme that would complement its setting and protect the character of the adjacent conservation area. 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 considered to be in accordance with relevant national guidance, London Plan policies, the Core Strategy, DM LP and Planning Guidance Supplementary Planning Document Policies.

5.0 RECOMMENDATION

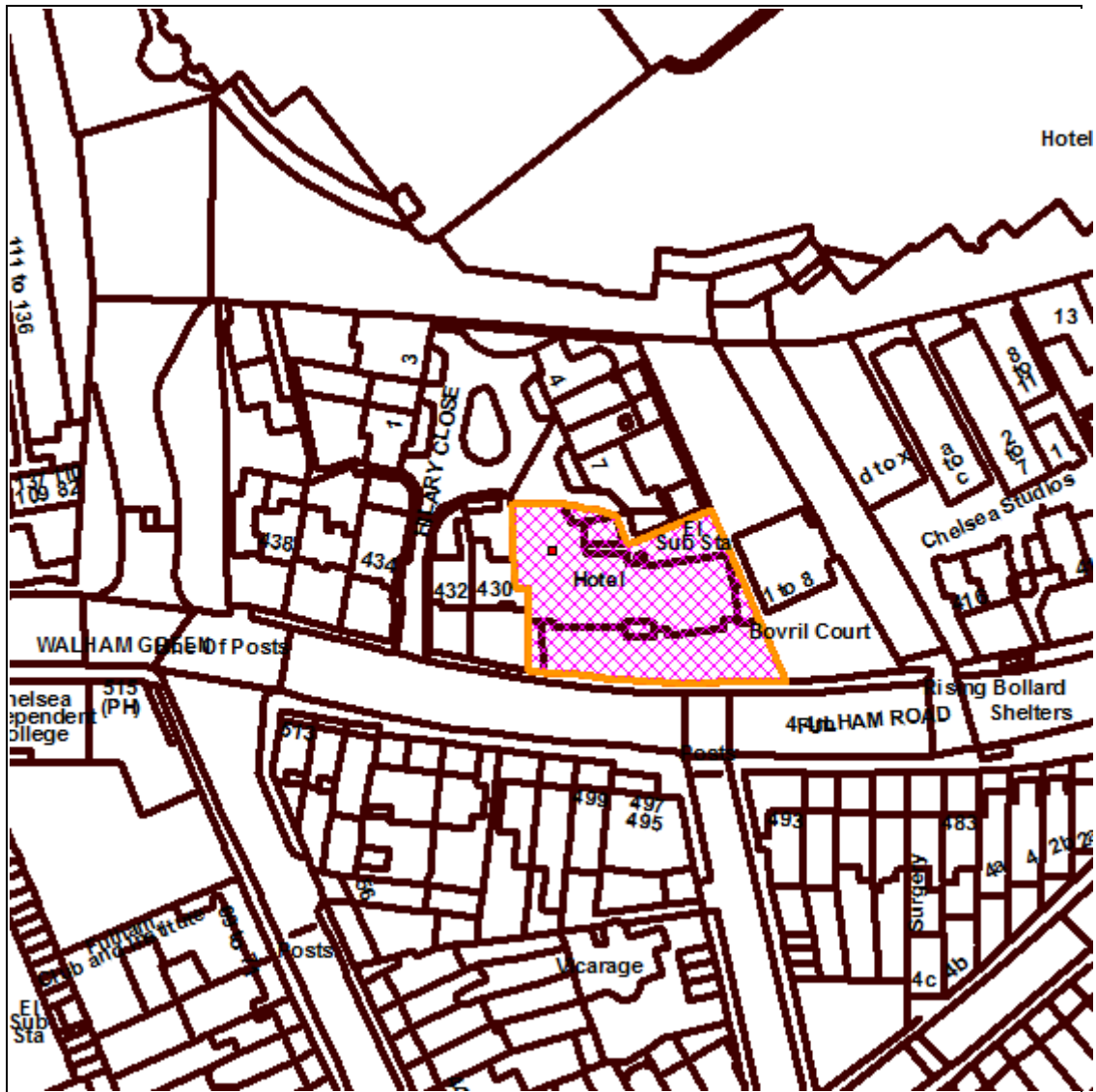
5.1 That the Committee resolve that the that the Lead Director for Regeneration Planning and Housing Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to conditions.

5.2 To authorise the that the Lead Director for Regeneration Planning and Housing Services in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification, variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

Ward: Parsons Green And Walham

Site Address:

La Reserve Hotel 422 - 428 Fulham Road London SW6 1DU



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Reg. No:
2017/01128/FUL

Case Officer:
Sian Brown

Date Valid:
20.03.2017

Conservation Area:
Moore Park Conservation Area - Number 30

Committee Date:
25.07.2017

Applicant:

Mr Shahram Sakhdari
25 Rochdale Road Manchester M4 4HT

Description:

Redevelopment of the site comprising the demolition of the existing hotel building and erection of a four storey plus basement building for use as a hotel (Class C1).
Drg Nos: PL00 B; PL01 B; PL02 B; PL03 B; PL04 B; PL05; BPL06 B; PL07 B; PL08 B; PL09 A; PL10 B; PL11 B; PL12 B; PL13 B; PL14 B; PL15 B; PL16 B; PL17 B; PL18 B; PL19 B; PL20 A; PL21; Sustainability Statement, Ref: 20705 Version 2, dated 17 March 2017; Energy Statement, Revision D, dated 17; Flood Risk Assessment & Surface Water Drainage Strategy, ref: FRALR Version 3.2, dated April 2017; Heritage Statement, dated March 2017 and Addendum Version 2, dated 9 June 2017; Arboricultural Report, by ACS (Trees) Consulting, 10th March 2017

Application Type:

Full Detailed Planning Application

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 up on the completion of a satisfactory legal agreement and subject to the condition(s) set out below

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: PL00 B; PL01 B; PL02 B; PL03 B; PL04 B; PL05; BPL06 B; PL07 B; PL08 B; PL09 A; PL10 B; PL11 B; PL12 B; PL13 B; PL14 B; PL15 B; PL16 B; PL17 B; PL18 B; PL19 B; PL20 A; PL21.

In order to ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 3) The demolition works hereby permitted shall not be undertaken before:
 - (i) a building contract for the redevelopment of the site in accordance with this planning permission has been entered into, and a signed copy of the building contract has been submitted to, and approved in writing by, the Council;
 - (ii) written notice of the start date for the demolition process has been submitted to the Council. Such notification shall be to the Council's Head of Development

Management and shall quote the application reference number specified in this decision letter.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area and the settings of neighbouring buildings of merit, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 4) The development hereby permitted 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 premises shall be used as a hotel and for no other purpose, including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended in 2005), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the site for any other purpose, including other purposes within Class C1, could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policy T1 and CC4 of the Core Strategy (2013) and Policies DM H9, DM H11, DM J1 and DM J2 of the Development Management Local Plan (2013).

- 6) The development shall not commence until a Demolition Management Plan and a Demolition Logistics Plan have been submitted to and approved in writing by the Council. These 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. The details shall also include the numbers, size and routes of demolition 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. Details regarding tree protection should also be included. 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, the amenities of local

residents 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 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 (2013).

- 7) The development hereby permitted shall not commence until a Construction Management Plan and a Construction Logistics Plan have been submitted to and approved in writing by the Council. The details shall include any external illumination of the site during construction, contractors' method statements, waste classification and disposal procedures and locations, suitable site hoarding/enclosure, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, the numbers, size and routing of construction vehicles and other matters relating to traffic management to be agreed. All works shall be carried out in accordance with the approved plan.

To ensure no unacceptable adverse effect on the amenities of surrounding occupiers and highways, in accordance with Policies DM J6 and DM H11 of the Development Management Local Plan (2013).

- 8) The development hereby permitted shall not commence until details and samples of all external materials, including of brickwork demonstrating the brick colour, bond, pointing style, mortar colour have been submitted to and approved in writing by the Council. A sample panel showing brickwork, rendered finishes, stone profiles and metalwork shall be erected onsite for the Council's inspection prior to commencement of the works. 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, to preserve the character and appearance of the conservation area, and the setting and special architectural and historic interest of the adjacent locally listed buildings in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

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

- a) a typical bay and junctions of the building with No. 430 Fulham Road
- b) details of the roof, to include the parapet, mansard, plant screen and all excrescences. All plant must be contained within the plant room and not project above the mesh screen.

To ensure a satisfactory external appearance and to prevent harm to the street scene, to preserve the character and appearance of the conservation area, and the setting and special architectural and historic interest of the adjacent locally listed buildings in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 10) The development hereby permitted shall not commence until details of all external ground and flat roof surfaces have been 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, to preserve the character and appearance of the conservation area, and the setting and special architectural and historic interest of the adjacent locally listed buildings in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 11) The development shall not commence prior to the submission and approval in writing by the Council of details of all proposed external lighting, including security lights, and the use shall not commence until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Core Strategy Policy BE1, and Policies DM G1, DM G7, DM H10 and DM H11 of the Development Management Local Plan 2013.

- 12) No plumbing or pipes, other than rainwater pipes, shall be fixed externally on the front (Fulham Road) elevation of the building hereby approved.

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

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

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

- 14) 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 part of the development hereby permitted, without having first been submitted to and approved in writing by the council. The development shall only be carried out in accordance with the details hereby approved.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the building, in

accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 15) 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 Policies DM G1, DM A9, DM H9 and DM H11 of the Development Management Local Plan (2013).

- 16) 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.

To ensure a satisfactory external appearance and to preserve the integrity of the design of the building in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1, DM G7 and DM G8 of the Development Management Local Plan (2013), and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by artificial lighting, in accordance with Policies DM H10 and H11 of the Development Management Local Plan (2013).

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

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM E4 and DM G7 of the Development Management Local Plan (2013).

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

To ensure a satisfactory provision for planting in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM E4 and DM G7 of the Development Management Local Plan (2013).

- 19) The development hereby approved shall be carried out in accordance with the Arboricultural Report, by ACS (Trees) Consulting, dated 10th March 2017.

To ensure the Council is able to properly assess the impact of the development on any trees and prevent their unnecessary loss, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM E4 and DM G7 of the Development Management Local Plan (2013).

- 20) The Norway Maple tree (T2) and the Common Lime tree (T4) to be removed shall be replaced during the next winter planting season following the date of this decision. Details of the replacement tree, including species and height, shall be submitted and approved in writing by the Council before the tree is removed.

To ensure a satisfactory provision for tree planting, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM E4 and DM G7 of the Development Management Local Plan (2013).

- 21) Prior to the commencement of the development, a statement of how "Secured by Design" requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. 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 7.3 of the London Plan (2016), Policy BE1 of the Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 22) The entrance doors hereby permitted shall have a level threshold at the same level as the area fronting the entrance. The entrance door shall not be less than 800mm wide.

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policy 7.2 of the London Plan (2016), Policy DM G1 of the Development Management Local Plan (2013) and SPD Design Policy 1 of the Planning Guidance Supplementary Planning Document (2013).

- 23) A minimum of 10% of all hotel bedrooms 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. This arrangement shall thereafter be permanently retained.

To ensure the provision and retention of facilities for all, including disabled people, in accordance with Policy 4.5 of the London Plan (2016) and Policies DM B2 and DM G1 of the Development Management Local Plan (2013).

- 24) The hotel use hereby permitted shall have a maximum of 70 bedrooms as detailed on the approved drawings previously listed.

In granting this permission, the Council has had regard to the particular circumstances of the case. The increase in the number of bedrooms could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policy T1 and CC4 of the Core Strategy (2013) and Policies DM H9, DM H11, DM J1 and DM J2 of the Development Management Local Plan (2013).

- 25) Prior to use 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 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.

To ensure that the amenity of occupiers of the development site/ 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).

- 26) Prior to use of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that [machinery, plant/ equipment] [extract/ ventilation system and ducting] are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of 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 (2013).

- 27) Neither music nor amplified loud voices emitted from the commercial part of the development shall be audible at any residential/ noise sensitive premises.

Reason: 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).

- 28) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of sound insulation of the building envelope and other mitigation measures, as appropriate. Details shall demonstrate that noise from uses and activities is contained within the building/ development site and shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 29) Prior to commencement of the use, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the 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. The approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

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

- 30) The development hereby permitted shall not be occupied until the new windows to the side elevation, facing Bovril Court, at ground, first, second and third floor level have been installed fixed shut with obscure glazing, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. Thereafter the windows shall be retained in the form approved.

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 (criteria ii) of the Planning Guidance Supplementary Planning (2013).

- 31) No part 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 building does not harm the amenities of the existing neighbouring residential properties as a result of overlooking, loss of privacy and noise and disturbance, in accordance with Policy DM G1, DM H9 and DM H11 of the Development Management Local Plan (2013) and SPD Housing Policy 8 (ii) and (iii) and SPD Amenity Policy 25 of the Planning Guidance Supplementary Planning Document (2013).

- 32) The door from the "restaurant/bar" of the hotel at ground floor level hereby approved, as indicated on drawing number PL02 B, shall be alarmed and used only in the case of emergencies and for maintenance purposes and shall remain closed at all other times. The external open area to the rear shall not be used by customers or members of staff as any form of open amenity space.

To ensure the use of the building and grounds does not harm the amenities of the existing neighbouring residential properties as a result of noise and disturbance, in accordance with Policy DM G1, DM H9 and DM H11 of the Development Management Local Plan (2013) and SPD Amenity Policy 25 of the Planning Guidance Supplementary Planning Document (2013).

- 33) The height of the boundary treatment to the rear of the site, adjoining Hilary Close, shall not exceed the existing boundary as measured from the ground floor level of Hilary Close, as indicated on approved drawing PL02 B.

To ensure that the extension is built in accordance with the approved plans and does not result in an unacceptable sense of enclosure to the adjoining residential properties, and in accordance with Policy DM G1 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013).

- 34) The restaurant hereby approved shall only be used to serve breakfast to customers of the hotel hereby approved.

To ensure the use of the building and grounds does not harm the amenities of the existing neighbouring residential properties as a result of noise and disturbance, in accordance Policies DM H9 and DM H11 of the Development Management Local Plan (2013).

- 35) No part of hotel hereby approved shall be occupied prior to setting out of 4 car parking spaces as identified on approved drawing PL02 B. These spaces must be clearly identified and marked out, including 2 spaces set aside for parking by Blue Badge Holders. All such approved details shall be installed and permanently maintained for the accommodation of vehicles of guests 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 of the Core Strategy (2011) and Policies DM B2, DM J1 and DM J2 of the Development Management Local Plan (2013).

- 36) The development hereby permitted shall not be occupied until details of secure cycle parking spaces to be provided in connection with the proposed hotel have been submitted to and approved in writing by the Council, and such details shall be implemented prior to the occupation or use of the hotel and permanently retained thereafter for such use.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers, in accordance with Policies 6.9 and 6.13 of The London Plan (2016) and Policy DM J5 of the Development Management Local Plan (2013).

- 37) The hotel development hereby permitted shall not be occupied or used until the refuse storage arrangements shown on approved drawing no. PL02 B including provision for the storage of recyclable materials, have been fully implemented, and fitted with self-closing doors. All refuse/recycling generated by the development hereby approved shall be stored within the approved areas. These areas shall be permanently retained for this use.

To ensure the satisfactory provision of refuse storage and recycling, in accordance with Policy DM H5 of the Development Management Local Plan (2013).

- 38) The development hereby permitted shall only be carried out in accordance with the recommendations set out in the Sustainability Statement, Ref: 20705 Version 2, dated 17 March 2017. Within 6 months of first occupation/use of the premises, confirmation that the development meets the requirements of the 'Very Good' BREEAM rating shall be submitted (in the form of a post-construction BREEAM assessment), to the council for its written approval.

To ensure that sustainable design is implemented, in accordance with Policy 5.3 of The London Plan 2011 and Policies DM G1 and H2 of the Development Management Local Plan (2013).

- 39) The development shall only be carried out in complete accordance with the measures outlined within the approved Energy Statement, Revision D, dated 17

March 2017, unless otherwise submitted to and approved in writing by the council. The development shall only be carried out in accordance with the details approved. The development shall be permanently maintained as such thereafter.

To ensure that the development is consistent with the Mayor's carbon emissions objectives in accordance with Policies 5.1, 5.2 and 5.7 of the London Plan (2016) and in accordance with Policy CC1 of the Core Strategy (2011) and Policies DM G1 and DM H1 of the Development Management Local Plan (2013).

- 40) The development hereby permitted shall only be carried out in accordance with the approved flood risk and SuDS measures hereby approved in the submitted Flood Risk Assessment & Surface Water Drainage Strategy, ref: FRALR016 Version 3.2, dated April 17, and thereafter all measures shall be retained and maintained in accordance with the approved details.

To reduce the risk of flooding to the proposed development and future occupants in accordance with policy CC2 of the Core Strategy (2011), Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan (2016) and part 10 of and the Technical Guidance to the National Planning Policy Framework (2012).

- 41) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, 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. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment 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 approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining risks posed by any contamination to human health,

controlled waters and the wider environment. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, 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. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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 the approved remediation method statement has been carried out in full if required by the approved quantitative risk assessment, 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 appropriate waste Duty of Care documentation 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 method statement to be submitted and approved by the Council and verification of these works included in the verification report. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 45) 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 setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, 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 the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 46) 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 Mayors 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_x 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 (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).

- 47) Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system with NO_x filtration 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 accommodation to demonstrate that they avoid areas of NO₂ or PM exceedance e.g. Fulham Road. 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. 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. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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).

- 48) Prior to the commencement of the development 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_x 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_x 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) guidance. It must also identify mitigation measures as appropriate to reduce building emissions to below GLA benchmark levels. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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).

49) Prior to the operation of the CHP units and the Ultra-Low NO_x Gas fired boilers, the following shall be submitted to and approved in writing by the Local Planning Authority:

- Evidence that the termination height of the Flue stacks for the CHP plant has been installed a minimum of 5 metres above the roof level of the tallest part of the building

- Details to demonstrate that the CHP Plant, Ultra Low NO_x Gas fired boilers and associated abatement technologies shall meet a minimum dry NO_x emissions standards of 50mg/Nm³ (at 5% O₂) and 30 mg/kWh (at 0% O₂) respectively.

- Following installation, emissions certificates and the results of NO_x emissions testing of each CHP unit and Ultra Low NO_x gas boilers by an accredited laboratory will need to be provided to the Local Planning Authority to verify emissions.

Where any installations do not meet the relevant emissions standard it should not be operated without the fitting of suitable NO_x abatement equipment or technology as determined by a specialist to ensure comparable emissions. The approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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).

Justification for Approving the Application:

- 1) 1. Land Use: The principle of a new and enlarged hotel in this location is acceptable in land use terms. The proposal complies with the NPPF (2012), Policy 4.5 of the London Plan (2016), Policy B of the Core Strategy (2011), and Policy DM B2 of the Development Management Local Plan (2013).
2. Design and heritage: The principle of the land use is considered acceptable. The loss of the existing building of merit has been justified and the replacement hotel building would respect and reflect the townscape attributes of the group of villas and of the conservation area and lift the quality of the street and townscape. Subject to conditions requiring the submission of a signed building contract for the replacement development before commencing demolition, and final details of materials the proposal complies with NPPF (2012), Policies 7.1, 7.6 and 7.8 of the London Plan (2016), Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 21 and 44 of the Planning Guidance Supplementary Planning Document (2013).
3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. Measures would be secured by conditions to minimise noise and disturbance from the operation of the hotel and any associated mechanical equipment to nearby occupiers from the

development. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policy CC4 of the Core Strategy (2011), Policies DM G1, DM H9 and DM H11 of the Development Management Local Plan (2013) and SPD Housing Policy 8 and SPD Amenity Policies 18, 24 and 25 of the Planning Guidance Supplementary Planning Document (2013).

4. 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 Policies 4.5 and 7.2 of the London Plan (2016), Policies DM B2 and DM G1 of the Development Management Local Plan (2013) and SPD Design Policies 1, 2 and 3 of the Planning Guidance Supplementary Planning Document (2013).

5. Highways matters: Subject to conditions, and the completion of a satisfactory legal agreement relating to the submission of a Travel Plan, servicing and delivery plan, and a DLP and a CLP; funding towards cycle and highway improvements; together with the prevention of coach bookings there would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 5.13, 6.1, 6.2, 6.3, 6.9, 6.10, 6.11 and 6.13 of the London Plan (2016), Policies T1 and CC3 of the Core Strategy (2011), Policies DM J1, DM J2, DM J4, DM J5, DM H5, DM H8, DM H9, DM H10 and DM H11 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 5, 28 and 34 and SPD Amenity Policies 19 and 26 of the Planning Guidance Supplementary Planning Document (2013).

6. 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 of the 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).

7. Sustainability and Energy: 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 Policies 5.1, 5.2 and 5.7 of the London Plan (2016), Policy CC1 of the Core Strategy (2011) and Policy DM H1 of the Development Management Local Plan (2013) on carbon reduction, and Policy 5.3 of the London Plan (2016), Policy DM H2 of the Development Management Local Plan (2013) and SPD Sustainability Policy 25 of the Planning Guidance SPD (2013) on sustainable design and construction.

8. Air Quality: 9. 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).

9. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan (2016), 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).

10. Planning Obligations: The application proposes that its impacts are mitigated by way of financial contributions to fund improvements that are necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with Policy 8.2 of the London Plan (2016) and Policy CF1 of the Core Strategy (2011).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 17th 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:	Dated:
Environment Agency - Planning Liaison	04.04.17
Thames Water - Development Control	10.04.17
Historic England London Region	28.03.17
Transport For London - Land Use Planning Team	28.03.17
Royal Borough Of Kensington And Chelsea	13.04.17

Neighbour Comments:

Letters from:	Dated:
21 Moore park road London sw6 2hu	12.04.17
7 Hilary Close Fulham London SW6 1EA	20.04.17
39A Moore Park Road London SW6 2JB	04.04.17
469a Fulham Road Fulham London SW6 1HL	11.04.17
55 Britannia Road London SW6 2JR	14.04.17
85 Friern Barnet Lane London N20 0XU	26.04.17
53 Purser's Cross Road Parsons Green SW6 4QY	12.04.17
5 Hilary Close London SW6 1EA	31.03.17

OFFICER REPORT

1.0 BACKGROUND

Site:

1.1 The application property comprises a three storey plus basement, semi-detached building, situated on the North side of Fulham Road. The building is situated within the Moore Park conservation area, and is also on the Council's Register of Buildings of Merit.

1.2 The property is in use as a hotel, comprising 43 rooms, with a separate nightclub and restaurant in the basement area. The application site adjoins a residential development (Hilary Close) to the rear, with Chelsea Football Stadium beyond that. To the west the site adjoins 430 and 432 Fulham Road, a pair of three storey plus semi basement buildings of merit, occupied by a nursery and residential units respectively. To the east, sits the three storey plus basement flatted development of Bovril Court.

1.3 Relevant planning history:-

In December 1993 planning permission was refused for the erection of an additional floor at roof level (1992/01591/FUL) on grounds of visual amenity (altered roofline and impact to conservation area) and residential amenity (loss of privacy).

In January 1998 planning permission was approved for the erection of a part single storey part two-storey extension to the rear of the premises (1997/02233/FUL). This was not implemented.

In December 1998 planning permission was refused for the erection of an additional floor at roof level (1998/00775/FUL) on grounds of visual amenity (altered roofline and impact to conservation area) and residential amenity (loss of privacy). This was subsequently dismissed at appeal. The Inspector concluded "the additional floor would result in a building that is out of character with its surrounding. Because it would be higher than its immediate neighbours it would also become more dominant in the street scene in this part of the Conservation Area;" and " the proposal would result in an unacceptable impact on the living conditions of the occupiers of residential properties in Hilary Close as a result of overlooking, loss of privacy and intrusion."

In February 1999 planning permission was approved for the erection of a part single storey, part two-storey rear extension (larger version of 1998 permission) (1998/00778/FUL). This was not implemented.

In August 2003 planning permission was refused for the erection of a single storey extension on top of the existing linen store, on the eastern flank of the hotel (2003/02880/FUL) on grounds of visual amenity.

In July 2005 planning permission was refused for the erection of an extension on top of the existing linen store, on the eastern side of the hotel (2005/01141/FUL) on grounds of residential amenity (loss of outlook and an increased sense of enclosure).

In November 2008 planning permission was approved for the erection of a rear extension at ground, first and second floor levels; erection of an extension above the

existing linen store to the side of the building (for use as an office) together with related alterations and associated landscaping at basement level (2008/00962/FUL). This was not implemented.

In March a planning application for the redevelopment of the site comprising the demolition of the existing hotel building and erection of a four storey plus basement building for use as a hotel was withdrawn (2016/05278/FUL).

Following advice from officers there have been pre-application meetings with extensive discussions regarding the detailed design of the front elevation and the height of the building. In response to this a planning application has been submitted.

Proposed Development

1.4 The proposed development relates to the demolition of the existing three storey plus basement building and the erection of a four storey, plus basement building to provide a hotel (Class C1). The proposed hotel use would provide 70 bedrooms, together with a front of house reception and an ancillary restaurant for breakfast use only.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application has been advertised by means of a site notice and a press advert, and some 443 individual notification letters have been sent to the occupiers of neighbouring properties.

2.2 In total, 8 objections have been received, including one from a planning consultant on behalf of the Freeholders of Hilary Close. The objections received are summarised below:

- No case for demolition of building of merit and errors in Heritage Statement
- Harm to heritage assets including the building of merit, neighbouring buildings of merit and the conservation area
- Existing building should be retained and refurbished
- Unacceptable design
- Excessive height
- Privacy and overlooking
- Loss of light and overshadowing
- Noise and disturbance associated with traffic and works during demolition and construction, particularly taken together with the works to Chelsea football stadium
- Noise from the operation of the hotel kitchen and plant equipment
- Increased traffic movements

2.3 Historic England advised that they do not wish to offer any comments

2.4 Transport for London raises no objection subject to conditions securing a: travel plan; cycle parking; a delivery and servicing plan; a construction management and logistics plan (CMLP); prevention of coach parties; and any necessary local pedestrian/cycle improvements by appropriate s106/s278 agreements.

2.5 The Royal Borough of Kensington and Chelsea raise 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 SPD), include: land use and acceptability of a hotel use in this location; the demolition of the existing building of merit; scale, bulk, design and appearance of the proposed building and the impact on the conservation area; impact on existing residential amenities of neighbouring properties; traffic impact on the highway network; and environmental impacts.

LAND USE

3.2 Paragraphs 18 and 20 of the NPPF states the Government is committed to securing economic growth in order to create jobs and prosperity; and to help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

3.3 London Plan Policy 4.5 aims for boroughs to support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision. The Policy seeks to achieve 40,000 net additional hotel bedrooms across London by 2036, of which at least 10 percent should be wheelchair accessible. The proposed scheme for a 70 bed hotel would contribute towards the target. Wheelchair accessibility is discussed below.

3.4 Core Strategy Strategic Policy B states the council will support the local economy and inward investment in the borough. Under Policy B and DMLP Policy DM B2 major new visitor accommodation will be directed to the three town centres and the Earls Court and West Kensington and White City Opportunity Areas.

3.5 While it is noted that the site lies just outside and to the east of Fulham Town Centre and the Earls Court and West Kensington and White City Opportunity Areas the site is an established location for hotel use.

3.6 The justification to Policy DM B2 sets out the criteria against which proposals for visitor accommodation and facilities should be considered. These include:

- well located in relation to public transport;
- no detrimental impact on the local area;
- no loss of priority uses such as permanent housing;
- provision of adequate off street servicing;
- at least 10% of hotel bedrooms designed as wheelchair accessible;
- a high standard of design; and
- schemes should add to the variety and quality of local visitor accommodation.

3.7 The site is located just outside Fulham Town Centre, however it is near to good public transport links to the tube network and buses, with a PTAL rating of 5. The development provides the opportunity to increase and improve the quality of the visitor accommodation offered by the existing hotel. There would be no loss of priority uses, such as permanent housing; subject to conditions there would be adequate provision for servicing; and at least 10% of rooms would be accessible (these issues are considered

further below). Accordingly, it is considered that the location is suitable for the expansion of visitor accommodation in principle, subject to suitable controls on noise mitigation, traffic, servicing, and other matters relating to environmental impact.

HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

General policy background:

3.8 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.

3.9 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.

3.10 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.

3.11 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 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.

3.12 The site is located within the Moore Park Conservation Area. There are views of the application site from both directions along Fulham Road and from Maxwell Road opposite. The existing hotel building (Nos. 422 to 428) and the adjoining buildings (Nos.430 and 432) are all 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.

Policy background with regard to the significance of affected heritage assets:

3.13 Consideration needs to be given to the character and appearance of the conservation area as a designated heritage asset, and to the loss of the building of merit as a non-designated heritage asset.

3.14 The issue of designation is an important one since it will affect which paragraphs 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 (Buildings of Merit) assets.

3.15 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 Moore Park Conservation Area was designated in April 1989. The Council has produced a Conservation Area Appraisal for the conservation area 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.'

3.16 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.....".

3.17 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".

3.18 Paragraph 136 of the NPPF states that:

'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'

3.19 Paragraph 137 states that:

'Local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.'

3.20 Paragraph 138 recognises that:

'not all elements of a Conservation Area will necessarily contribute to its significance.'

The designated heritage asset of Moore Park Conservation Area:

3.21 The area comprising the Moore Park Conservation Area was the earliest estate development to be built in Fulham, being laid out in the 1850s and completed in the following decade. The Fulham Road part of the area is characterised by a variety of building types and styles resulting in a townscape of building groups with contrasting textures, colours and details. The Moore Park Conservation Area was designated on 10 April 1989 to retain the character of the area around Fulham Road between Fulham Broadway and the Borough boundary, including Buildings of Merit such as the Sir Oswald Stoll Foundation and Chelsea Studios, and the residential area of Victorian terraces between Fulham Road and King's Road.

The non-designated heritage assets of the Buildings of Merit:

3.22 The application property, Nos. 422 to 428 (even), comprises a three storey plus basement, semi-detached property, situated on the north side of Fulham Road and lying within the Moore Park conservation area. The building has been on the Council's Register of Buildings of Merit since 1989 by reason of its original design as two pairs of mid-19th Century stucco villas which form part of a larger group of such villas in Fulham Road, including the adjacent pair of semi-detached villas Nos. 430 and 432. These were often built in pairs to emulate a single large dwelling, further emphasised by a shared, unbroken parapet line that conceals the roof behind. In particular the height, scale and set back from the street of the existing building continues the characteristic linear pattern of villa development along the north side of Fulham Road.

3.23 This type of building is characterised by decorative detailing such as cornices, moulded architraves and porches. While Nos. 430 and 432 remain in good condition these features have been removed in the case of the subject property. Unsympathetic alterations, some of which have occurred since designation in 1989, including infilling of the western gap with the neighbouring property at Nos. 430 and 432, and infilling of the gap between the two original pairs of villas of the application site, the installation of PVCu windows and the main entrance as well as the rear extension have significantly altered the building's original appearance and affected its historic significance. With regard to the original fabric, only the building frontages without any decorative features except the rusticated stucco at ground level), parts of the side and rear walls (the latter now internal due to the rear extension) as well as some balustraded parapets have survived.

Assessment of the proposed demolition of the Building of Merit:

3.24 The proposed development involves the demolition of Nos. 422 to 428 (even) Fulham Road.

3.25 With regard to the selection criteria suggested by English Heritage/Historic England which is also to be applied to non-designated heritage assets, officers consider that some merits of the building relating to age, aesthetic value and group value survive. The group value of the building is the overriding merit of the building as emphasised in the Conservation Area Character Profile. The age and architectural style of the surviving original parts of the building reflect the time of the first development of this area as a wealthy Victorian suburb, and its characteristic height and proportions are still evident in the main elevations and visible in context with the remaining group of villas in the townscape. However, the unsympathetic changes to all villas of the group have caused harm to the significance of the buildings of merit and the conservation area, and of all remaining villas the application site building is the most detrimentally affected, as described above.

3.26 It is stated that the existing hotel offers sub-standard facilities for its guests. The quality of the accommodation itself also falls short of current standards and expectations for a hotel in this location. This is partly due to the physical and structural limitations of the 1970s conversion of the residential buildings to hotel use, and the rear extensions added at that time. In particular, it is noted that the existing hotel is tired and dated and suffers from: inadequate plant room spaces and worn-out services distribution within the building; the limitation on mechanical plant on the flat roof; a lack of disabled accessibility into the hotel due to the raised ground floor; very poor acoustic isolation between timber bedroom floors and some partitions and walls; limited kitchen, storage and catering facilities.

3.27 As an alternative approach to redevelopment the applicants have included an assessment as to whether the original parts of the building can be retained and restored, architectural features be reinstated and inappropriate extensions be replaced to enhance the building of merit. This would involve stripping back the 20th century additions and restoring the original villa front facades, including the slated pitched roofs and chimneys, the missing party walls and chimney breasts would where possible, as well as the front entrance steps, original windows and façade ornamental features. A replacement rear extension would also be erected.

3.28 However, this option was considered impractical. The costs of partial demolition, propping and new construction within the existing structural shell would be greater than the costs of redevelopment. In addition, there would be a reduction to the amount of usable floor area compared to the current proposal, and as such the number of bedrooms would only increase from 43 to 48. Furthermore, restoring the bedrooms to the front of the building to their original form would result in either bedrooms too large for the hotel, or too small if the bedrooms were subdivided. Accessibility into the building would also be further compromised due to the retained raised ground floor, and the requirement of a ramp or accessible lift which may not be acceptable visually. And finally the spatial and structural limitations in the basement, due to the existing wall layouts, would not be able to accommodate the need for a larger plant room.

3.29 The proposals represent a significant upgrade of an outmoded long established hotel use in need of modernisation.

3.30 It is concluded that physical limitations imposed by the existing building structure and layout restrict the upgrading of bedrooms and hotel facilities, and that restoration, alterations and improvements to the existing building have been examined and reviewed but do not enable a realistic deliverable improvement. Whilst the applicants

have continued to invest in maintaining this converted three-star hotel for nearly 50 years, it is considered that redevelopment of the site would be the only practical and viable option to retain the existing hotel use on the site.

3.31 The contribution of this Building of Merit as originally built is significantly weakened and compromised by the impact of the alterations to the building and has become superficial, given that the rear part of the building, the side extensions and most of the interior are of modern construction and, in particular the infills and loss of features in the frontages are considered to severely harm the historic significance of the building. to an extent where Officers consider its designation as building of merit no longer reasonably meeting the criteria laid out for the designation of locally listed buildings in Design Policy 20 of the Planning Guidance Supplementary Planning Document. Therefore, when balancing the scale of the loss of the non-designated heritage asset in accordance with NPPF paragraph 135, the proposed demolition is not considered to cause harm.

3.32 Overall, the building's contribution to the significance of the conservation area therefore can be assessed to be neutral at best. In the event of an acceptable replacement building being secured the loss of the Building of Merit would not cause harm to the significance of the Conservation Area.

New development:

3.33 The application proposes to replace the three storey plus basement building with a four storey plus basement building that replicates the visual concept of 2 pairs of villas with a contemporary expression. The original submissions were considered understated and Officers have negotiated an improved, visually interesting and articulated frontage.

3.34 The proposed front elevation would largely follow the existing building line with some variations in setbacks and with a small projection of approximately 0.5 metres to the frontage of the eastern pair of villas. The gaps on either side to the neighbouring properties at No. 430 and Bovril Court would be reinstated and widened respectively while the facade between the villa frontages itself would be recessed as existing. The rear building line would be extended out and the façade designed to complement the front with a simple design. A low, hipped, artificial slate-clad roof is proposed to accommodate plant that would be set back behind a strong parapet. This roof would not be visible in oblique views from Fulham Road.

3.35 The expression of two pairs of villas would be created by two new, projecting facades that would be characterised by painted stucco rendering and strong stone cornices. Further refinement would be added by moulded stone window surrounds and distinct metal window framing as well as, to emphasise the base of the building, by deep, stepping recesses to the openings, textured rendering and black steel railings around the front light wells. The recessed elevation between the projecting villa facades would be treated differently, using decorative brickwork and a contemporary metal canopy to mark the hotel entrance. The overall level of detailing and refinement is designed to complement the historic façade hierarchy, features and quality of the surviving villas in a contemporary manner.

3.36 The ground floor would have level access in the centre of the plan. Lightwells for the basement with railings are proposed along the majority of the frontage. The

remainder of the paved forecourt would be enclosed by new boundary walls with railings of traditional design to match neighbouring boundary treatments.

Conclusion

3.37 The proposed Fulham Road façade has been designed with a clear visual reference to the group of villas and the character and appearance of the conservation area and makes a positive contribution to the setting of the neighbouring buildings of merit and to the character and appearance of the conservation area. Officers consider that the quality of the detailing would complement that of the original villas and together with the clearer separation between the villas the proposal would enhance and better reveal the significance of the conservation area in line with paragraphs 132 and 137 of the NPPF.

3.38 The proposed new building would be an opportunity to respect and reflect the townscape attributes of the group of villas and of the conservation area and lift the quality of the street scene and townscape. In accordance with paragraph 136 of the NPPF, a condition has been attached to the consent requiring the submission of a signed building contract for the replacement development before commencing demolition (condition 3). Final details of the materials to be used in the external appearance of the building be conditioned for future approval (condition 10).

Trees:

3.39 London Plan Policy 7.21 is concerned with protecting trees, and requires that if a tree is to be removed, it should be replaced following the principle of 'right tree, right place'. DMLP Policy DM E4 seeks to protect existing trees and maximise planting; and SPD Sustainability Policy 22 and SPD Design Policy 56 encourages the planting of additional trees.

3.40 There are two Norway Maple trees to the front of the site and there are several mature trees at or near the rear boundary with Hilary Close. The application is supported by an Arboricultural report which includes mitigation measures to protect the trees during and after construction. The report does state however that two trees, one of the Norway Maple trees to the front, due to its poor condition, and a Common Lime tree to the rear, which has outgrown the site due to its cramped location, will be felled and replaced by suitable alternatives. The Council's Arboricultural Officer has considered the report and is satisfied that these two trees can be replaced, and that the remaining trees in and around the site will be protected during the works and their long term health will not be compromised by the proposed development. Conditions 19 and 20 will secure the implementation of the measures contained within the arboricultural report, and the planting of replacement trees. On this basis the proposal complies with London Plan Policy 7.21, DMLP Policy DM E4 and SPD Sustainability Policies 22 and 56.

Accessibility:

3.41 London Plan Policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design. Policy DM G1 and SPD Design Policies 1, 2 and 3 require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings. Specifically, London Plan Policy 4.5 and DMLP Policy DM B2 require at least 10% of hotel rooms to be accessible. Access requirements have now been incorporated into Building Regulations.

3.42 The existing hotel does not fully comply with current standards of accessible facilities in any of the public, staff or bedroom spaces. The Design and Access Statement confirms the new hotel will comply with current standards. In particular the proposed hotel would incorporate 7 accessible hotel rooms (10% of all the bedrooms), which will be located on various levels. Furthermore, 2 accessible car parking spaces will be available for blue badge holders in the front forecourt. All entrances from the street and forecourt would be level and there would be an accessible lift serving all floors available for visitors and staff. Detailed access matters would be covered under Building Regulations. On this basis the proposal accords with London Plan Policy 4.5, Core Strategy Policy B, DMLP Policies DM G1 and DM B1 and SPD Design Policies 1, 2 and 3.

Safety and Security:

3.43 The NPPF, London Plan Policy 7.3, Core Strategy Policy BE1 and DMLP Policy G1 require new development to incorporate crime prevention measures to provide a safe and secure environment.

3.44 Secure by design principles have been incorporated into the development where possible. The nature of the hotel with people arriving, occupying, and leaving the hotel, as well as a 24 hour manned reception desk will promote natural surveillance and enhance the safety of the surrounding streets. Furthermore, CCTV systems and external lighting would be incorporated to improve security. A condition for final details of the Secure by Design measures to be incorporated into the development is recommended (condition 21).

RESIDENTIAL AMENITY

3.45 Policy DM G1 of the DMLP states all proposals must be formulated to respect the principles of good neighbourliness. DM H9 and DM H11 of the DMLP relate to environmental 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.

3.46 The application site adjoins an existing backland residential site (Hilary Close) to the north, which comprises two terraces of seven three-storey houses that face onto each other across a central courtyard. The nearest property, No. 7, sits perpendicular to the rear boundary of the site, and is separated by an existing electricity substation. The flank wall of No. 7 contains one window which serves a staircase, however there are views of the existing hotel from the rear garden. Bovril Court is a 4 storey residential block sits to the east. In this case there are two windows at ground, first, second and third floor levels in the west flank wall directly facing onto the existing flank wall of the hotel which serve a bedroom and bathroom at each level.

Outlook and increased sense of enclosure:

3.47 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 development will have on the existing amenities of neighbouring properties.

3.48 The rear boundary that adjoins the garden of No. 7 Hilary Close is historic in nature and measures approximately 2.2 metres in height (it is proposed to replace this with a new boundary of the same height). Therefore, it is considered reasonable to take the angle of 45 degrees from 2.2 metres. In this case the existing hotel already breaches an angle of 45 degrees taken from the top of the boundary.

3.49 Compared to the existing the proposed hotel would be marginally larger both in footprint and height. The east portion of the new hotel would be 2.3 metres closer to the boundary with No. 7 Hilary Close, and would be 0.9 metres higher. However, this part of the proposed development would face predominantly onto the electricity substation and flank wall of No. 7. While the new hotel would be visible from the rear garden of No. 7 the increased footprint and height would not be significantly different from the existing situation. Given the orientation of the garden, together with the modest increase in scale and negligible impact to overshadowing (see below) it is not considered the development would cause any significant demonstrable harm to the outlook and sense of enclosure to No. 7 Hilary Close. The rear wall of the western portion of the new hotel will be on the same line as the existing hotel, with the exception of the corner which would project 800mm. In this case due to distance and orientation from the front elevations of the properties in Hilary Close it is not considered the proposed development would cause undue loss of outlook or increased sense of enclosure.

3.50 In the case of Bovril Court, although there would be a very small increase in height, the effect of that 0.9 metres increase would be offset by the increased separation from the new building by 0.8 metres which would improve the existing situation.

3.51 On this basis the proposal is judged to comply with DMLP Policy DM G1 and SPD Housing Policy 8.

Privacy:

3.52 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.

3.53 In this case there is already a large number of hotel bedroom windows in the rear elevation of the existing hotel which overlook Hilary Close. Furthermore, the houses in Hilary Close are part of two separate terraces, perpendicular to the rear elevation of the existing hotel, and which face onto each other across a central courtyard. As such views between residential and hotel windows are limited by the oblique angles. Whilst some of the bedroom windows in the eastern part of the building, adjacent to No. 7 Hilary Close, will be 2.3 metres closer to the rear boundary, due to the orientation of No. 7 Hilary Close there would be no opposing habitable room windows and therefore no direct views. In addition to the above the rear windows in the new hotel have been designed to be smaller than the existing windows, containing 0.75 sqm of clear glazing compared to the existing 3.5 sqm to minimise the perception of overlooking. Furthermore, the rear windows in the top floor will be within setback 0.4 metres behind a raised parapet, again minimizing views. There would be three small windows facing Bovril Court that will serve bathrooms and will include obscure glazed glass. Details of the glazing will be

secured by condition 30. On this basis it is not considered the proposal would cause undue loss of privacy to surrounding residential properties, in accordance with Policy DM G1 of the DMLP and SPD Housing Policy 8 (ii).

Sunlight/daylight:

3.54 The Council has had regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 - "Site Layout Planning for Daylight and Sunlight - A guide to good practice". The BRE guidelines advise that the guidance should be applied flexibly and there are circumstances that will exist where a greater degree of obstruction to light can on occasion be acceptable.

3.55 The applicant has carried out a daylight/sunlight assessment in line with the BRE guidelines on the potential impact of the massing of the proposed building on the surrounding properties of Bovril Court and Hilary Close. The impact to Chelsea Studios and the playground of the nursery at No. 430 have also been considered. The report states that as the resultant hotel would be only marginally higher and deeper the changes to daylight, sunlight and overshadowing would be well within the BRE guidelines. Officers have studied this report and share its conclusions. The proposed development would not result in any significant demonstrable harm to the amenities of the neighbouring properties. On this basis, it is considered that overall daylight and sunlight levels would be satisfactory, and the proposal complies with DM LP Policy DM G1.

Noise:

3.56 London Plan Policy 7.15 states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise, separating new noise sensitive development from major noise sources through the use of distance screening, or internal layout and promoting new technologies and improved practices to prevent noise. CC4 of the Core Strategy advises that the Council would seek to minimise the impact of noise, by managing the development and distribution of noise sensitive development in the borough. DMLP Policies DM H9 and DM 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. These are supported by SPD Amenity Policies 18, 24 and 25.

3.57 The development will be on a busy road just outside of the town centre and in front of Chelsea Football Stadium where there is already a high level of background noise. However there have been noise implications associated with the existing hotel due to its historic use and resultant lack of planning controls. The proposed development has the potential to bring about permanent improvement in this respect.

3.58 The existing hotel offers only bed and breakfast accommodation for guests. The scheme will continue to include a restaurant offering breakfast only. This will also be secured by a condition (condition 34).

3.59 There is currently a large flat roof to the rear of the premises at ground floor level, which has been used without planning permission as a roof terrace. That roof terrace has been deleted from the current scheme. There would also be no public or staff access to the rear open area at ground floor other than for periodic maintenance of the

garden area. It is proposed to attach conditions to secure this and to prevent the flat roof areas of the building being used as a roof terrace (conditions 31 and 32). Conditions relating to sound insulation will also be attached (condition 28).

3.60 The location of plant within a building has a significant impact on noise emissions. In the new hotel, all primary plant and the kitchen will be in a basement plantroom, with the boiler and kitchen extract flue rising to the roof, within an internal duct inside the building. This will assist in reducing external noise emissions. The low-pitched slate roof will include a concealed sunken deck along the centre line of the roof. This will contain the main air-conditioning chiller and air handling plant. As well as acoustic containment within the units, this location also provides natural screening of extraneous noise from the plant. Conditions will secure details of noise, vibration and odour controls of the equipment (conditions 25, 26 and 29).

TRANSPORT ACCESS AND PARKING

3.61 The NPPF requires that developments which generate significant movement are located where the need to travel would be minimised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Policies 6.1, 6.3, 6.10, 6.11 and 6.13 of The London Plan set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards. Core Strategy Policy T1 supports The London Plan. DMLP Policy J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. DMLP Policy DM J2 and DM J4 of the with Development Management Local Plan set out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. These are supported by SPD Transport Policies 3 and 5.

3.62 The site is located on Fulham Road, and has a Public Transport Accessibility level (PTAL) of 5, which is classified as 'very good' in terms of its proximity to the public transport networks and service availability. Fulham Town Centre and Fulham Broadway Underground Station are within easy walking distance to the east, and there are bus stops immediately outside the site.

Travel Plan:

3.63 The application is accompanied by a draft Travel Plan which sets out the objectives and measures to be incorporated in a Travel Plan. The Travel Plan will aim to target both staff and guests. The Council's Highways Officer is satisfied with the draft document and recommends an Active Travel Plan in line with Transport for London guidance is submitted together with allowance for monitoring by the Council. This would be secured by a S106 obligation requiring the development to fund the annual review and revision of the travel plan if necessary after one, three and five years of operation.

Car/Coach Parking:

3.64 Policy 6.13 of the London Plan seeks a balance between promoting new development and preventing excessive car parking and sets maximum parking

standards in table 6.2. Policy J2 of the DMLP requires compliance with the Council's car parking standard except in exceptional circumstances and DM J4 stated at least one blue badge holder parking space should be provided for hotels.

3.65 The existing entrance and exit arrangement will remain, permitting cars and taxis to drop-off or collect passengers within the site. There would be no provision for coach parking on the site, and the developer has agreed to enter into an agreement not to permit coaches parking on Fulham Road. Four parking spaces, two of which would be for blue badge holders would be provided within the site on the front forecourt, and this is considered acceptable. The existing vehicular exit position will be modified to permit the proposed adjacent accessible parking bays. The Applicant has agreed to fund the cost of the works to the highway, including any associated footway improvements. This will also form part of a S106 Agreement.

Cycle Parking:

3.66 Policy 6.9 of the London Plan requires cycle parking to be provided in all new development. Table 6.13 of the London Plan sets out the minimum cycle parking standards that developments should accord with in line with Policy 6.9. The minimum standards for C1 use is 1 short term space per 50 bedrooms and 1 long stay space per 20 bedrooms. Policy J5 of the Development Management Local Plan seeks increased opportunities for cycling and walking and allows for hotels (over 30 bedrooms) to have 1 space per 20 bedrooms with 1 space per 3 staff.

3.67 Space has been allocated within the front forecourt. Full details will be provided by condition 36. In addition cycle improvements involving the delivery of cycle links and improving off-site cycle routes towards Fulham town centre have been generally supported through developments in order to make cycle use more attractive and ensure that car trips are minimised. A contribution towards cycle routes improvements in the vicinity of the site would be secured by the S106 Agreement.

Servicing and Deliveries:

3.68 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3 and DMLP Policy DM H5 require development to incorporate suitable facilities for the storage and collection of segregated waste. SPD Transport Policy 34 seeks off-street servicing for all new developments.

3.69 A draft servicing and delivery strategy has been submitted which confirms deliveries, servicing and refuse collection are proposed to take place within the site. A designated area has been provided on the western part of the forecourt. The highways Officer considers this to be acceptable. A final strategy will be secured by a S106 Agreement.

Demolition and Construction Phase:

3.70 A Draft Demolition Logistics Plan (DLP) and Construction Logistics Plan (CLP) have been submitted with this application. However, as the final contractors will not be appointed until a decision on the application is made this will require further details prior to the commencement of both demolition and construction works. The documents consider nearby developments such as Chelsea Football Stadium to ensure the cumulative impact on the highway is minimised.

3.71 The Highways Officer has considered the document and is satisfied the demolition and construction works would not adversely impact on the operation of the public highway. Final documents would be appropriately conditioned 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 6 and 7).

ENVIRONMENTAL IMPACT

Sustainable Design & Construction:

3.72 London Plan Policy 5.3 and DMLP Policy DM H2 are concerned with promoting sustainable design and construction. Policy DM H2 states that 'sustainable measures should be included in developments and sustainability statements are required for all major developments to ensure that a full range of sustainability uses are taken into account'. SPD Sustainability Policy 25 requires major planning applications to provide details of how use of resources will be minimised during construction.

3.73 As required, a Sustainability Statement has been submitted. A BREEAM assessment has been carried out for the new development which shows that the proposed sustainable design and construction measures can achieve the "Excellent" BREEAM rating. This is adequate to meet the requirements of DMLP Policy DM H2 and London Plan Policy 5.3 on sustainable design and construction. Measures planned for the site include measures to reduce energy use and CO2 emissions, reduce use of other resources such as water, make use of building materials with low environmental impacts, minimise waste and promote recycling. It is recommended that the development be carried out in accordance with the measures and recommendations in the Sustainability Statement and that a Post-Construction BREEAM Assessment be prepared and submitted to the council for approval. Condition 38 would secure this.

Energy:

3.74 London Plan Policy 5.1 seeks to achieve an overall reduction in London's carbon dioxide emission of 60% from 1990 levels, by 2025. Core Strategy Policy CC1 and London Plan Policy 5.2 requires developments to make the fullest contribution possible to the mitigation of, and adaptation to, climate change. DMLP Policy DM H1 and London Plan Policy 5.7 seek to reduce carbon emissions by implementing energy conservation measures and renewable energy generation.

3.75 As required, an Energy Assessment has been carried out for the new hotel which includes the integration of energy efficiency measures, including efficient Combined Heat and Power (CHP) unit, improved air permeability measures to reduce heat loss and also energy efficient lighting. The energy assessment shows an improvement of just under 36% in terms of CO2 emissions reductions compared to the minimum requirements of the Building Regulations 2013. The proposed sustainable energy measures reduce CO2 emissions and meet the London Plan target of a 35% reduction in emissions. The implementation of the carbon reduction measures will be secured by a condition (condition 39).

3.76 Renewable energy generation is not planned at this stage although the installation of a solar PV panel system on the south facing pitch roof has been assessed as potentially feasible. Officers have explored the use of PV panels. While it is

acknowledged that this would further increase CO2 reductions, the installation of PV panels on the Fulham Road roof slope could jeopardise the proposal being acceptable on visual amenity grounds. Without a visual impact assessment having been conducted by the applicant, and given the proposal already meets policy requirements in terms of CO2 reductions it is not considered the use of PV panels would a requirement.

Flood Risk and Sustainable Urban Drainage Systems (SUDs):

3.77 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.

3.78 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.

3.79 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.

3.80 This site is in the Environment Agency's Flood Zone 3. This indicates a high risk to flooding from the Thames, although the site is well protected by flood defences such as the Thames Barrier and local river walls. If these were breached or over-topped, the site could be impacted by flood waters, although this possibility is not expected to be a potential issue until 2100. As the site includes a basement, groundwater and sewer flood risks are issues that are relevant for the application but the site is not in a surface water flooding hotspot, so this source of flooding is not significant.

3.81 The submitted Flood Risk Assessment (FRA) confirms that structural waterproofing measures will be integrated into the basement in the form of cavity drain membrane and sump/pump system. This will be capable of protecting the new building from groundwater whilst also not increasing flood risk off-site. Reference is also made to including a sump pump to manage internal drainage. Internal access routes will be provided from the basement to upper floors so that in the unlikely event of a flood, there is a means of escape available for occupants. The FRA also details flood resilience measures to be integrated to help mitigate flooding impacts. The proposed measures in this respect are adequate, and these will be secured by a condition (condition 40).

3.82 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 condition will secure the implementation, retention and maintenance of the proposed SUDs measures (condition 40).

Contamination:

3.83 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. SPD Amenity Policies 2, 3, 4, 5, 7, 8, 12, 13, 14, 15 relate to contamination. Policy 16 sets out the common submission requirements for planning conditions relating to contamination and policy 17 deals with sustainable remediation.

3.84 A preliminary risk assessment has been submitted as part of this application, which confirms that potentially contaminative land uses, past or present, are understood to occur at, or near to this site. Further site investigation together with a risk assessment, remediation and long term monitoring would all need to be carried out during and following any redevelopment works, to ensure that no unacceptable risks would be caused to humans, controlled waters or the wider environment. Conditions to this effect (41 to 45) have been attached, in accordance with London Plan Policy 5.21, Core Strategy Policy CC4 and DMLP Policies DM H7 and H11.

Air Quality:

3.85 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.

3.86 The development site is within the borough wide Air Quality Management Area (AQMA). The site is in an area of poor air quality due to the road traffic emissions. The development proposal will introduce new receptors into an area of poor air quality.

3.87 As stated under the 'Energy' section of this report the integration of energy efficiency measures, including a Combined Heat and Power (CHP) unit, enables a 36% reduction in CO₂ emissions. However, the use of a CHP conflicts with ability of the proposal to meet the requirements of Air Quality. The CHP will result in a new emission source being introduced into the area and will cause a further deterioration in local air quality in a designated AQMA, which would be contrary to London Plan Policy 7.14 (B) part c.

3.88 The applicant has considered several alternative measures to achieve both Energy and Air Quality requirements, however this has not been successful. The development could meet the target for CO₂ emissions reduction of 35% and air quality requirements by using a combination of air quality neutral technologies such as ASHP, PV panels in addition to ultra Low Gas boilers without the need for the use of a CHP. However, in the first instance there is not enough space on the building to fit the required number of PV panels to meet the target. Notwithstanding this, as mentioned above, the installation of PV panels on the Fulham Road roof slope could jeopardise the proposal being acceptable on visual amenity grounds. The applicant considered the use of an ASHP without the PV panels however this can only achieve a 24% CO₂ reduction.

3.89 On this basis the Council's Environmental Quality Officer considers that a relaxation in policy is justified in this instance. Subject to 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 46-49) the proposal is acceptable under London Plan Policy 7.14, Core Strategy Policy CC4 and DMLP Policy DM H8.

PLANNING OBLIGATIONS

3.90 In dealing with planning proposals, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations. London Plan policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance on the priorities for obligations in the context of overall scheme viability.

Community Infrastructure Levy:

3.91 Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London-wide Mayoral CIL the development, according to the figures provided in the applicant's mayor CIL form, is estimated to be liable for a £28,700.00 plus indexation payment. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3.

Local CIL:

3.92 The borough's own community infrastructure levy came into effect on 1st September 2015. The proposed charge for this part of the borough would be nil charge for hotel (Class C1) use.

S.106:

3.93 The proposed legal agreement would incorporate the following heads of terms:

- Fund necessary highway works arising from the development to Fulham Road frontage
- Provision of a Travel Plan, and fund associated reviews
- Development to be 'Coach free' (no coaches associated with the hotel use to park within the site or on Fulham Road; and hotel to advertise this restriction on their website)
- Fund cycle route improvements (£25,000)
- Provision of a Servicing and Deliveries Management Plan
- Provision of a Demolition and Construction Logistics Plans, and fund liaison with Local Contractor Co-ordination Group associated with monitoring of the demolition and construction process.

3.94 Overall, the proposed development is considered to be acceptable subject to conditions and s106 obligations.

4.0 CONCLUSION AND RECOMMENDATION

4.1 The principle of the land use and the nature of the proposal are considered acceptable. The loss of the existing building of merit has been justified and the replacement hotel building would be compatible with the scale and character of existing townscape and would enhance the setting of the conservation area. The proposal would not cause demonstrable harm to the amenities of neighbouring residents. The impact of the development, subject to conditions and s.106 agreement, 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.

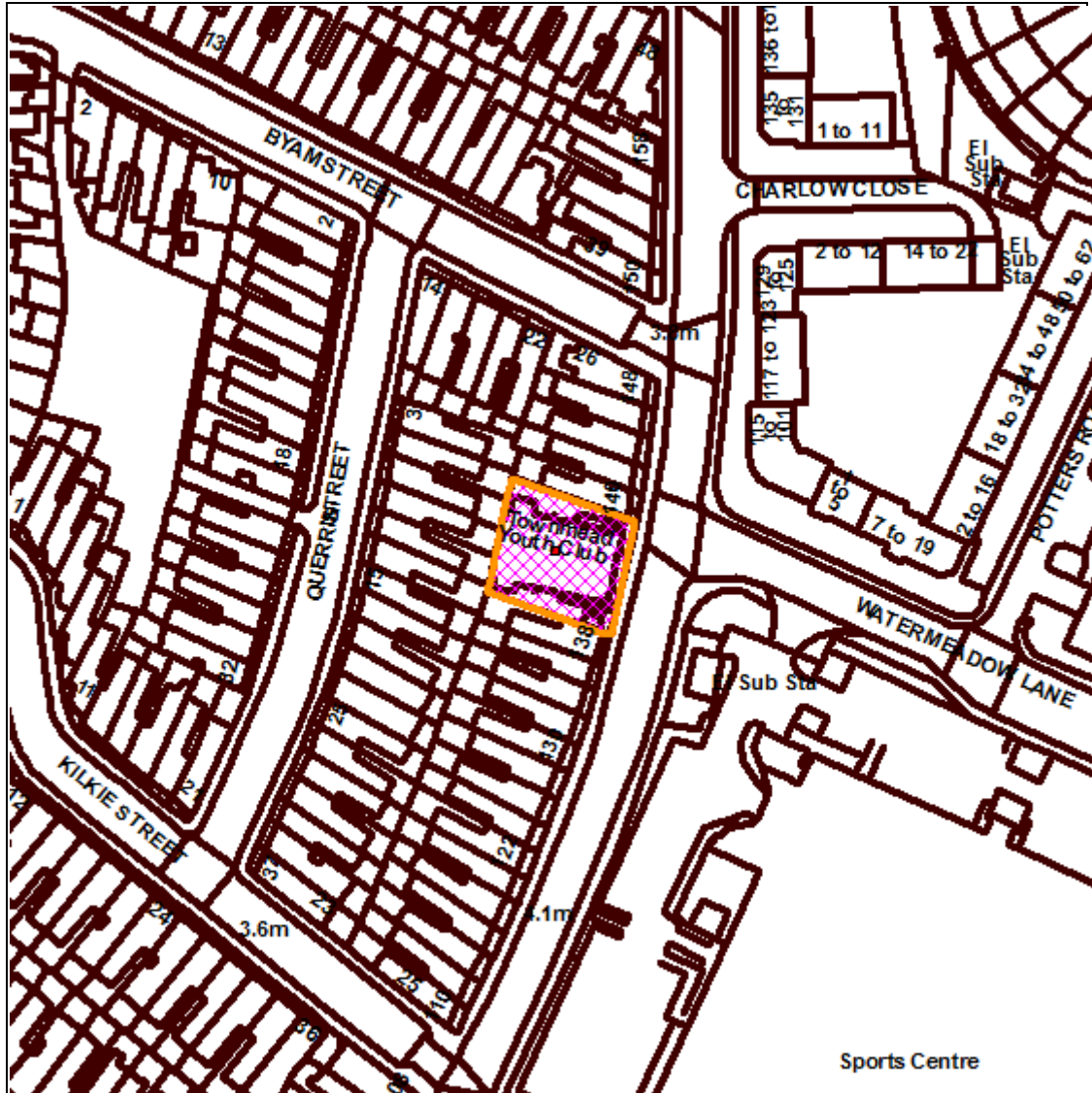
4.2 That the Committee resolve that the Lead Director for Regeneration Planning and Housing Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to conditions.

4.3 To authorise that the Lead Director for Regeneration Planning and Housing Services in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or heads of terms or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification, variation, addition or deletion of the conditions and heads of terms as drafted to ensure consistency between the two sets of provisions.

Ward: Sands End

Site Address:

St Michael's Centre Townmead Road London SW6 2SR



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For identification purposes only - do not scale.

Reg. No:
2017/01116/FUL

Case Officer:
Aisling Carley

Date Valid:
20.03.2017

Conservation Area:

Committee Date:
25.07.2017

Applicant:

St Michaels Centre
C/O Agent

Description:

Demolition of the existing St Michael's Centre with the exception of the front facade and erection of a four storey plus basement building for mixed use as a community centre/place of worship; 6 residential self - contained residential units with associated cycle storage and refuse storage.

Drg Nos: WP-0470-PL-: 0070-P-B1; 071-P-L1; 0055-E-E; 0076-E-N; 0077-E-S; 0078-E-W; 0080-S-AA; 0081-S-BB; 0070-P-B1; 0101-P-B1 Rev A; 0102-P-L0 Rev A; 0102-P-L1 Rev A; 0103-P-L2 Rev A; 0104-P-L3 Rev A; 0105-P-L4 Rev A; 0200-E-E Rev A; 0201-E-N Rev B; 0202-E-S Rev A; 0057-E-W Rev A; 0300-S-AA Rev A; 0301-S-BB Rev A

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: WP-0470-PL-: 0070-P-B1; 071-P-L1; 0055-E-E; 0076-E-N; 0077-E-S; 0078-E-W; 0080-S-AA; 0081-S-BB; 0070-P-B1; 0101-P-B1 Rev A; 0102-P-L0 Rev A; 0102-P-L1 Rev A; 0103-P-L2 Rev A; 0104-P-L3 Rev A; 0105-P-L4 Rev A; 0200-E-E Rev A; 0201-E-N Rev B; 0202-E-S Rev A; 0057-E-W Rev A; 0300-S-AA Rev A; 0301-S-BB Rev A;

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 each 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 Policies DM G1 of the Development Management Local Plan (2013).

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

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

- 7) 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 adjacent

conservation area in accordance with policies 7.1, 7.2, 7.4, 7.5 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 8) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the front elevations of the building(s) hereby approved.

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

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

To ensure a satisfactory external appearance, in accordance Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G7 of the Development Management Local Plan (2013).

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and G7 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 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 Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 12) 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, DM G1 and DM G7 of the Development Management Local Plan (2013)

- 14) 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).

- 15) The glass installed for the entrance on Townmead 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 of the Development Management Local Plan (2013).

- 16) No external roller shutters shall be attached to the community centre frontage.

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).

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

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).

- 18) 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, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 19) 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(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 15dB 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).

- 20) Prior to use 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 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.

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

- 21) Prior to the use of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/equipment extract/ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of 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 2013.

- 22) Neither music nor amplified/loud voices emitted from the community use part of the development shall be audible at any residential/ noise sensitive premises.

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.

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 24) 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).

- 25) With exception to the private roof terrace areas shown on approved drawings: WP-0470-PL-: 0103-P-L2 Rev A; 0104-P-L3 Rev A; 0105-P-L4 Rev A 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).

- 26) The development hereby permitted shall not commence until details and samples of 1.7m high obscure glazed screen as measured from the floor level of the terraces and identified windows as outlined on plans: 0201-E-N Rev B; 0202-E-S Rev A to be used in connection with the roof terraces and windows have been submitted to and approved in writing by the Council. The use of terraces 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).

- 27) Prior to the first occupation of the community centre, details of operational hours for the community centre shall be submitted to and approved in writing by the Council. Use of the centre shall accord with the hours as approved.

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

- 28) All external entrance doors in the residential and community centre 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 J5 of the Development Management Local Plan (2013).

- 29) The six 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.

- 30) No occupiers of six 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.

- 31) The six 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.

- 32) 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 WP-0470-PL-101-P-B1 Rev 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 and Table 6.3 of the London Plan (2016) and Policy DM J5 of the Development Management Local Plan (2013)

- 33) 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 WP-0470-PL-101-P-B1 Rev A.

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).

- 34) 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).

- 35) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the Flood Risk Assessment (August 2016) or 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. Confirmation of the structural water-proofing measures implemented at basement level will be submitted for approval by the council prior to commencement of the development. 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.

- 36) 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. 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).

- 37) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details of the green roof, including planting and maintenance plan shall be submitted to and approved in writing by the Council. Development shall accord with the details as approved.

To ensure the provision of green roof in the interests of sustainable urban drainage and habitat provision, in accordance with policies 5.11, 5.13 and 7.19 of the London Plan 2011 and Policy DM E4 of the Development Management Local Plan (2013).

- 38) 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 on residential floors to demonstrate that they avoid areas of NO₂ or PM exceedance e.g. Townmead Road. 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. Approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained

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

- 39) 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_x emissions not exceeding 40 mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NO_x 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. Approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained

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

- 40) 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 address the results of the approved Air Quality Assessment and 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_x 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_x 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) guidance. It must also identify mitigation measures as appropriate to reduce building and transport emissions to below GLA benchmark levels. Approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained

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

- 41) 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 a 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_x 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 (2012), Policies 7.14a-c of the London Plan (2016), Policy CC4 of the Core Strategy (2011) and Policy DM H8 of the Development Management Local Plan (2013).

- 42) No development shall commence until a preliminary risk assessment report, in connection with land contamination, 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; and a statement of whether a site investigation is necessary to address these potentially unacceptable risks. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 43) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, 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 make provision for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment 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 approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the

existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2016, policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 45) 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, if deemed to be required in the approved quantitative risk assessment, 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. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 46) 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 if required by the approved quantitative risk assessment, and have been carried out 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 appropriate Waste Duty of Care documentation 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 method statement to be submitted and approved by the Council and verification of these works included in the verification report. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 47) 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 setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, 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 the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2011), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document 2013.

Justification for Approving the Application:

- 1) 1. Change of Use: It is considered that the proposed change of land use is acceptable. The increase of community use (Class D1) floorspace and net additional residential units are acceptable and in accordance with the NPPF (2012), Policy 3.3, 4.2 and 4.3 of the London Plan (2016), Policy B, H1, H4 and LE1 of the Core Strategy (2011) and Policy DM A1, DM A3, DM A9 and DM BE1 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 proposal would preserve and enhance the character and appearance of the adjacent conservation area and the conservation of which it forms a part of. 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 and DM G7 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 and layout of the new residential units are considered satisfactory having regard to Policies 3.4, 3.5 and 3.8 of the London Plan (2016), Policies H2, H3 and H4 of the Core Strategy (2011) and Policies DM A2, DM A3 and DM A9 of the Development Management Local Plan (2013), and the amenity provision is considered satisfactory, having regard to the physical constraints of the site, judged against Policy DM A2 of the Development Management Local Plan (2013) and SPD Housing Policy 1 and 3 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, H9, H11 and 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: The development would provide a safe and secure environment for all users in accordance with London Plan (2011) Policy 7.3 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).

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 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 J2, DM J3, DM J5, DM A9 and DM H5 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 5 and 12 and SPD Sustainability Policies 3, 4 and 7 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 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).

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

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 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 Helen Murray (Ext: 3439):

Application form received: 17th 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:

Dated:

Neighbour Comments:

Letters from:

Dated:

47 Harwood Road London SW6 4QL	23.04.17
16 Querrin St Fulham London SW6 2SJ	23.04.17
183 Wandsworth Bridge Road Fulham London SW6 2TT	04.04.17
7 Querrin Street London SW6 2SL	11.04.17
15 Querrin Street Fulham London sw62sl	14.04.17
13 York road Battersea London Sw11 3px	20.04.17

8 Beauchamp Terrace Putney SW15 1BW	20.04.17
47 Harwood Road London Sw6 4ql	20.04.17
47 Harwood Road London Sw6 4ql	23.04.17
26 Ingrebourne Apartments London SW6 2GG	25.04.17
85 Carnwath Road Fulham SW6 3EJ	23.04.17
12 Edenvale Street London SW6 2SF	21.04.17
134 Townmead Road London SW6 2SR	12.04.17
35 Stroud Rd London SW19 8DQ	24.04.17
35 Stroud Rd London SW19 8DQ	30.03.17
15 The Limes Rayliegh London SS6 8TH	22.04.17
Church House Great Smith Street London SW1P 3AZ	12.06.17
15a Hugon Road London SW6 3HB	23.04.17
19 Breer Street Fulham SW6 3HE	20.04.17
40 Haslemere Avenue London SW18 4RP	24.04.17
15a Hugon Road London SW6 3HB	23.04.17
95 Stephendale road London SW6 2lt	24.04.17
41 Markham Street London SW3 3NR	24.04.17
Burntwood Lane London Sw17 0AP	24.04.17
49 Tynemouth Street London SW6 2QS	23.04.17
202 Sullivan court Broomhouse lane Fulham Sw6 3dn	20.04.17
78 Aisgill Avenue West Kensington London W149nf	23.04.17
56 Lillieshall Road London sw4 0lp	30.03.17
1 Birch House 193 Townmead Road London Sw6 2hg	20.04.17
95 Stephendale Road Fulham London SW6 2LT	21.04.17
39 Hazlebury Road London SW62NA	10.04.17
7a Querrin Street London SW6 2SL	12.04.17
48 Peterborough Road London SW6 3EB	14.04.17
42 Beltran Rd Fulham London SW63AJ	20.04.17
Flat 17' Cairns House 291 Wandsworth Bridge Rd SW6 2NX	23.04.17
95 Stephendale Road Fulham London SW6 2LT	21.04.17
57 Clancarty Road London SW63AH	23.04.17
158 Balvernie Grove Southfields London SW18 5RW	23.04.17
15 Querrin St Fulham SW6 2SL	19.05.17
10 Bulow Court Pearscroft Road Fulham SW6 2BP	24.04.17
22 Pearscroft Road London SW6 2BB	24.04.17
10 Elswick Street Fulham SW6 2QR	24.04.17
2A Clancarty Road Fulham London SW63AB	24.04.17
30 Manchuria Road LONDON SW11 6AE	24.04.17
9 Bulow Court Fulham Sw6 2BP	24.04.17
57 Clancarty Road London SW6 3AH	03.04.17
34 Bovingdon Road Fulham London SW6 2AP	23.04.17
46 Coniger Road London SW6 3TA	24.04.17
17B Fernlea Rd Balham London SW12 9RT	24.04.17
9 Carrington Road Richmond TW105AA	24.04.17

1.0 OFFICERS NOTES

1.1 The existing building was built in 1899 as a place of worship. Since the 1970s the centre has been used as a place of worship and a youth club facility. The site is situated on the western side of Townmead Road at the junction with Watermeadow Lane.

1.2 The site has a PTAL score of 4 using Transport for London's methodology, indicating that it has a good level of public transport accessibility.

1.3 The site is not within a conservation area but is adjacent to the Sands End conservation area and within Flood Risk Zones 2 and 3.

1.4 Relevant planning history:

1.5 In 1997, planning permission (1997/00225/FUL) was granted for the erection of a two storey extension to the side of the building and formation of wheelchair access to basement level.

1.6 In 1998, planning permission (1998/00560/FUL) was granted for the erection of a single storey side extension at lower-ground floor level.

1.7 Current Proposal:

1.8 The proposal relates to the demolition of the existing St Michael's Centre with the exception of the front facade and part of the northern flank wall and erection of a four storey plus basement building for mixed use as a community centre/place of worship, 6 self-contained flats with associated cycle storage and refuse storage.

2.0 PUBLICITY AND CONSULTATION

2.1 The application has been advertised by means of a site notice and a press advert, and 62 individual notification letters have been sent to the occupiers of neighbouring properties. 43 letters of support and 6 objections have been received. The objections raised can be summarised as follows:

- Overdevelopment;
- Use as sports hall;
- Appearance and aesthetic;
- Harmful to adjacent conservation area;
- Daylight and sunlight;
- Loss of outlook;
- Increased sense of enclosure;
- Loss of privacy;
- Issues with terraces and precedent they will set;
- Road safety;
- Parking provision;
- Noise and Nuisance from construction works;
- Community engagement;
- Odour;
- Impact on existing trees including TPOs;
- Whether the units to be sold or rented; and,
- Nature of religious use.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan and the Council's adopted Core Strategy, Development Management Local Plan 2013 (hereafter referred to as DM LP) 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; quality of the living environment; quantum and intensity of development; design and appearance; residential amenities of neighbouring properties; and, traffic impact on the highway network.

LAND USE:

Community Facility:

3.2 London Plan Policy 3.16 requires additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. Core Strategy Policy CF1 will support community facilities and services by protecting existing premises that remain satisfactory for these purposes.

3.3 Policy DM D1 of the DM LP supports proposals for new or expanded community uses which meet local need, are compatible with and minimise impact on the local environment and be accessible to all in the community they serve.

3.4 The proposal involves the replacement of the existing place of worship and youth club (Class D1) with a mixed use place of worship and community centre (Class D1). The overall provision of Class D1 space would be increased by some 50% from 467s.qm to 700s.qm, (net increase of 233s.qm). The proposed retention and expansion of this community use complies with Policy 3.16 of the London Plan, Policy CF1 of the Core Strategy and Policy DM D1 of the DM LP.

Residential Development:

3.5 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 DM LP.

3.6 The proposal provides six net additional flats would, contribute towards the boroughs housing targets. The proposal accords with Policy 3.3 of the London Plan, Policy H1 of the Core Strategy 2011 and Policy DM A1 of the DM LP.

Residential Mix:

3.7 Core Strategy Policy H4, Policy DM A3 of the DM LP requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. There should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation. The

justification to Policy DM A3 of the DM LP identifies a particular need in this borough for more family sized housing (3 or more bedrooms).

3.8 The proposed dwelling mix provides 2 x 1 bed, 3 x 2 bed and 1 x 3 bed flats represents a range of unit sizes, including provision of a larger family sized unit. The proposed dwelling mix accords with Core Strategy Policy H4 and Policy DM A3 of the DM LP.

Density:

3.9 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 LP.

3.10 The site is in Public Transport Accessibility Level (PTAL) 4 using Transport for London's methodology, indicating that it has a good accessibility by public transport. Per 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).

3.11 The proposed development site, (0.04 hectares) would have approximately 17 habitable rooms which would result in a residential density of 425 hr/ha (equivalent of 150 unit/ha). The proposed development is within the acceptable range set out in The London Plan Policy 3.4, Policy H3 of the Core Strategy 2011 and Policy DM A2 of the DM LP.

AFFORDABLE HOUSING:

3.12 London Plan Policy 3.13 (Affordable Housing Thresholds) normally requires that affordable housing be provided on sites which include 10 or more homes and that negotiations should take account of development viability.

3.13 Policy 3.12 of the London Plan requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes.

3.14 Policy H2 of the Core Strategy sets a target for 40% of additional dwellings to be affordable, with a preference for intermediate and affordable.

3.15 There is no requirement to provide affordable housing on this site. The number of flats cannot physically be increased to 10 without compromising the visual acceptability of the building and quality of accommodation for future occupiers. 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.

3.16 Officers consider that the units have not been oversized to avoid the requirement for affordable housing and the number of flats within the envelope of the proposed building could not be increased.

3.17 In terms of scale and massing the proposed buildings are at an acceptable maximum. An additional floor, which would increase the proposed bulk of the building behind the retained front facade and this would not be supported in design terms as it would have an unacceptable visual impact.

3.18 The only way to increase the number of flats on site would be to convert the community centre to residential flats. However, the loss of the community use would be unacceptable in principle, as the DM LP seeks to retain existing local community assets.

3.19 In conclusion, the submitted 6-unit scheme represents the most effective and efficient use of this site whilst maximising the development potential. The 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.

3.20 Given the sites constraints set out above and the nature of the development, it is not considered appropriate to require the provision of affordable housing in this case. The application is therefore compliant with the London Plan, Policy H2 of the Core Strategy 2011 and Policy DM A3 of the DM LP.

DESIGN AND APPEARANCE:

3.21 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

3.22 Section 72 of the Planning [Listed Buildings and Conservation Areas] Act 1990 requires that special attention should be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. The site is adjacent to the Sands End Conservation Area.

3.23 London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure contributes to the provision of high quality living environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood. 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.

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

3.25 Policy DM G7 of the DM LP states 'the Council will aim to protect, restore, or enhance the quality, character, appearance and setting of the borough's conservation areas. The justification continues that 'new development should have a good relationship with the character of the surrounding historic environment.'

Demolition:

3.26 It is proposed to demolish the existing Class D1, place of worship and youth club, exclusive of the front façade and part of the northern flank wall which will be retained due to visual interest in the context of the adjacent Sands End conservation area. The proposed demolition behind the retained facade is considered acceptable.

Townscape:

3.27 The site lies on the western side of Townmead Road opposite the junction with Watermeadow Lane. The St Michael's Centre is a 'landmark' within the setting of two storey terraces which are uniform in scale and architectural design. The existing pitched roof of the Centre is equivalent to five storeys in height and occupies a plot equivalent of approximately four rows of terraced housing. To the northeast, Watermeadow Court, a vacant housing development of two blocks of three and four storeys is evident. Adjacent to Watermeadow Court, the Chelsea Harbour Club, a three storey, sports facility is located whilst further to the east along Watermeadow Lane, the part 7, part 8 storey William Morris Way development is visible.

Height, Scale, and Massing:

3.28 The location of St Michael's Centre on Townmead Road forms part of an area of transition due to its location between the riverside development of Fulham Wharf to the south and adjacent Watermeadow Court to the northeast. Watermeadow Court is currently a vacant four storey housing development. Permission (2017/01841/FUL) is currently sought for the redevelopment of Watermeadow Court for a part 5, part 7, part 9 storey development.

3.29 The front facade of St Michael's Centre will be retained due to its visual importance in the street scene along with 4.7m (length) of the northern flank wall. The proposal is identified as three distinct volumes adding to the existing massing: the mansard roof extension setback 3.5m from the front façade and extending 13.5m rearwards towards the rear elevation and two wings shouldering the main roof adjacent to No.138 and No.140 Townmead Road. The wings are modestly setback from the front façade and designed to step up gradually from two storeys to the roof level of the main building, retaining the visual importance of both the front façade and retained flank wall whilst integrating into the existing terraces.

3.30 The proposed replacement four storey plus basement massing would be largely screened from the street by the retained facade. The proposed height, scale and mass would be compatible with the existing retained facades, the adjacent buildings and local townscape.

Elevations and Materials:

3.31 The existing façade forms the main expression of the existing building's architecture and will be retained to maintain the existing architectural detailing and massing from the street. The wing adjacent to No.138 is well articulated with an attractive rhythm of horizontal brick louvres with clear double glazed windows that are sympathetic to adjacent buildings. The aluminium frame presents strong horizontal proportions. The wing consists of a simple steel frame fitting seamlessly into the horizontal line that can be drawn from the adjacent terrace and creates a visual link between the terrace houses and the community centre. Similarly, the wing adjacent to No.140 seeks to maximise transparency and allow a visual link to the existing brick reveal.

3.32 The scheme proposes a simple palette of materials that complements a contemporary lighter manner to the existing front façade. The roof extension will be constructed in a slate coloured zinc or aluminium finish complementing the roof materials of the adjacent properties.

3.33 It is considered that the proposal development would be a high quality development in keeping with the visual appearance of the locality and would make a positive contribution to the urban environment in this part of the Borough and will protect and enhance the adjacent conservation area. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8, Core Strategy Policy BE1 and Policy DM G1 and DM G7 of the DM LP.

QUALITY OF THE PROPOSED ACCOMMODATION

3.34 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. London Plan 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.

3.35 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).

3.36 Policy H3 of 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.

3.37 Policy DM A2 of DM LP 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 DM LP recognises that design and quality of all new is of a high standard and will meet the needs of future occupants and respect the principles of good neighbourliness'.

Size of Units:

3.38 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.

3.39 The proposed residential units have the following floor areas:

1 - bedroom units measuring between 51.7 sq.m and 63.5 sq.m (minimum requirement is between 50sq.m and 58sq.m);

2 - bedroom units measuring between 84.5 sq.m and 88 sq.m (minimum requirement is between 61sq.m and 79sq.m);

3 - bedroom unit measures 88 sq.m (minimum requirement is 86 sq.m).

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

Aspect and Outlook:

3.41 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.' All units would be dual aspect.

3.42 As all the proposed dwellings would exceed the minimum dwelling size requirements of Policy 3.5 of the London Plan, are dual aspect and provide good levels of outlook, they are considered to accord with Policy H3 of the Core Strategy, Policies DM A2 and DM A9 of the DM LP and SPD Housing Policy 8.

Daylight/Sunlight of New Dwellings:

3.43 BRE guidance provides a method for calculating the luminance of a room called Average Daylight Factor (ADF). The BRE sets the following recommended ADF levels for habitable room uses:

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

3.44 15 of out of the 17 rooms meet the BRE Guidelines in terms of ADF for their room usage. Of the remaining rooms, Unit 04, Bedroom 01 would receive 0.88% compared to the recommended 1%. That bedroom is located immediately behind the retained front façade and arched windows which are a key design feature of the existing building. Similarly, Unit 01, Bedroom 02 (second floor level) would only receive 0.11% ADF, however, that bedroom is located immediately behind the retained northern flank wall and arched windows, a design feature which is essential to keep because if it were removed it would be harmful to the appearance of the community centre in the street scene. The secondary bedroom to Unit 01 has been kept small to maximise the ADF result (being proportional to the room size). In these circumstances, given the wider

benefits of keeping the facades together with an improved modern community asset, the relatively modest shortfall in daylight is considered acceptable.

3.45 All units meet the requirements for sunlight targets. Officers have considered these proposals concluding that all habitable rooms satisfy the target levels set out in the BRE.

Floor to Ceiling Heights:

3.46 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 accords with this requirement.

Amenity space:

3.47 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. The standard is quantified as 5 sq.m for 1 to 2 person dwellings and an extra 1 sq.m should be provided for each additional occupant.

3.48 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. The policy continues to state that all new family dwellings should have access to amenity or garden space of not less than 36sqm. 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.

3.49 Unit 1 (2-bedroom unit), Unit 2 (3-bedroom unit), Unit 3 (1-bedroom unit) and Unit 6 (2-bedroom unit) have provision of open amenity space ranging from 2.8sq.m to 7.5sq.m whilst Unit 4 (2-bedroom unit) and Unit 5 (1-bedroom unit) do not have outdoor amenity provision. However, in accordance with Housing SPG Baseline Standards 26 and 27, site constraints may make it impossible to provide private open space for all dwellings and a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. Provision of additional internal space equivalent to the area of the private open space requirement has been incorporated into the GIA of the units.

3.50 On balance, given the physical constraints of the site, the outdoor provision or incorporated internal provision is considered acceptable and generally accords with the Housing SPG, Policy DM A2 of the DM LP and SPD Housing Policy 1 and 3.

Access:

3.51 London Plan Policy 3.8, Core Strategy Policy H4, Policy DM A4 of the DM LP, SPD Design Policy 1 (Inclusive design), SPD Design Policy 2 (Access to facilities inside a building) requires new residential development to be built to M4(2) (Accessible and Adaptable Dwellings) and/or M4(3) (Wheelchair Use Dwellings) of The Building Regulations 2010.

3.52 All the units are arranged in compliance with the spatial requirements and minimum room circulation space sizes complying with Part M of the Building Regulations. The 6 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 the building. A lift has been provided which meets the requirements of Part M of the Building Regulations, furthermore communal stairs has also been provided with 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.

Fire Safety:

3.53 The implementation of means of warning and escape, internal fire spread (linings), internal fire spread (structure), external fire spread and access and facilities for the fire service are issues covered under Part B of the Building Regulations 2010. Building Regulations are statutory instruments that seek to ensure that the policies set out in the Building Act 1984 legislation are carried out.

Secure by Design:

3.54 Policy BE1 of the Core Strategy and Policy DM G1 of the DM LP requires proposals to meet 'Secured by Design' requirements. Condition 23 secures these details.

Noise disturbance to new units:

3.55 The Housing SPG Baseline Standard 30 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 Policies DM A9 and DM H9 of the DM LP, 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.

3.56 To safeguard the amenity of occupiers of the development in terms of noise from transport/commercial/mechanical/residential noise sources conditions 18 - 22 have been attached. The proposal accords with London Plan Policy 7.15, Policies DM A9 and DM H9 of the DM LP and SPD Amenity Policy 24.

RESIDENTIAL AMENITY:

3.57 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 DM LP seeks to 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.' Policies 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.

3.58 The nearest adjacent properties are 5 - 13 Querrin Street to the rear, No.138, and No.140 Townmead Road to either side of the existing building.

Outlook:

3.59 SPD Housing Policy 8 (i) acknowledges that a buildings proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. However, on sites that adjoin residential properties that have rear gardens of less than 9 metres in length this line should be produced at 45 degrees from a point at ground level on the boundary of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines, then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

3.60 The five properties which border the site to the rear (Nos.5, 7, 9, 11 and 13 Querrin) all possess modest gardens (some 5m). The existing rear boundary wall that adjoins those gardens is unusually high (15.9m). That wall would be demolished and rebuilt to the same proportions. To assess the impact on out, it is considered reasonable to take the angle of 45 degrees from the retained height of the wall. As the development at St Michael's Centre has been designed to sit largely within the envelope of the existing building this ensures that the development does not infringe the notional 45-degree line. The proposal would not therefore have an undue impact on outlook and sense of enclosure upon the occupiers along Querrin Street.

3.61 The properties No 138 and No.140 shoulder the site to the north and south. In the case of No.138, the residential core access has been designed to align with the rear boundary of the parent building ensuring there would be no outlook impact to the existing back addition. Similarly, to the elevation adjacent to No.140 the proposal has been designed to follow the established building line of No.140 to second floor level.

3.62 The development would not result in an unacceptable loss of outlook or increased sense of enclosure to the amenity of adjoining properties complying with DM Policy DM G1 and DM A9 and SPD Housing Policy 8

Daylight and Sunlight:

3.63 The Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design. If any or part of a new building in a vertical section breaches an angle of more than 25 degrees to the horizontal, then the daylight and sunlight to an existing building may be adversely affected.

3.64 Officers have considered the Daylight and Sunlight report submitted by the applicants. A total of 50 windows on surrounding buildings were assessed. The

proposal would be fully compliant with BRE guidelines. The surrounding habitable rooms would have sufficient access to daylight and sunlight after the development has been constructed complying with Policy DM A9 and DM G1 of the DM LP and SPD Housing Policy 3 and 8.

Privacy:

3.65 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.

3.66 In the existing street context, the front elevation and associated windows would not result in loss of privacy as they are more than 18m from habitable windows to properties in Watermeadow Lane. No windows are proposed to the rear elevations of the scheme. Windows located at second floor level to the northern and southern elevations have been designed to be 1.7m obscured glazed to protect the privacy of No.138 and No.140 Townmead Road. Similarly, the windows located to the third and fourth floor levels have been designed as rooflights set within the pitch of the mansard roof and obscured glazing to the windows at third floor level and partially obscured at fourth floor level. The proposed balconies have all been designed to be enclosed with 1.7m high obscured balustrades preventing any loss of privacy. These details would be secured by Condition 26.

3.67 It is considered that the proposal would not result in a loss of privacy or overlooking. The proposed development complies with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 and SPD Housing Policy 8 (ii).

Noise and Disturbance:

Terraces:

3.68 Policy H9 and H11 of the DM LP 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 by reason of noise and disturbance will not be supported.

3.69 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas, however, on balance, having regard to the size of the proposed areas, (ranging from 2.5sqm to 7.5sqm) 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.

3.70 The proposed development would have no significant adverse impact on residential amenity in accordance with Policy DM A9, H9 and H11 of the DM LP and SPD Housing Policy 3 and 8 regarding noise.

TRAFFIC GENERATION and CAR PARKING

3.71 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.

3.72 Core Strategy Policy T1 supports The London Plan. Policy DM J3 relates to housing with reduced parking whilst Policy DM J4 of the DM LP requires new development to incorporate ease of access by disabled people and people with mobility impairment. 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. DM J6 relates to development affecting the borough's road network. These are supported by SPD Transport Policies 3, 6, 12 and 22.

Car Parking:

3.73 According to Policy DM J2 of DMLP, 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.

3.74 The site has a PTAL 4 score of using Transport for London's methodology, indicating that it has a good public transport accessibility. The proposal would result in a net increase of 6 residential units. 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 this and these details would be secured by Conditions 29 - 31.

Cycle Parking:

3.75 Cycle parking should be provided in line with London Plan 2011 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.

3.76 For the residential units, secure storage for 10 bicycles is proposed. The plans indicate provision of cycle parking would be made at lower ground floor level for the residential units. Secure storage for 35 cycle parking spaces for the community facility is proposed at lower ground and ground floor level. The number of cycle spaces is considered satisfactory and is secured by Condition 32.

Refuse:

3.77 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3 and T1, and Policies DM H5 and DM J5 of the DMLP 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.

3.78 However, this application does include a refuse management and collection details for all uses at this site. Condition 33 will secure the submission of a Servicing and Delivery Management Plan prior to occupation of the residential and commercial facilities. 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:

3.79 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 - 4).

ENVIRONMENTAL CONSIDERATIONS:

Flood Risk and Sustainable Urban Drainage Systems (SUDs):

3.80 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.

3.81 London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Policy CC1 requires that new development is designed to take account of increasing risks of flooding.

3.82 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. Local Plan 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)

3.83 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 3. Although the site is in Flood Zone 3, it is well defended by existing flood defences such as the Thames Barrier and river walls. However, if these were breached or overtopped, the site could be impacted by flood water. Groundwater and sewer flooding are also risk factors given that a basement is planned. Surface water could pond around the site in the event of an intense storm.

3.84 The FRA proposes a range of mitigation measures to protect the site from flooding. The more vulnerable residential use is proposed for upper floors. The ground and first floor will be designated for non-residential uses. Occupants can therefore remain safe in the event of a flood on site. The FRA also confirms that a flood warning and evacuation plan will be implemented for the site. The ground floor is set to be level with external levels around the building which allows disabled access to the building.

The FRA states that measures to protect against flooding such as protection to thresholds are being considered and will be looked at in more detail in the next stage of the design. Non-return valves are to be included to help protect against sewer surcharge flood risk. These measures are adequate and their implementation is secured by Condition 35.

3.85 In terms of management of surface water run-off, the FRA proposes a green roof which could include blue roof storage. Given that the new building will effectively cover most of the site, the use of the roof to help reduce surface water run-off is acceptable. Furthermore, the is a small outdoor area will incorporate soft landscaping and permeable paving to reduce run-off. These details are secured by Condition 36.

Energy and Sustainability:

3.86 Policy 5.3 of The London Plan states development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. The policies contained in the Core Strategy and Development Management Local Plan are in line with these standards.

3.87 There is no requirement for an energy and sustainability statement for a scheme of this size, however, details have been submitted with the application where it shows the building has been designed to reduce energy consumption by using solar shading, natural ventilation, natural light, recycling of water, good insulation and using local and responsibly sourced materials. The proposal accords with Policy 5.3 of the London Plan.

Air Quality:

3.88 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.

3.89 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 38 - 41.

3.90 Building Emissions are controlled by Policy 3.2, 5.3 and 7.14 London Plan and Policy DM H8 of the DM LP. 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.

3.91 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. These are outlined as part of air quality requirements in Conditions 38 - 41.

Contamination:

3.92 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and Policy DM H7 and H11 of the DM LP 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.

3.93 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions would be attached covering the assessment and remediation of contaminated land if the application were to be approved (Conditions 42 - 47).

Community Infrastructure Levy:

3.94 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 £50,017 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. The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan Policy 8.3.

Local CIL:

3.95 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 in order 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 £150,546 based on the additional floorspace has been calculated.

4.0 CONCLUSION

4.1 The proposed demolition with the exception of the front façade and part of the northern flank wall is acceptable given that the 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 and protect the character of the adjacent conservation area. The proposal would not harm 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 considered to be in accordance with relevant national guidance, London Plan policies, the Core Strategy, DM LP and Planning Guidance Supplementary Planning Document Policies.

5.0 RECOMMENDATION

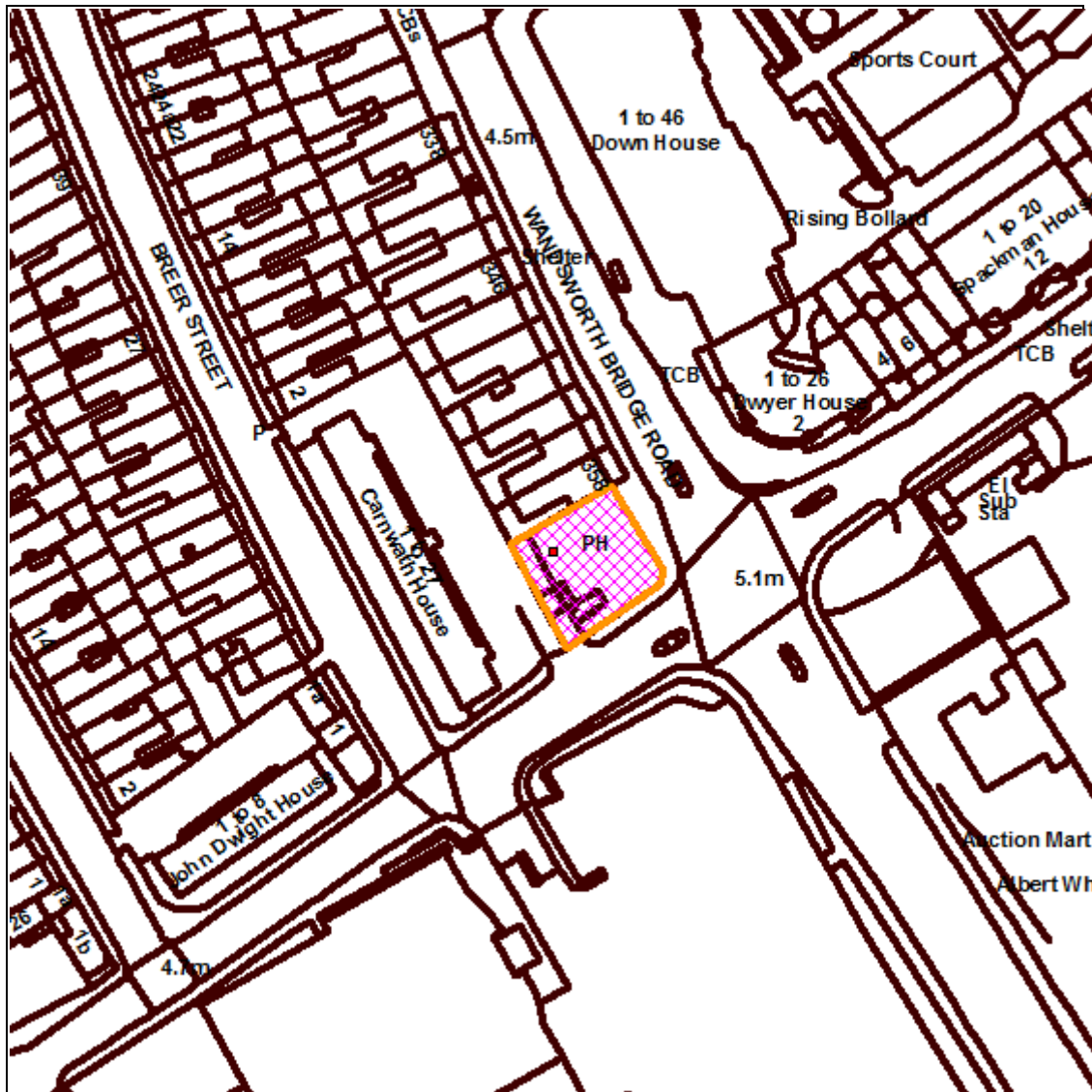
5.1 For the above reasons, it is recommended that planning permission is granted subject to conditions outlined in the report.

5.2 To authorise the Lead Director for Regeneration Planning and Housing Services in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification, variation, addition or deletion of the conditions as drafted to ensure consistency.

Ward: Sands End

Site Address:

Hurlingham 360 Wandsworth Bridge Road London SW6 2TZ



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Reg. No:
2017/01242/FUL

Case Officer:
Graham Simpson

Date Valid:
29.03.2017

Conservation Area:

Committee Date:
25.07.2017

Applicant:

c/o Porta Planning LLP

Description:

Erection of a part three, part four storey building following partial demolition of the existing building, incorporating retained facades to Carnwath Road and Wandsworth Bridge Road and consisting of retail at ground floor level (Class A1) and 7 flats above (Class C3) with roof terrace at third floor level and alterations to shopfronts in retained facades.

Drg Nos: HUR_A_L_92_00 Rev 01;HUR_A_L_92_01 Rev 01;HUR_A_L_92_02 Rev 01;HUR_A_L_92_B1 Rev 01;HUR_A_L_20_B1 Rev 01;HUR_A_L_20_00 Rev 01;HUR_A_L_20_01 Rev 02;HUR_A_L_20_02 Rev 02;HUR_A_L_20_03 Rev 03;HUR_A_L_20_04 Rev 02;HUR_A_L_20_X01 Rev 02;HUR_A_L_20_X02 Rev 04;HUR_A_L_20_X03 Rev 02;HUR_A_L_20_X04 Rev 012;HUR_A_L_92_X05 Rev 01;HUR_A_L_92_X06 Rev 01;HUR_A_L_92_X07 Rev 01;HUR_A_L_92_X08 Rev 01;HUR_A_L_20_X10 Rev 01;HUR_A_L_20_X11 Rev 01;HUR_A_L_21_X01 Rev 02

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: HUR_A_L_92_00 Rev 01; HUR_A_L_92_01 Rev 01; HUR_A_L_92_02 Rev 01; HUR_A_L_92_B1 Rev 01; HUR_A_L_20_B1 Rev 01; HUR_A_L_20_00 Rev 01; HUR_A_L_20_01 Rev 02; HUR_A_L_20_02 Rev 02; HUR_A_L_20_03 Rev 03; HUR_A_L_20_04 Rev 02; HUR_A_L_20_X01 Rev 02; HUR_A_L_20_X02 Rev 04; HUR_A_L_20_X03 Rev 02; HUR_A_L_20_X04 Rev 012; HUR_A_L_92_X05 Rev 01; HUR_A_L_92_X06 Rev 01; HUR_A_L_92_X07 Rev 01; HUR_A_L_92_X08 Rev 01; HUR_A_L_20_X10 Rev 01; HUR_A_L_20_X11 Rev 01; HUR_A_L_21_X01 Rev 02

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 and G7 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. The 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 each 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 Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

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

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).

- 7) Prior to commencement of the development hereby permitted (save for demolition and site clearance), details of all new external materials (including samples where considered appropriate by the Council) 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 area; 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 and DM G7 of the Development Management Local Plan (2013).

- 8) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the front elevations of the building(s) hereby approved.

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

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

To ensure a satisfactory external appearance, in accordance Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G7 of the Development Management Local Plan (2013).

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policy BE1 of the Core Strategy (2011) and Policies DM G1 and G7 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 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 Policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 12) Prior to the use of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/equipment extract/ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration

isolated from the casing and adequately silenced. The 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 2013.

- 13) 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).

- 14) The glass installed for the retail frontages on Wandsworth Bridge Road and Carnwath 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 G7 of the Development Management Local Plan (2013).

- 15) No external roller shutters shall be attached to the retail frontages to the Wandsworth Bridge Road and Carnwath Road elevations.

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

- 16) The extent of demolition shall not exceed that shown on the approved drawings (HUR_A_L_92_00 Rev 01; HUR_A_L_92_01 Rev 01; HUR_A_L_92_02 Rev 01; HUR_A_L_92_B1 Rev 01; HUR_A_L_92_X05 Rev 01; HUR_A_L_92_X06 Rev 01; HUR_A_L_92_X07 Rev 01; HUR_A_L_92_X08 Rev 01) and the Carnwath Road and Wandsworth Bridge Road facades shall be retained in accordance with the approved drawings (refer to drawing nos. of proposed elevations).

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 area; 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 and DM G7 of the Development Management Local Plan (2013).

- 17) Prior to commencement of demolition, a method statement detailing the method of protection of the retained facades during the demolition and construction process shall be submitted to the Council for its approval and the works shall be carried out in accordance with such details as have been approved.

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 area; 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 and DM G7 of the Development Management Local Plan (2013).

- 18) Prior to commencement of demolition an external photographic survey of the buildings shall be carried out and submitted to the Council for its approval. A copy of the photographic survey shall be submitted to the Local Archives.

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 area; 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 and DM G7 of the Development Management Local Plan (2013).

- 19) Details of the design, size, materials, location and content of a Local Heritage Plaque to be erected on the building shall be submitted to the Council for its approval. The Local Heritage Plaque shall be erected prior to occupation of the development and in accordance with such details as have been approved and thereafter permanently retained in situ.

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 area; 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 and DM G7 of the Development Management Local Plan (2013).

- 20) 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 eg. living room/ kitchen above/adjoining bedroom of separate dwelling etc. The 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).

- 21) 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(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ 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. The 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).

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2011) and Policy DM G1 of the Development Management Local Plan (2013).

- 23) Prior to use 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 noise assessment shall be carried out to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, where required by the Council. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 24) 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).

- 25) With the exception of the private roof terrace areas shown on approved drawings HUR_A_L_20_03 Rev 03; 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).

- 26) The development hereby permitted shall not commence until details and samples of 1.7m high obscure glazed screen as measured from the floor level of the terraces and windows to be used in connection with the roof terrace and windows have been submitted to and approved in writing by the Council. The use of terraces 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).

- 27) Prior to the first occupation of any ground floor non residential unit, details of operational hours for the unit shall be submitted to and approved in writing by the Council. Use of the unit shall accord with the hours as approved.

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

- 28) All external entrance doors in the office and 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 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 cycle storage for the residential and commercial development hereby approved, as indicated on the approved drawing nos. HUR_A_L_20-00 Rev 01 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)

- 30) 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 HUR_A_L_20-00 Rev 01.

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).

- 31) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the Flood Risk Assessment dated January 2017 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 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 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

Sustainability Statement and Energy Assessment, both 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 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_x 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. 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), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 36) Prior to the commencement of the development 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_x 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_x and particulates from on-site transport during Demolition, Construction and Operational phases e.g. use of Low Emission Vehicles, and energy generation sources. Evidence shall be submitted to and approved in writing by the Local Planning Authority to show that the Energy Plant installed comply with the relevant emissions standards in the Mayor's Sustainable Design and Construction Supplementary Planning Document (2014) shall be set out in the

document. The strategy must re-assess air quality neutral 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), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 37) Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system with NO_x filtration 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 on residential floors to demonstrate that they avoid areas of NO₂ or PM exceedance e.g. Wandsworth Bridge Road/Carnwath Road or include appropriate mitigation. 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. 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), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 38) No development shall commence until a preliminary risk assessment report, in connection with land contamination, 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; and a statement of whether a site investigation is necessary to address these potentially unacceptable risks. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and

following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 39) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, 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. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details 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.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

- 40) 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 the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment 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 approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2016, policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, 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. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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 the approved remediation method statement has been carried out in full if required by the approved quantitative risk assessment, 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 appropriate waste Duty of Care documentation 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 method statement to be submitted and approved by the Council and verification of these works included in the verification report. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan

(July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 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 an onward long-term monitoring methodology report, is submitted to and approved in writing by the Council setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, 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 the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2011), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document 2013.

- 44) No occupiers of the seven 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.

- 45) The seven 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.

- 46) 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).

- 47) 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 complied with 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).

Justification for Approving the Application:

- 1) 1. Change of Use: It is considered that the proposed change of land use is acceptable. Satisfactory marketing evidence has been submitted to demonstrate that there is no demand for a public house use. The loss of the existing Class A4 and creation of a mixed use Class A1 and residential premises are acceptable and in accordance with the NPPF (2012), Policy 3.3, 4.2 and 4.3 of the London Plan (2016), Policy B, H1, H4 and LE1 of the Core Strategy (2011) and Policy DM A1, DM A3, DM A9 and DM BE1 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. The proposal would preserve the setting of the adjacent Conservation Area and would preserve those parts of the Building of Merit which have the greatest significance. 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 G4, DM G5 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 21, 22, 24, 60, 61, 62 and 63 of the Planning Guidance Supplementary Planning Document (2013), which seek a high quality in design and architecture, the preservation of heritage assets and require new developments to have regard to the pattern and grain of existing development.
3. Residential: The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to Policies 3.4, 3.5 and 3.8 of the London Plan (2016), Policies H2, H3 and H4 of the Core Strategy (2011) and Policies DM A2, DM A3 and DM A9 of the Development Management Local Plan (2013), and the amenity provision is considered satisfactory, having regard to the physical constraints of the site, judged against Policy DM A2 of the

Development Management Local Plan (2013) and SPD Housing Policy 1 and 3 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, H9, H11 and 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: The development would provide a safe and secure environment for all users in accordance with London Plan (2011) Policy 7.3 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).

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 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 J2, DM J3, DM J5, DM A9 and DM H5 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 5 and 12 and SPD Sustainability Policies 3, 4 and 7 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 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).

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

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 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 Helen Murray (Ext: 3439):

Application form received: 25th 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:

Environment Agency - Planning Liaison

Dated:

06.04.17

Neighbour Comments:

Letters from:

Fulham Society 1 Rosaville London SW6 7BN

Dated:

15.05.17

1.0 SITE DESCRIPTION

1.1 The application site (0.04 hectares) relates to a part one, part two, part three storey building on the corner of Wandsworth Bridge Road and Carnwath Road. The site is vacant, but has historically always been a pub with ancillary residential space on the upper floors.

1.2 The surrounding area is characterised by a mix of uses with a number of commercial premises nearby, mainly to the south, and residential properties immediately adjacent to the north and west. The site adjoins a terrace of two storey houses to the north, No.s 318 - 358 Wandsworth Bridge Road. To the west is Carnwath House, a stand-alone five storey block of flats, separated from the application site by an access road and parking area.

1.3 The building is a locally listed Building of Merit, but is not within a conservation area, but is situated adjacent to the Sands End Conservation Area, close to the conservation area's northern boundary. The site is within Flood Risk Zones 2 and 3. The site is located in an accessible area and has a PTAL rating of 4.

1.4 Relevant planning history:

1.5 In 1994 planning permission (1994/01447/FUL) was granted for alterations to front and side elevation to replace windows with glazed folding doors and installation of external lighting.

1.6 In 1995 planning permission (1995/01036/FUL) was granted for the erection of rear ground floor extensions and alterations to the side and rear elevations.

1.7 In 1995 planning permission (1995/02102/FUL) was granted for the installation of 3 sash windows to the Carnwath Road elevation.

1.8 In 1998 planning permission (1998/01762/FUL) was granted for the erection of an external fire escape staircase on the rear elevation, including the provision of a new door opening at second floor level on the rear elevation for use as a fire exit.

1.9 Current proposal:

1.8 The development involves the following: the erection of a part three, part four storey building following partial demolition of the existing building, incorporating retained facades to Carnwath Road and Wandsworth Bridge Road and consisting of retail at ground floor level (Class A1) and 4 x two bedroom and 3 x one bedroom self-contained flats above (Class C3) with roof terrace at third floor level; alterations to shopfronts in retained facades.

2.0 PUBLICITY AND CONSULTATION:

2.1 The application has been advertised by means of a site notice and a press advert. Individual notification letters were sent to the occupiers of 125 neighbouring properties. One objection has been received from the Fulham Society in relation to the original drawings submitted on the grounds of:

- Overdevelopment
- Obscuring of original features and compromising the original shape of the building;
- Bulky;
- Metal cladding an inappropriate material and would not enhance the building; and
- Increase in traffic and parking.

3.0 CONSIDERATIONS

The main planning considerations in light of the London Plan (2016) and the Council's adopted Core Strategy, Development Management Local Plan 2013 (hereafter referred to as DM LP) 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; heritage, design and appearance; existing residential amenities of neighbouring properties; and, traffic impact on the highway network.

LAND USE:

Loss of Class Pub (A4)

3.1 The Council has no specific policies to protect public houses. However, Policy DM D1 of the DM Local Plan relates to community uses and seeks to:

"retain or replace existing uses, unless there is clear evidence that there is no longer an identified need for a particular facility."

3.2 The supporting justification to this policy defines "Community uses as a variety of activities ranging from schools and churches to some public houses".

3.3 Officers have considered marketing evidence submitted with the application. The information provided shows that since 2012 that the property was subject to several marketing exercises. Initially marketed as leasehold property, this attracted very little interest. The freehold interest was subsequently marketed, for which six offers were made. However, none of these were for Class A3 (restaurant) or Class A4 (public house) use operators.

3.4 The evidence provided demonstrates that the property has been marketed for a significant period with no interest received from potential purchasers (leasehold or freehold) for continued use of the property as a public house. As such, it is considered that there is no longer a demand for the public house. The loss of the public house is therefore acceptable in accordance with Policy DM D1.

Provision of retail (Class A1)

3.5 Policy LE1 of the Council's Core Strategy 2013 (Local Economy and Employment) seeks to ensure that accommodation is available for all sizes of business including small and medium enterprises, and to support both existing and new initiatives that will encourage local employment, skills development and training opportunities. This is supported by Policy DM B1 of the DM LP (Providing for a range of employment uses). The provision of the 480sq m of commercial floorspace (ground and basement level) would complement the existing neighbouring retail premises in the locality, and would comply with Policy LE1 of the CS and policy DM B1 of the DM LP.

Residential use

3.6 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. 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 Development Management Local Plan (DM LP).

3.7 The proposal provides seven net additional residential units and would contribute towards the borough's housing targets. The proposal accords with London Plan Policy 3.3, Core Strategy Policy H1 and Policy DM A1 of the DM LP.

Residential mix

3.8 Core Strategy Policy H4, Policy DM A3 of the DM LP requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. There should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation. The justification to Policy DM A3 of the DM LP identifies a particular need in this borough for more family sized housing (3 or more bedrooms).

3.9 The proposed dwelling mix includes 3 x 1 bed and 4 x 2 bed units which represents an acceptable range of unit sizes on this modest site in accordance with Core Strategy Policy H4 and Policy DM A3 of the DM LP.

Density

3.10 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 LP.

3.11 The site is in Public Transport Accessibility Level (PTAL) 4 using Transport for London's methodology, indicating that it is very accessible by public transport. According to the London Plan density matrix, the site is considered to be set in an urban area with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. This would support a density of between 200 and 700 habitable rooms per hectare (hr/ha), or 45-185 units per hectare (u/ha).

3.12 The proposed development site, (0.04 hectares) would have approximately 18 habitable rooms which would result in a residential density of 450 hr/ha (equivalent of 175 unit/ha), which falls within the density range stipulated in the London Plan.

AFFORDABLE HOUSING

3.13 London Plan Policy 3.13 (Affordable Housing Thresholds) normally requires that affordable housing be provided on sites which include 10 or more homes and that negotiations should take account of development viability.

3.14 Policy 3.11 (Affordable Housing Targets) of the London Plan sets a London wide affordable housing target of at least 17,000 more affordable homes per year.

3.15 Policy 3.12 of the London Plan requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes.

3.16 Policy H2 of the Core Strategy sets a target for 40% of additional dwellings to be affordable.

3.17 The number of residential dwellings proposed is below the threshold of 10 for which affordable housing is required under London Plan Policy 3.13 and Policy H2 of the Core Strategy.

3.18 The site dimensions and surrounding context have been the determining factors to establish the most suitable building layout, internal arrangement and density configuration for the development. Officers consider that it is not physically possible to create a useable 10 unit scheme on this site.

3.19 The proposal in its current form is considered to be at its maximum volume in terms of its envelope. Any increase in bulk and scale would result in an unneighbourly development in terms of outlook, increased sense of enclosure and daylight and sunlight. Any increase would also harm the setting of the retained elements of the Building of Merit and the townscape in general. It is therefore accepted that no further bulk could reasonably be added to the site.

3.20 If the layout of the scheme was reconfigured to include three more units (one more per floor), the additional units would be undersize and fail to meet minimum floorspace requirements of the London Plan. It is therefore not physically practicable to add further units without compromising the quality of environment for future occupiers.

3.21 The proposed 7 unit scheme reasonably falls below the threshold for affordable housing and officers consider that it would not be appropriate to include more units within the development to meet the affordable housing threshold.

QUALITY OF THE LIVING ENVIRONMENT

3.22 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. London Plan 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.

3.23 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).

3.24 Borough Wide Strategic Policy H3 within the Core Strategy (2011) requires all housing developments to respect the local setting and context, provide a high quality residential environment, be well designed, meet satisfactory internal and external space standards, and provide a good range of housing types and sizes.

3.25 Policy DM A2 of DM LP 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 DM LP recognises that design and quality of all new is of a high standard and will meet the needs of future occupants and respect the principles of good neighbourliness'. 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.'

Size of Units:

3.26 The 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.

3.27 The minimum requirements for the gross internal floor areas are:

- 1 - bedroom units should have a minimum of 50sq.m and
- 2 - bedroom units should have a minimum of 61sq.m

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

Aspect and Outlook:

3.29 London Plan Policy 3.5, Core Strategy H3, Local Plan Policy DM A2 and A9 and SPD Housing Policy 8 (iv) which relate to standard of accommodation in terms of windows serving residential units, are applicable in this regard.

3.30 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, Local Plan Policy DM A2 and A9 and SPD Housing Policy 8.

Floor to Ceiling Heights:

3.31 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 accords with this requirement.

Amenity space:

3.32 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.

3.33 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.

3.34 Only the third floor flat would benefit from private amenity space (49sq m). Site constraints including the retention of the front façade of the Building of Merit in this

instance make it impossible to provide amenity space for the first and second floors. The units are generous in size and it is considered that due to the particular site circumstances in this instance the proposed provision of amenity space would be acceptable.

Access:

3.35 London Plan Policy 3.8, Core Strategy Policy H4, Policy DM A4 of the DM LP, SPD Design Policy 1 (Inclusive design), SPD Design Policy 2 (Access to facilities inside a building) requires new residential development to be built to M4(2) (Accessible and Adaptable Dwellings) and/or M4(3) (Wheelchair Use Dwellings) of The Building Regulations 2010.

3.36 All the units are arranged in compliance with the spatial requirements and minimum room circulation space sizes, have been designed to comply with Part M of the Building Regulations. All the flats would be accessible from the proposed lift. And staircase. The proposal is therefore considered acceptable in terms of providing inclusive access.

Fire Safety:

3.37 The implementation of means of warning and escape, internal fire spread (linings), internal fire spread (structure), external fire spread and access and facilities for the fire service are issues covered under Part B of the Building Regulations 2010. Building Regulations are statutory instruments that seek to ensure that the requirements set out in the Building Act 1984 legislation are carried out.

Secure by Design

3.38 Policy BE1 of the Core Strategy and Policy DM G1 of the DM LP requires proposals to meet 'Secured by Design' requirements. These details would be secured through condition 18.

HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

3.39 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.

3.40 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.

3.41 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.

3.42 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 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. Policy DM G4 relates to shopfronts, and Policy DM G5 relates to replacement windows. SPD Design Policy 21 relates to Buildings of Merit.

3.43 The site is located adjacent to the Sands End Conservation Area. The existing pub building (Nos. 360 Wandsworth Bridge Road) is included on the Council's local register of Buildings of Merit, for its local townscape, architectural or historic importance. Buildings of Merit are non-designated heritage assets.

Significance of Heritage Assets

3.44 Consideration needs to be given to the setting of the adjoining conservation area as a designated heritage asset, and to the partial demolition of and alterations to the Building of Merit as an undesignated heritage asset.

3.45 The issue of designation is an important one since it will affect which paragraphs 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 assets (setting of an adjacent Conservation Area) and non-designated assets (Buildings of Merit).

3.46 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.

3.47 Paragraph 135 of the NPPF states that:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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 adjoining Conservation Area

3.48 The site is not located in a Conservation Area but adjoins the Sands End Conservation Area which was designated in April 1991. LBHF has produced a Conservation Area Appraisal which sets out the history of the Conservation Area and its reason for designation. The profile identifies that the Conservation Area was designated to protect the riverside from unsympathetic development and to encourage the preservation and enhancement of the riparian character of the riverside. The foreshore, former industrial sites and newer residential developments in the Sands End Conservation Area have a very different character and appearance to the tight knit network of streets of predominantly late Victorian buildings around the application site.

Building of Merit

3.49 The locally listed building is constructed of brick with stucco ground floor pub frontage. The ground floor has a number of entrances, including one situated diagonally on the corner of the building, and has full height glazing to the Wandsworth Bridge Road elevation. The original sliding sash windows are retained and the arched brick lintels have been later stuccoed/painted to match other elevational details on the building. At ground floor, the property has a dentil cornice supported by Ionic pilasters, which divide the bays. A decorative dentil cornice also exists to the three storey building at roof level, which sits below a balustrated parapet. The parapet incorporates the original pedimented cartouche, which remains to the elevation facing onto Wandsworth Bridge Road. The former public house has hipped roofs to both the two storey and three storey elements, which are hidden by the parapet to give the impression of Italianate classical design. The architectural quality of the building has been adversely affected, to a minor extent, by the late 20th century works to the traditional pub frontage.

3.50 There have been two phases of the building's construction, with main three storey element, and later extensions to the northern side and to the west towards the rear, and clearly illustrated in the principal elevation. The two storey element of the building, which denotes the slightly later phase of construction, can be differentiated from the original building due to its less ornate elevation and subservient scale. The original building displays the decorative cornice and parapet described previously, which are not present on the two storey element, resulting in this element being of lesser, comparative heritage value, albeit it allows the original pub building to retain its primacy within the existing composition. Whilst it has been established that the pub frontage is a later addition it does integrate the two elements at ground floor level.

3.51 The rear elevation of the building is much plainer in terms of its character, architectural detailing and materiality, when compared to the principal elevations facing onto Wandsworth Bridge Road and Carnwath Road. This is typical of a property of this date, reflecting the difference in status between the public and private elevations. This is emphasised by the concentration of rainwater goods to the rear elevation, the irregular fenestration pattern and the rear closet wing, which houses the staircase. Decorative features are not present, such as the decorative cornice, which has a minor return to the corner of the building but does not continue along the rear elevation. The building has been later adapted to incorporate a utilitarian fire exit and stairs from second floor level,

which add visual clutter that detracts from the character of the elevation. The rear yard is accessed from Carnwath Road or through the building and contains a range of ancillary structures of no particular architectural or historic interest.

Demolition:

3.52 The proposed development involves the demolition of 360 Wandsworth Bridge Road with the exception of the original parts of the Wandsworth Bridge Road and Carnwath Road elevations.

3.53 With regard to the selection criteria suggested by English Heritage/Historic England which is also to be applied to non-designated heritage assets, officers consider that the merits of the building relating to age and aesthetic value survive. The age and aesthetics or architectural style of the surviving original parts of the building reflect the time of the first development of this area as a Victorian suburb, and its aesthetics with regards to height, massing, proportions and façade hierarchies are still evident in the main elevations. The pub building is prominent in street views, but unsympathetic changes to the rear and sides of the buildings have caused harm to the significance of the Building of Merit.

3.54 Officers consider the original facades on the Carnwath Road and Wandsworth Bridge Road elevations are the most important features of the existing building and these would be retained. The existing building's layout poses a number of problems to for any potential redevelopment scheme. In respect of the upper floors the current layout together with positioning of the access staircase would restrict the maximum potential to create the required standard of accommodation required to convert to residential apartments. Furthermore, the second floor in its current layout would require extending in order to replicate the lower floors. There is also no existing lift for wheelchair access, and the current stairway does not meet Part M of the Building Regulations or other access standards. The current access arrangements to the rear yard are inadequate for off street delivery and turning (and there is no ability for servicing vehicles to leave in a forward gear. Creation of a turning area results in the need to remove some of the rear walls of the building The retention of the existing building would compare poorly to the proposed scheme in terms of servicing, daylighting standards, residential accessibility, GLA Design Standards compliance, accessibility and accommodation provision.

3.55 Officers consider that the main significance of the building lies in the surviving original front façade's proportions, hierarchy and finishes which contributes positively to its townscape impact. This has a positive effect on the setting of the adjoining Conservation Area in the prominent views of the street frontages. However, this contribution is significantly weakened by the impact of the alterations to the building to the sides and rear which are considered to harm the significance of the building. Overall, other than the front facades, the building's contribution can therefore be assessed to be neutral. In the event of an acceptable replacement building being secured the loss of the less significant parts of the Building of Merit would not cause harm to the significance of the adjoining Conservation Area with regard to paragraph 134 of the NPPF. With regard to paragraph 135 of the NPPF, the loss of the less significant parts of the Building of Merit must be balanced against the merits of the proposed scheme.

New development:

3.56 The surroundings are characterised by a variety of heights and periods, ranging from two to seven storeys in height, adjoining a two storey residential terrace to the north fronting Wandsworth Bridge Road, and a five storey block of flats immediately to the west (separated from the application site by an access road and parking area). On the opposite corner of the intersection of Carnwath Road and Wandsworth Bridge Road is a retail park, which is due for redevelopment in the future.

3.57 The site adjoins a terrace of two storey houses to the north which front Wandsworth Bridge Road. To the west is Carnwath House which is a stand-alone five storey block of flats.

3.58 The site is a corner piece of the busy junction between Carnwath and Wandsworth Bridge Road. The existing entrance to the Hurlingham pub is located at the very corner of this site. It is proposed to maintain the proposed retail entrance through the retained facades to maintain the building's position as a prominent corner site. The overall mass of the existing building on the site defines the corner as a 'book-end' to the row of houses adjoining on Wandsworth Bridge Road. The corner finishes with a certain visual and architectural grandeur with three storeys plus a roof slope. The proposal seeks to reinforce this 'book end', whilst being subservient to the existing façade.

3.59 A setback strategy has been used, stepping back the height of the building gradually, from between ground floor and the top floor. This has also been used to ensure that the proposed development remains subservient to the retained facades. The new elements are to be set back from the original building lines and facades on both street elevations. Lastly, the massing on the fourth floor, that extends past the existing roof line, is stepped back to reduce its visibility from street view and not detract from the decorative elements of the retained front elevations of the Building of Merit. In this form the proposed part three, part four storey building is considered acceptable within the existing surrounding context.

Elevations

3.60 The proposals have been through a number of iterations during negotiations with officers. These include the following changes:

- the materials and design of the second floor extension fronting Wandsworth Bridge Road changed to include brick instead of Corten steel;
- alterations to the design of the extension to the rear half of the Carnwath Road elevation to reduce vertical and horizontal strips of glazing; and
- reduction in the size of the terrace at third floor level.

Wandsworth Bridge Road elevation

3.61 This elevation will be the shop window for the retail unit, and the interaction of the shop with the streetscape. The original element at the top of the existing elevation is an important and balanced decorative element sitting proudly above the building, and all additions on this elevation have been set back, to ensure its importance and prominence within the street scene. The second floor extension adjacent to the adjoining terrace on Wandsworth Bridge Road has been set back in order to preserve the building of merit allowing the balance of the retained facade to prevail. The extension would be in brickwork to compliment the existing rather than trying to match the

aged and weathered existing brickwork exactly, including a string course and form of parapet to reflect that of the main part of the front elevation. The brickwork would continue and wrap around to the rear of the building whilst the step up in height from the neighbouring property is gradual and there is a further setback to reinforce this. It is considered that this would result in the extension being sympathetic to the original retained façade, and therefore be in keeping with the existing character and appearance of the application site and surroundings.

Carnwath Road elevation

3.62 The Corten steel cladding system on the new rear extensions part of the proposal will be a contrasting element to the old brickwork, and the orange, red and brown tones of the corten material are intended to reflect the colours and tones of the brickwork of the surrounding buildings (Carnwath House and neighbouring Victorian terrace houses). The Corten cladding arrangement and the set back from the retained facade helps to emphasise the vertical alignment. The continuation of form and architectural gestures between old and new is considered an appropriate approach in this instance in terms of colour and materiality.

Rear elevation

3.63 The Corten cladding system continues to wrap the building and maintains the rhythm set out by the retained facades and fenestrations. The proposed windows on the western elevation at first and second floor levels have been designed to ensure neighbouring properties are not directly overlooked and habitable rooms within the building cannot be directly looked into. The plant space for most of the apartments mechanical units are housed and enclosed within the rear of the building but with a ventilated facade to allow for air flow to all sides of the units. This will again be clad with a dark metal zinc/aluminium to form a spine of the building connecting the rooftop extension with the ground floor.

Shopfront and window replacements

3.64 It is proposed to replace the doors to the existing shopfront at ground floor level to both the Carnwath Road and Wandsworth Bridge Road elevations. The doors are not original, and the glass replacements are considered acceptable. The remainder of the shopfronts would be retained, which would keep the significant original features. The windows on the upper floor levels of the retained facade would also be replaced, however these would be timber sliding sash windows to match the originals. It is considered that the proposed changes would be in keeping with the existing character and appearance of the application site, and are considered acceptable in terms of visual amenity.

3.65 Overall, the proposed alterations to the retained façade are considered to be of a sympathetic design that is well proportioned, using a modern but complimentary architectural style. The proposed elevational treatments would provide an architectural language with enhanced visual uniformity across the site when compared to the existing mix of original buildings and modern extensions. It is considered that the general appearance of the proposal has been designed to integrate sympathetically with the existing scale and character of the buildings in the locality and conservation area whilst having a fresh contemporary appearance to allow the new building to reflect its own identity.

3.66 It is considered that the proposed design would not harm the existing character and appearance of the application site or surrounding development, and is therefore considered acceptable. It is considered that the proposal development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. It is also considered that on balance, considering the proposed retention of the front facades, and the redevelopment of the building behind would be considered acceptable in terms of scale and would not result in the loss of any the significant elements of the non-designated heritage asset. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 Core Strategy Policy BE1 and Policy DM G1, DM G4, DM G5 and DM G7 of the DMLP, which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development. Final details of the materials to be used in the external appearance of the building be conditioned for future approval (Condition 7).

RESIDENTIAL AMENITY

3.67 Policy DM G1, H9, H11 and A9 require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Policy 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.68 The nearest residential properties are those to the west, a five storey building on Carnwath Road (Carnwath House) and the row of two storey terraced houses to the north along (No. 358 Wandsworth Bridge Road) immediately to the north.

Outlook:

3.69 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.

3.70 There are windows in the side elevation of the back addition at 358 Wandsworth Bridge Road. The ground floor window of that property would not be any worse off than the existing arrangement. The one habitable room window at first floor level is a secondary window, with the bedroom being served by another window on the rear elevation. It is therefore considered that the proposal would not result in any significant loss of outlook or increased sense of enclosure to 358 Wandsworth Bridge Road.

3.71 To the rear at Carnwath House, the opposing elevation contains some 30 windows and most of these serve non-habitable rooms. There are however 4 habitable rooms at the very end of the east elevation that would oppose the western elevation of the

proposed building (10m away). On site judgement demonstrates that adequate outlook would be retained from these windows with views past the proposed building towards the south east. It is therefore considered that there would still be sufficient outlook, and any impact would not be to such a significant degree as to warrant the refusal of planning permission.

Privacy:

3.72 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.

3.73 Several of the proposed windows to the west and north elevations of the development (kitchen/diner/living room and bedroom windows to flats 1 and 4) will be within 18m of neighbouring properties at Carnwath House and 358 Wandsworth Bridge Road. However, these windows have been designed to be angled away from any opposing windows, which would in this form prevent overlooking. The proposed windows in the north elevation adjacent to 358 Wandsworth Bridge Road would be obscure glazed and fixed shut above 1.7m as measured from the internal floor levels, which would also prevent any significant additional opportunities for overlooking or loss of privacy.

3.74 A terrace is proposed to the rear at third floor level. The terrace has been repositioned away from the nearest habitable room windows in the opposing east elevation of Carnwath House to ensure that there would be a minimum of 18m separation between the terrace and relevant windows. There is another narrower strip of outdoor amenity area along the Carnwath Road and Wandsworth Road elevations, also at third floor level. However, these would not be overlooking any residential properties and would therefore not have any adverse impact on in terms of privacy.

3.75 It is therefore considered that the proposal would not result in a loss of privacy or overlooking. The proposed development complies with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 and SPD Housing Policy 8 (ii).

Noise and disturbance:

3.76 DM LP 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 by reason of noise and disturbance will not be supported.

3.77 The top floor flat at third floor level would include two private amenity spaces - a 10sq m area at the rear, and a 39sq m area on the front on the Wandsworth Bridge Road side. The larger terrace wraps around and runs along a narrow strip along the Carnwath Road side. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace area at third floor level, however, on balance, having regard to the size of the proposed area at the rear, (10sqm) together with the location and the relationship with adjoining

properties, it is not considered that the terrace would be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance. Similarly, the terrace at the front would also not have any significant impact, as it would be overlooking Wandsworth Bridge Road rather than any residential properties.

3.78 The proposed development would have no significant adverse impact on residential amenity in accordance with Policy DM A9, H9 and H11 of the DM LP and SPD Housing Policy 3 and 8 regarding noise.

Daylight and Sunlight:

3.79 A Daylight and Sunlight Report has been undertaken by the applicant to assess the impact of the development on the surrounding properties and to consider the levels of sunlight and daylight within the proposed scheme. The report considers the daylight and sunlight effects of the proposed scheme against the windows and gardens of neighbouring properties. Officers have considered the report which looks at VSC, daylight distribution and sunlight methods. Officers concur with its conclusions that the proposal would not have any significant impact on any neighbouring properties.

3.80 The Report assesses 192 neighbouring windows. With the exception of 12 windows, all main habitable room windows pass the Vertical Sky Component test. The windows that do not pass are all obstructed by overhanging balconies. Windows with balconies above them typically receive less daylight as balconies cut out light from the top part of the sky and even a modest obstruction opposite could result in a relatively large impact on VSC.

3.80a Where applicable all rooms pass the daylight distribution test, complying with BRE daylight requirements.

3.81 All windows which face within 90 degrees of due south have been tested for direct sunlight. All windows pass both the total annual sunlight hours test and the winter sunlight hours test (annual probable sunlight hours between 21 September and 21 March). The proposed development therefore satisfies the BRE direct sunlight to windows requirements.

3.82 The sunlight availability to the gardens of 358 Wandsworth Bridge Road will be reduced to less than 0.8 times their former value after the proposed development (0.06). This is because the existing sunlight availability is already low and therefore even a small reduction in absolute terms results in a lower than normal before/after ratio. Since the level of overshadowing is relatively small in absolute area terms, it is considered that the proposed development will not have a harmful effect. Overall, the results confirm that the development will have a low impact on the light to the neighbouring properties.

3.83 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 submitted are satisfactory. Officers consider that the habitable rooms and windows in the neighbouring properties would have sufficient access to daylight and sunlight after the development has been constructed complying with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 and SPD Housing Policy 3 and 8 (ii) and guidance set out in the Building Research

Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice".

HIGHWAYS

3.84 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.

3.85 Core Strategy Policy T1 supports The London Plan. Policy DM J3 relates to housing with reduced parking whilst Policy DM J4 of the DM LP requires new development to incorporate ease of access by disabled people and people with mobility impairment. 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. DM J6 relates to development affecting the borough's road network. These are supported by SPD Transport Policies 3, 6, 12 and 22.

Car Parking:

3.86 The site benefits from a good level of accessibility as reflected by its 4 PTAL rating enabling residents to access the site by a range of public transport facilities. This includes Wandsworth Town Station (800 m) and 5 bus services via bus stops within 640 m. The development will be a car free development although 1 no. disabled car parking space will be allocated to the retail unit. This will be secured by Condition 44.

Cycle:

3.87 Cycle parking should be provided in line with London Plan 2011 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 29.

3.88 For the residential units, secure storage for seven bicycles is proposed. The plans indicate provision of cycle parking would be made at ground level for the residential units. The number of cycle spaces is considered satisfactory and is secured by Condition 30.

3.89 It is not proposed to provide any visitor cycle parking spaces on-site contrary to LBHF Cycle parking standards which stipulate 1 space per 25m² for A1 retail uses. It is not possible to provide any additional cycle spaces due to site constraints. The applicant submits that as the proposals are for a non-food retail store, the nature of the business would be likely to generate customers that visit by public transport or by car as the main method of travel, as detailed in the submitted Transport Statement. In addition, there are 22 on street visitor cycle spaces within a 150m walk from the site. The applicant confirms that on two separate site visits in the mid-morning peak indicate that on average only 9% (2 spaces) of the cycle paces were occupied during this time. Under these circumstances it would be unreasonable to refuse planning permission for the continued commercial use in this case.

Refuse:

3.90 London Plan Policy 5.16 outlines the Mayors approach to waste management. Core Strategy Policy CC3, DM LP Policy H5 and SPD Sustainability Policies 3, 4, 7, 8, 9 and 10 sets out the Councils Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste. The plans indicate the provision of refuse storage and recycling facilities at ground floor level. A condition would be attached to a permission ensuring the provision of these arrangements (Condition 26).

Servicing and Delivery:

3.91 Based on similar sized retail developments, the 202 sq m of retail space would generate approximately of 2-3 daily deliveries. These deliveries would take place on-site within the servicing area in front of the disabled space with service vehicles able to enter and exit the site in forward gear. Servicing for the residential use would also take place on site, with the number of deliveries not expected to more than 1 per day. The quantum of service trips anticipated at the site is not expected to adversely impact on the local highway network. Drawing 15-289-105 shows a 7.5T panel van entering and exiting the servicing area in forward gear successfully from Carnwath Road. This report has provided an analysis of trips expected to be generated by the proposed development across various modes of travel. It has been predicted that there will be an increase in 16 vehicular trips (two-way) during the AM peak and 20 additional vehicle trips (two-way) during the PM Peak to the site. It is therefore considered that the proposed development would not give rise to any material impact on the surrounding highway network. It is considered that the proposal would therefore not conflict with policies DM J1 and DM J6 of the LP in this regard.

ENVIRONMENTAL QUALITY

Flood Risk and Sustainable Urban Drainage Systems (SUDs):

3.92 As required, a Flood Risk Assessment (FRA) has been provided with the application. The proposals include basement level development and ground floor use, although uses less vulnerable to flooding are planned at these levels, with the more vulnerable residential uses planned for 1st floor and above.

3.93 Although the site is in the Environment Agency's Flood Zone 3 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 probability of river or sea flooding. If the defences were breached or over-topped, Environment Agency modelling shows that the site is not in the rapid impact zone that would be affected by flood waters. The site is not in a surface water flooding hotspot, indicating that flood risks are low for this source, although there is the potential for elevated groundwater and sewer flood risks in this part of the borough.

3.94 The submitted FRA provides details of the structural flood proofing measures for the basement, which are considered acceptable and would be secured through Condition 31.

3.95 In terms of managing surface water run-off from the site, a separate Drainage Strategy has been provided which considers sustainable drainage measures for the site. The proposal is to integrate a rainwater harvesting system and a storage tank and flow control system. Other options have been considered and ruled out, however, it is considered that additional measures may be viable and should be explored further, including green roofs, blue roof storage, and porous pavements so that discharge rates for surface water into the sewer system can be set lower.

3.96 It is not clear what level of attenuation is expected to be achieved by the SuDS measures and this will not be resolved until a contamination assessment has been carried out. Also, further information would be required on the maintenance provisions for the proposed SuDS. It is considered acceptable to attach a condition requiring the submission on the provision of a revised Drainage Strategy that deals with these points (Condition 32).

3.97 Overall, the proposed drainage and flood risk controls, as outlined in the submitted Drainage Strategy is acceptable subject to the confirmation of the issues highlighted above (Conditions 31 and 32).

Air Quality:

3.98 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.

3.99 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 Air Quality Dust Management Plan, Low Emissions Strategy, and Mechanical Ventilation. This has been secured by Conditions 35, 36 and 37.

Contamination:

3.100 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and Policy DM H7 and H11 of the DM LP 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. In order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions would be attached covering the assessment and remediation of contaminated land if the application were to be approved (Conditions 38-43).

COMMUNITY INFRASTRUCTURE LEVY

Mayoral CIL

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. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at www.london.gov.uk. The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3.

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 in order 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 £205,497 based on the additional floorspace has been calculated.

4.0 CONCLUSION

4.1 The proposed development would retain the most significant elements of the Building of the Merit and would create a well-designed mixed use scheme that would preserve the setting of the adjacent Conservation Area and improve the quality of the local townscape. The design, height and massing of the development would be compatible with the retained facades of the Building of Merit and the surrounding development. 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 considered to be in accordance with relevant national guidance, London Plan policies, the Core Strategy, DM LP and Planning Guidance Supplementary Planning Document Policies.

5.0 RECOMMENDATION:

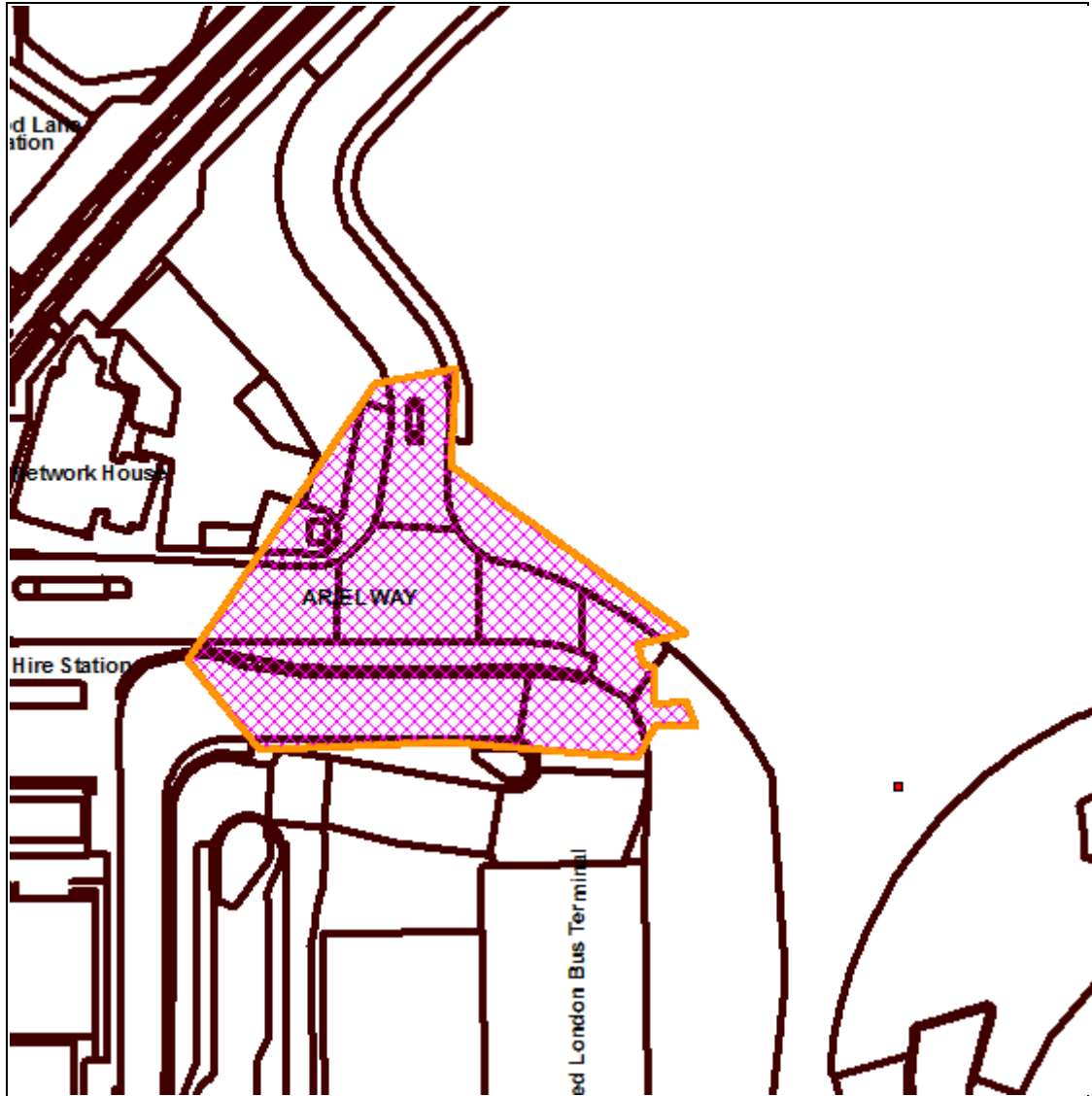
5.1 For the above reasons, it is recommended that planning permission is granted subject to conditions outlined in the report.

5.2 To authorise the Lead Director for Regeneration Planning and Housing Services in consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or any subsequent minor changes arising out of detailed negotiations with the applicant which may necessitate the modification, variation, addition or deletion of the conditions as drafted to ensure consistency.

Ward: Shepherd's Bush Green

Site Address:

Land North Of Westfield Shopping Centre Ariel Way London



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For identification purposes only - do not scale.

Reg. No:
2017/01760/FUL

Case Officer:
Sally Shepherd

Date Valid:
02.05.2017

Conservation Area:

Committee Date:
25.07.2017

Applicant:

Westfield Europe Ltd
C/o Agent

Description:

Erection of a part three, part four storey extension above the restaurant scheme (application ref: 2016/04602/FUL) comprising 4,995.1 sqm (GEA) of office use (Class B1) at levels 60, 64 and 68 and a roof terrace/events space (Class Sui Generis) at level 72 including the change of use of part of level 20 from flexible restaurant use (Classes A3-A5) to office use (Class B1) to form an entrance lobby to the offices and events space.

Drg Nos: See Condition 2

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be approved

1) TIME LIMITS

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) APPROVED DRAWINGS AND DOCUMENTS

The development shall be carried out and completed in accordance with the following approved drawings and documents:

W2-TBG N2-20- DR-A-08201 Rev P05;
W2-TBG N2-60- DR-A-08201 Rev P05;
W2-TBG N2-64- DR-A-08201 Rev P05;
W2-TBG N2-68- DR-A-08201 Rev P05;
W2-TBG N2-72- DR-A-08201 Rev P05;
W2-TBG N2-76- DR-A-08201 Rev P05;
W2-TBG N2-EN- DR-A-08201 Rev P05;
W2-TBG N2-EN- DR-A-08202 Rev P04;
W2-TBG N2-ES- DR-A-08201 Rev P04;
W2-TBG N2-ES- DR-A-08202 Rev P04;
W2-TBG N2-EZ- DR-A-08201 Rev P05;
W2-TBG N2-EZ- DR-A-08202 Rev P05;
W2-TBG N2-EZ- DR-A-08203 Rev P04;
W2-TBG N2-SZ- DR-A-08201 Rev P05;
W2-TBG N2-SZ- DR-A-08202 Rev P05;
W2-TBG N2-SZ- DR-A-08203 Rev P01;
W2-TBG ZA-00- DR-A-08201 Rev P03;

W2-TBG ZA-00- DR-A-08202 Rev P03;
W2-TBG ZA-76- DR-A-08201 Rev P04;
W2-TBG ZA-EZ- DR-A-08201 Rev P04;
W2-TBG ZA-EZ- DR-A-08900 Rev P01;

Planning Statement, prepared by Montagu Evans dated April 2017;
Design and Access Statement, prepared by Glenn Howells Architects dated April 2017;

Environmental Statement, prepared by Ramboll Environ dated April 2017, comprising:

- Volume 1: Non-Technical Summary;
- Volume 2: Environmental Statement Main Report;
- Volume 3: Townscape, Heritage and Visual Impact Assessment; and
- Volume 4A: Technical Appendices (including Flood Risk Assessment); and
- Volume 4B: Transport Assessment (including Travel Plans, Delivery and Service Management Plan, and Construction Logistics Plan)

Historic Environmental Report, prepared by Peter Stewart Consultancy dated April 2017;

Sustainability Statement, prepared by Ramboll Environ dated April 2017;

Letter from Foreman Roberts dated 22 February 2017, updating the Energy Strategy as approved under the 2015 Consent; and

Letter from Foreman Roberts dated 22 February 2017, comprising a BREEAM Pre-Assessment for the proposed offices.

Reason: To ensure full compliance with the application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy BE1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7, of the Development Management Local Plan (2013).

3) MATERIALS

Notwithstanding the details shown on the approved drawings, prior to the commencement of works to any external facades of the development hereby approved, details and samples of the materials to be used on all external faces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and permanently retained thereafter.

Reason: To ensure a satisfactory external appearance, prevent harm to the visual amenity of the street scene and public realm and preserve the setting of the listed Dimco building, in accordance with policies 7.1 and 7.5 of the London Plan (2016), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, and DM G7 of the Development Management Local Plan (2013).

4) GLAZING

All glazing shown on the approved development shall be clear unless otherwise indicated on the drawings and shall remain permanently unobscured and shall not be mirrored or tinted in any way.

Reason: To ensure a satisfactory external appearance, prevent harm to the visual amenity of the street scene and public realm and preserve the setting of the listed Dimco building, in accordance with policies 7.1 and 7.5 of the London Plan (2016), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, and DM G7 of the Development Management Local Plan (2013).

5) POST CONSTRUCTION BREEAM ASSESSMENT

Prior to the occupation of the development hereby approved, a post-construction BREEAM assessment shall be submitted to and approved in writing by the Local Planning Authority to certify that a minimum BREEAM rating of "Very Good" has been achieved for the scheme. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan (2016), policy CC1 of the Core Strategy (2011) and policies DM H1 and DM H2 of the Development Management Local Plan (2013).

6) CARBON REDUCTION MEASURES

Prior to the occupation of the development hereby approved, all carbon reduction measures shall be integrated as outlined in the approved Energy Strategy to provide a minimum reduction on CO2 emissions for the development of 40% compared to the minimum requirements of the 2010 Building Regulations. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan (2016), policy CC1 of the Core Strategy (2011) and policies DM H1 and DM H2 of the Development Management Local Plan (2013).

7) SOUND FROM EVENTS SPACE

Prior to the commencement of use of the rooftop events space, details shall be submitted to and approved in writing by the Council, of the sound levels from activities at the events space and other mitigation measures, as appropriate. Details shall demonstrate that noise from uses and activities from the events space at the development site shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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).

8) EXTERNAL NOISE FROM MACHINERY, EXTRACT/ VENTILATION DUCTING, MECHANICAL GATES, ETC.

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 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.

Reason: To ensure that the amenity of occupiers of the development site/ 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).

9) ANTI- VIBRATION MOUNTS AND SILENCING OF MACHINERY ETC.

Prior to the occupation of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that any plant equipment and/or extract ventilation and ducting that 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.

Reason: 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 (2013).

10) CONSTRUCTION MANAGEMENT PLAN

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 -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.

Reason: 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.

11) EXTRACTION AND ODOUR CONTROL SYSTEM FOR NON-DOMESTIC KITCHENS

Prior to the use of the relevant part of the development, 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 the commencement of the use and thereafter be permanently retained.

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

12) SECURITY LIGHTS AND DECORATIVE EXTERNAL LIGHTING

Prior to the installation of any external security lights or decorative external lighting, details of external artificial lighting shall be submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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).

13) SECURED BY DESIGN

Prior to the commencement of the relevant part of the development, a statement of how "Secured by Design" requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out prior to occupation of the development hereby approved and permanently maintained thereafter.

Reason: To ensure a safe and secure environment in accordance with policy 7.3 of the London Plan (2016), policy BE1 of the Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (2013).

14) MANAGEMENT PLAN FOR ROOF EVENTS SPACE

Prior to the use of the roof terrace at level 72 hereby approved, a management plan for the operation, maintenance and repair of the proposed event space shall be submitted to and approved by the local planning authority. The scheme shall include at least the following details:

a) Details of the management of the event space, including but not limited to details of the proposed use of the events space, refuse collection and recycling, supervision of patrons and security as well as details of proposed ongoing maintenance of the events space;

- b) Details of the operation of the event spaces including the number and types of events to be hosted; the days and hours of operation and the methods of marketing and booking the space; and
- c) Details of access into the events space.

Any use of the events space at level 72 shall be carried out in accordance with the approved management plan. Any variations which may be necessary shall be approved in writing by the Council.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013) and to ensure the satisfactory provision for refuse storage and recycling in accordance with policy CC3 of the Core Strategy and policy DM H5 of the Development Management Local Plan (2013) and the Council's Planning Guidance Supplementary Planning Document.

15) CYCLE PARKING

Prior to the occupation of the development, details of the secure cycle storage for at least 64 cycle spaces (54 long term staff spaces and 10 short term visiting spaces) and associated facilities shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location of the cycle storage, changing and showering facilities and cycle routes to and from the storage facility and to the approved development. The development shall accord with the details as approved, and the cycle parking provision shall be retained thereafter.

Reason: To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers and users, in accordance with policies 6.9 and 6.13 of the London Plan (2016), policy T1 of the Core Strategy (2011), policies DM J2 and DM J5 of the Development Management Local Plan (2013) and the Council's Planning Guidance Supplementary Planning Document (2013).

16) TRAVEL PLAN

The development shall not be occupied prior to the submission and approval in writing by the Council of a Travel Plan, which shall include information on how alternative methods of transport to and from the development, other than by car, will be encouraged by the applicants. No part of the development shall be used or occupied 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.

Reason: 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 Policies DM J1 and DM J2 of the Development Management Local Plan (2013).

17) SERVICING AND DELIVERIES PLAN

Prior to occupation of the development, a Servicing and Deliveries Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Details shall include times and frequency of deliveries and collections, vehicle movements, location of loading bays, quiet loading/unloading measures, etc. The

operation of the development shall be carried out in accordance with the approved details.

Reason: 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.

18) ENTRANCE DOORS AND THRESHOLDS

The ground floor entrance doors to the development and integral lift/stair cores, hereby approved shall not be less than 1-metre-wide and the threshold shall be at the same level as the path fronting the entrance to ensure level access.

Reason: To ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan (2016), policy BE1 of the Core Strategy (2011), policy DM G1 of the Development Management Local Plan (2013) and the Council's Planning Guidance Supplementary Planning Document (2013).

19) GREEN/BROWN ROOFS

Prior to the commencement of any work to level 72, the following details shall be submitted to and approved by the Local Planning Authority:

- a) A feasibility study which confirms whether a living roof(s) can be integrated onto the flat roof areas at level 72 of the development hereby approved;
- b) Should the provision of the living roof(s) be deliverable, details of the living roof including substrate depth, planting and maintenance schedules, and ecological enhancement measures. The development shall accord with the details as approved.

Reason: To encourage the provision of green and brown roofs in the interests of sustainable urban drainage and habitat provision, in accordance with policies 5.11, 5.13 and 7.19 of the London Plan (2016) and policies OS1, CC1, CC4 and H4 of the Core Strategy (2011) and policy DM E3, DM E4, DM H2, and DM H4 of the Development Management Local Plan (2013).

20) PERMITTED DEVELOPMENT RIGHTS - OFFICES

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking or re-enacting that Order with or without modification, the change of use of the part of the development relating to B1 (offices) hereby approved from Class B1 (Business) to Class C3 (Residential dwellings) or any other use class will not be permitted under permitted development.

Reason: In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the B1 (offices) part of the development hereby approved as a different use class other than B1 (Business) could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, and to ensure the uses are compatible with the adjoining land uses within the White City Opportunity Area

and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1, BE1 and T1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D2, DM A9 and DM J1 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

21) PERMITTED DEVELOPMENT RIGHTS - TELECOMMUNICATIONS

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) 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.

Reason: To ensure that the visual impact of telecommunication equipment can be considered in accordance with policy BE1 of the Core Strategy (2011), policy DM G1 of the Development Management Local Plan (2013) and SPD Design Policy 39 of the Council's Planning Guidance Supplementary Planning Document (2013).

22) EXTERNAL ALTERATIONS TO THE BUILDING

No alterations shall be carried out to the external appearance of the building, including the installation of air-conditioning units, ventilation fans and extraction equipment not shown on the approved drawings, without planning permission first being obtained from the Local Planning Authority.

Reason: 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 Policies DM G1 and G7 of the Development Management Local Plan (2013).

23) ROOF TOP CANOPY DETAILS

Notwithstanding the plans hereby approved, details and scaled drawings of any canopy structure(s) to be constructed at level 72 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works to level 72. All works shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance in accordance with London Plan (2016) Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7, and Policies E4, G1 and G7 of the Development Management Local Plan (2013).

24) LOW EMISSION STRATEGY

Prior to the commencement of the development, 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). The strategy must make a commitment to implement the mitigation measures (including NO_x 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 NOx and particulates from on-site transport during 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) guidance. It must also identify mitigation measures as appropriate to reduce building and transport emissions to below GLA benchmark levels. The approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

Reason: To comply with the requirements of the NPPF (2012), 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:

Land use: It is considered that the proposed office (Class B1) and events space (Class Sui Generis) would help strengthen and maintain the range of facilities available in this part of White City Opportunity Area in accordance with Strategic Policy B of the Core Strategy (2013) and the WCOAPF. The proposed office and events space is considered to be to an appropriate uses within the White City Opportunity Area which is well served and accessible by public transport. The additional employment generating floorspace would also serve to retain and strengthen the level of office accommodation in the town centre and Opportunity area. The proposed development is therefore considered acceptable, in accordance with policies 2.13, 2.14, 2.15, 4.2, 4.6, 4.7, and 4.8 of the London Plan (2016) and Strategic Policies WCOA and WCOA1 which require the wider regeneration of the White City area and Strategic Policies B and C and CF1 of the Hammersmith and Fulham Core Strategy (2011).

Design and Heritage: The proposed development would be a high quality development which would make a positive contribution to the appearance of the White City Opportunity Area. Having regard to the conservation of designated heritage assets, officers consider that the public benefit of the proposal including the unique opportunity to deliver office floorspace as part of a mixed-use scheme in this location outweighs the harm to setting of the Grade II listed DIMCO building. The design, scale and massing of the development is considered to respond positively to the consented masterplan and the wider area. As such, it is considered that the proposed development would positively contribute to this part of White City and is therefore considered to be acceptable and would be in accordance with policies 7.2, 7.4, 7.6 and 7.8 of the London Plan (2016), policies BE1, WCOA, WCOA1, BE1 of the Core Strategy (2011) and policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013).

Residential Amenity: With regards to light, outlook, privacy and overshadowing, the proposed development is acceptable and would have negligible impact upon the amenities of adjoining occupiers and future occupiers within Plot D of the consented masterplan. Conditions are recommended which require details of the events and noise levels from the proposed roof terraces and any required mitigation to be implemented. In this regard, the development would respect the principles of good neighbourliness. Subject to conditions, the proposed

development is therefore considered to be acceptable and would be in accordance with policy 7.15 of the London Plan (2016) and policies DM G1, DM H9 and DM H10 of the Development Management Local Plan (2013).

Transport: It is considered that the overall traffic impact of the proposed development, on its own and as part of the wider development scheme would be acceptable and in accordance with DM Local Plan Policy DM J1. It is considered that the approved car parking provision for the retail extension provides an acceptable level of car parking to accommodate the additional office floorspace proposed in accordance with the DM Local Plan policies DM J2 and DM J3 and London Plan (2016) table 6.3. The scheme proposes an acceptable level of cycle parking for the development which is in accordance with the London Plan (2016). The site is accessible and well served by public transport. A servicing and delivery plan and a travel plan will be required via conditions to mitigate against potential issues. Subject to conditions the proposed development is therefore considered to be in accordance with policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 and Table 6.3 of the London Plan (2016), policy T1 of the Core Strategy (2011) and policies DM J1, DM J2, DM J4, DM J5 and DM J6 of the Development Management Local Plan (2013).

Sustainability: The scheme has been designed to meet a BREEAM rating of 'Very Good' as a minimum and could achieve 'Excellent'. The 2013 energy strategy submitted with the outline scheme includes provision for an energy centre which will provide the heating and hot water requirements for the wider development including the office scheme through a gas fired CHP. The proposal will contribute towards further CO2 reductions through various measures. This will result in a significant reduction of CO2 emissions across the whole site. The proposed development is therefore considered to be acceptable and would be in accordance with policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15, and 7.19 of the London Plan (2016) and policies CC1, CC2 and H3 of the Core Strategy (2011) and policies DM H1, DM H2, DM H3, DM H4, DM H5 of the Development Management Local Plan (2013).

Flood Risk: The site is in the Environment Agency's Flood Zone 1, which indicates a low risk of flooding from the River Thames. The proposed development is an extension above the proposed restaurant block - i.e. no basement or ground level development. Therefore there is no need to include flood protection measures into the extension, although there will be a need to manage surface water run-off via planning conditions. Subject to conditions, the proposed development would therefore be acceptable in accordance with Policies 5.12 and 5.13 of the London Plan (2016) and policies DM H3 and DM H4 of the Development Management Local Plan (2013).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 27th 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:	Dated:
Historic England London Region	09.05.17
Greater London Authority - Planning Decisions Unit	04.07.17
Thames Water - Development Control	22.05.17
Transport For London - Land Use Planning Team	24.05.17

Neighbour Comments:

Letters from:	Dated:
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1. BACKGROUND AND SITE DESCRIPTION

Background

1.1 This report accompanies planning application (Ref. 2017/01760/FUL) which seeks full planning permission for the erection of a part three, part four storey extension located at levels 60, 64, 68 and 72 above the proposed four story restaurant block within the Westfield Phase 2 development. The first three floors (levels 60, 64 and 68) would comprise office floor space and a roof terrace/events space is proposed at level 72.

1.2 The restaurant block application (ref. 2016/04602/FUL) was heard at LBHF planning committee on 14th March 2017 and received a resolution to grant planning permission. The decision is currently pending subject the completion of the s106 legal agreement. The office block would be an extension to the restaurant block and the application has been submitted on the basis that the restaurant block is approved. If the planning committee resolve to grant planning permission for the office extension, the decision would only be issued after the decision has been issued for the restaurant block application as the office scheme can only be implemented alongside the restaurant scheme.

1.3 The development site is located within part of the wider Westfield Phase 2 development area to the north of the existing Westfield Shopping Centre. The site comprises part of the ground floor of the restaurant block where the entrance lobby to the offices is proposed and three floors of office floorspace above the restaurant block. The development will be constructed alongside the restaurant block and Retail Extension.

1.4 The wider masterplan has evolved since first being approved in 2012 with the east to west pedestrian route being internalised and the main vehicular route (Ariel Way) being realigned further south. The changes to the masterplan resulted a large un-

planned west facing facade which presented the applicant with an opportunity to provide additional floorspace (the restaurant block) to increase the activity on the western façade of Plot A. The modified masterplan has led to opportunity to introduce additional office floorspace (Class B1) above the restaurant block.

Westfield Phase 2 Planning Permission Background

1.5 In September 2014, the applicant secured outline planning permission (Ref. 2013/05115/OUT) for the comprehensive redevelopment of the land to the north of the existing Westfield London shopping centre to comprise a mix of uses (A1, A3-A5, B1, D1, D2 and C3) across distinct building blocks ranging from 2 to 23 storeys. This permission is referred to as "the 2014 Consent" in this report.

1.6 In October 2015, planning permission was granted for a Section 73 application (Ref. 2015/02565/VAR) for minor material amendments to the 2014 Consent to allow for design development undertaken to the outline scheme since September 2014. This permission is referred to as "the 2015 S73 Consent" in this report.

1.7 Planning permission was granted in April 2016 for the first reserved matters application for Plot A which comprises the Retail Extension, and is referred to in the report as the "the First Plot A RMA" (Ref. 2015/05217/RES). The First Plot A RMA sought reserved matters approval for access, appearance, layout, and scale of the structure (Phase B) and envelope (Phase C) of Plot A.

1.8 On 4th July 2017, planning permission was granted for a second s73 application which sought to amend the 2015 consent (Ref. 2016/03944/VAR). The amendments included alterations to the floorspace use classes as well as vertical and horizontal alterations to the plot parameter plans and was submitted to enable the submission of this full planning application for the restaurant block (although it did not pre-judge its acceptability). The application is referred to as "the 2017 S73 Consent" which essentially comprises the 'parent' main planning permission to which all subsequent Reserved Matters are submitted pursuant to.

1.9 On 4th July 2017, planning permission was granted for a revised reserved matters application for Plot A (Ref. 2016/05319/RES). This application is referred to as "the Second Plot A RM application". The purpose of the revised reserved matters application was to regularise the footprint and external appearance of the retail extension (Plot A) to ensure that the restaurant block and Plot A appear as a complete development.

1.10 On 14th March 2016, LBHF planning committee resolved to grant planning permission (Ref. 2016/04602/FUL) for the erection of a four storey extension to the Westfield Phase 2 Retail Extension comprising 3,783.4 sqm of retail use (Class A1) and 3,056.5sqm of flexible food and beverage use (Classes A3, A4, A5). This application is referred to as the 'restaurant block'. The application is currently pending determination subject to the s106 legal agreement being completed.

site Description

1.11 The site comprises an area of approximately 0.17 hectares to the north of the existing Westfield London Shopping Centre and south of the Hammersmith and City line viaduct. The site is located within the Westfield Phase 2 development area and is located above the 'restaurant block' building.

1.12 The eastern boundary of the site abuts the proposed extension to the shopping centre. The site is adjacent to the White City Bus Station and the Grade II listed Dimco Buildings, which lie immediately to the south of Ariel Way and immediately to the east of Wood Lane.

1.13 The northern and north-western boundary of the site is formed by the Hammersmith and City line viaduct, which carries the Hammersmith and City rail lines, while the London Overground railway line and the West Cross Route (the A3220) form the eastern boundary. The existing Westfield London Shopping Centre lies directly to the south of the site, and Wood Lane (the A219) runs north-south to the west.

1.14 The current Public Transport Accessibility Level (PTAL) rating of the site is 6a (Excellent), indicating high public transport accessibility. It is close to Wood Lane Underground station (to the north west) and Wood Lane which is situated to the west.

Planning Designations

1.15 The site is just outside the Shepherds Bush Town Centre which is identified as a Metropolitan Town Centre within the London Plan. The site is located within the White City Opportunity Area, where the council wishes to see a comprehensive approach to development for a mix of uses as set out in the Core Strategy Strategic Policy WCOA. The site is not located within a conservation area, although the Wood Lane conservation area is located to the north of the site on the north side of the railway viaduct. The site is adjacent to the Grade II listed Dimco buildings.

Existing Uses

1.16 Various works have been undertaken within the Westfield Phase 2 development area since permission was granted for the enabling works in 2014. The enabling works permission included the demolition of existing buildings, the temporary diversion and construction of highways and construction of a tunnel to connect to the existing Westfield London basement. Reserved matters were approved for the formation of the retail extension basement (ref. 2015/01447/RES) in June 2015 and for the structure and envelope of Block A (ref. 2015/05217/RES) in April 2016 and later revised in July 2017 (2016/05319/RES). In September 2016, permission was granted for the construction of a bus layover facility within the outline permission site. Work has since commenced on all three elements.

1.17 The site was formerly occupied by industrial buildings which formed part of the White City industrial estate and the technical assessments contained within the Environmental Statement (ES) submitted with this application adopt a baseline of the fully occupied site prior to the commencement of any demolition and construction works to present a worst case scenario assessment.

The Surrounding Area

1.18 The site falls within a larger parcel of land sandwiched between Wood Lane (the A219) to the west, the Westway (A40) to the north, the West Cross Route (the A3220) and railway lines to the east and Shepherds Bush Green to the south. This area is occupied by buildings with large footprints, including the existing Westfield Shopping Centre, warehouses and office buildings.

1.19 The West Cross Route (A3220) is a dual carriage way connecting the Westway (A40) and Holland Park Roundabout. It is set at an elevated level for much of its length, therefore acting as a major physical barrier between the areas either side of it.

1.20 The area immediately to the east of the West Cross Route is occupied by office buildings including the Yellow Building occupied by Monsoon Accessorize Ltd, the White Building occupied by Talk-Talk and the Studio Building. These buildings are large in scale and define the urban context of the immediate area, which is particularly relevant to the development site. To the west of the site, Wood Lane (A219) links the Westway to the north and Uxbridge Road to the south, varying in character and scale along its length. There are a mix of commercial and residential buildings along Wood Lane including the BBC Television Centre which is Grade II Listed. The White City Estate is situated north of the BBC TV Centre and the BBC Media Village is located beyond that which contains large buildings set around pedestrian streets and a public space. The Wood Lane Conservation Area lies directly to the north and west of the site.

1.21 The existing Westfield London Shopping Centre and residential areas are located to the south of the site. The streets to the west (such as Frithville Gardens and MacFarlane Road) are residential in character, dominated by terraced housing, largely Victorian in origin. The streets to the south west of the site are set on a regular and tight grid and are largely aligned in a north-south direction. These streets are predominantly occupied by two to three storey terraced houses.

1.22 In terms of local transport links, Wood Lane Underground Station is directly to the north-west corner of the site and is served by the Hammersmith and City Line. Shepherds Bush Underground Station is located approximately 455m to the south of the site, and is served by the Central Line. Adjacent to Shepherds Bush Underground Station is an integrated bus station interchange and Shepherds Bush Overground station. White City Underground Station is located approximately 280m to the north of the site and served by the Central Line.

Development within the Surrounding Area

1.23 The following section provides a summary of the most recently approved developments which are in the immediate vicinity of the application site.

BBC Television centre

1.24 In July 2014, Stanhope PLC secured planning permission for the comprehensive redevelopment of the former BBC Television Centre site (ref: 2013/02355/COMB) which has been subsequently varied (latest approval in September 2016 (ref: 2016/01373/VAR)) alongside the relevant accompanying listed building consents. The proposals include 943 residential units, 56,801sqm of B1 floorspace and 11,053 sqm of A1/A2/A3/A4 floorspace and includes a tall building of 25 storeys, lying directly to the west of Wood Lane. Works began on site in 2014.

St James, White City.

1.25 The land immediately to the north of the Westfield application site is the former M&S site which was acquired by St James in 2013. On 16th December 2015, planning permission was granted for a part outline/detailed planning application, for the comprehensive redevelopment of the site. The permission approved the erection of new

buildings ranging from 10 to 28 storeys; up to 1,465 residential units; provision of a mix of commercial uses (A1 - A5, B1, D1 and D2); provision of new accessible open space; provision of new pedestrian and vehicle routes, accesses and amenity areas.

Former Dairy Crest site

1.26 The large site immediately to the north of the St James site comprises the former Unigate Dairy Crest factory and distribution centre. Planning permission was granted on 21/11/2014 for the comprehensive redevelopment of the former Dairy Crest site off Wood Lane. This permission approved the demolition of all existing buildings on site and the development of up to 1,150 new homes, 19,623sqm of office accommodation and 2,320 sqm of retail floorspace. The site was sold to Imperial College London in August 2013 who are reviewing development options.

Imperial West

1.27 In November 2010, LBHF granted permission (ref. 2010/02218/FUL) for the redevelopment of part of the Imperial College Campus at Woodlands (Phase 1), comprising 608 self-contained flats for post graduate students, nine 3-bed flats for academics and 120 sqm of Class D1 floorspace. The development comprised the erection of four interconnected buildings ranging from three to ten storeys. This development has been completed and occupied since September 2012.

1.28 Permission was subsequently granted in July 2012 (ref. 2011/04016/COMB) for Phase 2, comprising the erection of six buildings of up to 35 storeys to provide A1, A3, B1, C1, C3, D1 and D2 floorspace. This planning permission has subsequently been varied to include several enhancements to the masterplan (most recent permission Ref: 2015/06109/VAR dated 05/12/2016) In August 2013, Imperial College completed the purchase of the former Dairy Crest site, increasing its land holdings to a total of 22.75 acres across one contiguous site. It is anticipated that a revised planning application for the site will come forward at a later date.

1.29 In March 2016, permission was granted (ref. 2015/01329/FUL) for the erection of a Biomedical Engineering Research Hub (Block E) which would be a 13-storey building plus two levels of basement comprising research laboratories and offices (Class B1) together with a clinical facility, lecture theatre and other ancillary uses, as well as a ground floor shop / café (flexible A1 - A3 use).

2.0 RELEVANT PLANNING HISTORY

Existing Westfield London Shopping Centre

2.1 On 29th March 1996, outline planning permission (ref: 1993/01830/OUT) was granted for the Westfield London Shopping Centre. This included the land to the south of Ariel Way to provide the access and servicing roads to the shopping centre.

2.2 On 23rd December 2002, outline planning permission (ref: 2000/01642/OUT) was granted for the southwest corner retail extension which delivered additional retail floorspace, community facilities and an art gallery.

2.3 On 29th May 2013, full planning permission (ref: 2013/01074/FUL) was granted for the extension of the existing shopping centre at roof level to comprise 3,092 sqm (Gross

Internal Area (GIA)) retail floorspace (A1 Use Class) and 7,249 sqm (GIA) leisure floorspace (D2 Use Class), (spilt over a full floor and mezzanine level) to be occupied by a Children's Education and Entertainment use ("the CEE Attraction") (known as Kidzania), located above the new M&S floor. The application also included identification of external signage zones, relocation of existing plant and addition of new plant and other associated works.

2.4 On 31st July 2013, full planning permission (ref: 2013/01768/FUL) was granted for the extension of the existing shopping centre at roof level comprising additional office floorspace (1490.34sqm) (Class B1), relocation of existing plant and addition of new plant and other associated works.

Land to the North of Westfield Shopping Centre ("Westfield Phase 2 Extension")

2.5 On 29th March 2012, outline planning consent (ref: 2011/02940/OUT) was granted for the redevelopment of land to the north of Ariel Way to allow a mixed use scheme consisting of new additions and alterations to the existing Westfield London shopping centre. The permitted scheme comprises up to 50,855 sqm Class A1 (Retail), up to 5,070 sqm Classes A3, A4 and A5 (Restaurants, Cafes, Bars, Hot-food Take-away use), up to 540 sqm Class B1 (Offices), up to 1,520 sqm Class D1 (Community use) and up to 1,758 sqm Class D2 (Leisure use) floorspace, as well as up to 1,522 residential units.

2.6 On 5th September 2014, a second outline planning permission (ref: 2013/05115/OUT) was granted for the comprehensive redevelopment of the site to the north of the existing Westfield Shopping Centre including construction of new buildings (ranging from 2 - 23 storeys) and structures (including podium) up to 87.975m (AOD) to provide up to 61,840sqm (GEA) retail use (A1) including an anchor department store; up to 8,170sqm (GEA) restaurant and café use (A3 - A5); up to 2065sqm (GEA) office use (B1); up to 1,600sqm (GEA) community/health/cultural use (D1); up to 3500sqm (GEA) leisure use (D2) and up to 1,347 residential units.

2.7 On 15th July, an associated enabling works consent (ref: 2013/05350/FUL) connected to the outline application (ref: 2013/05115/OUT) was granted including demolition of existing buildings and associated structures, the closure and temporary diversion of highways, construction of temporary highways, excavation and construction of a tunnel and support structures to connect to the existing Westfield London basement, utilities diversions and other associated works.

2.8 On 1st July 2015, reserved matters application (2015/01447/RES) was granted to discharge access, scale and layout pursuant to condition 1 of the outline planning permission (ref: 2013/05515/OUT) for Phase A (engineering and construction operations comprising the formation of the basement and facilitating the future layout of the basement only) of the Westfield London development.

2.9 On 7th October 2015, planning permission was granted for a non-material amendment application (ref: 2015/01569/NMAT) to the outline permission 2013/05115/OUT comprising amendments to the wording of the following conditions; 9 - Details of Typical Bays, 10 - Details of Hard and Soft Landscaping, 24 - Noise Assessment, 26 - Enhanced Sound Insulation Scheme, 66 - Bus Priority Measures, 67 - Vehicle Entry to Anchor Store, 69 - Wind / Microclimate, 77 - Business Relocation Plan,

to require approval of details prior to commencement of the relevant phase of development, or part thereof.

2.10 On 13th October 2015, a Section 73 application (ref: 2015/02565/VAR) was granted to vary conditions 2, 3, 5 and 49 of the outline planning permission (ref: 2013/05115/OUT). The amendments included alterations to: site levels; the public realm; increase in massing affecting building footprint and building height; a 107sqm (GEA) overall reduction in total floorspace and changes to its apportionment to approved land uses including deletion of 2,065 sqm (GEA) B1 Office floorspace; reduction in non-residential car parking spaces.

2.11 On 29th April 2016, reserved matters application (2015/05217/RES) was granted for the submission of reserved matters relating to appearance, scale, access and layout for Phases B and C (Plot A structure and envelope) of the outline permission 2015/02565/VAR comprising 75,019 sqm of A1 floorspace, 4,285sqm of A3-A5 floorspace; 2,456 sqm of D2 leisure floorspace and 518 non-residential car parking spaces pursuant to outline planning permission dated 13th October 2015 (ref: 2015/02565/VAR).

2.12 On 14th September 2016, non-material amendment application (Ref: 2016/03604/NMAT) was granted for amendment to planning permission 2015/02565/VAR dated 13th October 2015 for the relocation of the energy centre flue stack from Plot C to Plot K including a reduction in the height of the flue stack and amendments to the building line and building height of Plot K to allow the construction of the flue stack.

2.13 On 28th September 2016, planning permission (Ref: 2015/05685/FUL) was granted for erection of a covered bus layover facility beneath the Westfield London Phase 2 podium to provide 21 layover spaces and a drivers' facility, associated with the relocation of the existing White City bus layover facility from the East Dimco building.

2.14 On 14th March 2017, LBHF planning committee resolved to grant planning permission (Ref. 2016/04602/FUL) for the erection of a four storey extension to the Westfield Phase 2 Retail Extension comprising 3,783.4 sqm of retail use (Class A1) and 3,056.5sqm of flexible food and beverage use (Classes A3, A4, A5). This application is referred to as the 'restaurant block'. The application is currently pending determination subject to the s106 legal agreement being completed.

2.15 On 15th June 2017, planning permission (2015/05684/FUL) was granted for the realignment of Ariel Way to include provision of a new point of egress from White City Bus Station to the proposed bus layover located under block C; provision of a taxi / valet drop-off area to the north of Ariel Way; formation of a solid central reservation prohibiting a right-turn from Ariel Way onto the short connecting link between Ariel Way and the main exit from Westfield London Car Park; the separation of access and egress to the relocated bus layover facility; a shortened bus lane, with the bus lane extending from the bus layover egress to the priority T-junction providing access to White City Bus Station; one service vehicle lay-by at the eastern end of Ariel Way; demolition and provision of new cleaning facilities on a new island site opposite the West Dimco building.

2.16 On 4th July 2017, planning permission was granted for the 2016 S73 Scheme (Ref: 2016/03944/VAR) for the variation of conditions 2, 3, 5 and 49 of Outline Permission (as amended) 2015/02565/VAR granted on 13th October 2015. Amendments include an increase in the maximum building height for Plot K from 8 (43.05m AOD) and 14 (62.4m AOD) storeys to 10 (48.1m AOD) and 16 (70.2m AOD); an increase in the maximum height of the energy centre flue from 67.4m AOD to 75.2m AOD; a reduction in leisure (Class D2) and food/drink use (Classes A3-A5) and an increase in retail use (Class A1) resulting in an overall reduction in the total proposed floorspace by 42.4sqm; reduction to the limit of deviation of the south eastern façade of Plot D from +/- 5m to -5m; increase to the limit of deviation of the western canopy of the east-west link of Plot A from +/- 5m to +11m/-5m.

2.17 On 4th July 2017, planning permission (2016/04020/RES) was granted for the submission of reserved matters relating to layout, scale, appearance, access and landscaping for Plot K comprising the erection of a part 10, part 16 storey building to provide 89 residential units (33 x 1 bed, 45 x 2 bed, 11 x 3 bed) pursuant to outline planning application 2016/03944/VAR.

2.18 On 4th July 2017, LBHF planning permission was granted for a revised reserved matters application for Plot A (Ref. 2016/05319/RES). This application is referred to as "the Second Plot A RM application". The purpose of the revised reserved matters application was to regularise the footprint and external appearance of the retail extension (Plot A) to ensure that the restaurant block and Plot A appear as a complete development.

2.19 Following the determination of the applications listed above, several approval of details applications have also been granted permission.

3. THE CURRENT APPLICATION

3.1 The proposals comprise the delivery of a part three, part four storey extension above the 'restaurant block' (application ref. 2016/04602/FUL), providing 4,995 sqm (GEA) of office use (Class B1) at levels 60, 64 and 68, with a single storey structure at roof level (level 72) comprising ancillary accommodation to support a proposed roof terrace/events space (Class Sui Generis) at roof level. The proposed development is an extension of the restaurant block and will abut the western façade of Block A and will extend westwards towards Block D, as defined by application ref. 2016/03944/VAR.

3.2 The application description is:

Erection of a part three, part four storey extension above the restaurant scheme (application ref: 2016/04602/FUL) comprising 4,995.1 sqm (GEA) of office use (Class B1) at levels 60, 64 and 68 and an events space and associated amenities (Class Sui Generis) at level 72 including the change of use of part of level 20 from flexible restaurant use (Classes A3-A5) to office use (Class B1) to form an entrance lobby to the offices and events space.

3.3 To summarise, the proposal comprises the following floorspace:

Table 1: Proposed floorspace

Use	Proposed Quantum (GEA) sq m	Proposed Quantum (GIA) sq m
Office (Use Class B1)		
Level 20 (Office Entrance)	133.1	127.7
Level 60	1649	1620
Level 64	1651	1623
Level 68	1562	1532
Sub Total	4,995.1	4,902.7
Office roof terrace/Events Space (Use Class Sui Generis)		
Level 72	276.4	132
Sub Total	276.4	132
Total Floorspace	5,271.5	5,034.7

3.4 The restaurant block extends to four storeys above ground with each floor at the same height as those within the adjoining Phase 2 retail centre to ensure connectivity between the floors of each building. The proposed office extension seeks to extend the proposed restaurant block, with the provision of three levels of commercial office space above the approved block. Levels 4 and 5 (Level 60 and 64 respectively), provide flexible office space of the same size, which is sub-divisible in a variety of open plan or cellular configurations.

3.5 At Level 6 (Level 68), further space is provided at a slightly lower quantum. The office space at this level has access to roof terraces on the north and west elevations.

3.6 At Level 7 (Level 72), a flexible roof terrace is proposed which is referred to as the 'events space' the submission. The area includes a large roof terrace surrounded by a glass balustrade and a single storey building which includes a small kitchen, lobby and toilets which shall be associated with the use of this space. Roof plant is also proposed at this level.

3.7 The proposed development will be accessed from the ground floor level through an entrance lobby proposed on the south west façade. The application includes a change of use of this space as it was previously approved as restaurant floorspace with the restaurant block application.

Relationship with wider site

3.8 The proposals have been developed with consideration to the parameters set through the 2017 S73 Consent, as well as the reserved matters applications for Blocks A and K, and for the public realm and public room pursuant to this. Most importantly, the extension is developed having regard to the Restaurant Scheme on which it sits.

3.9 The application site is situated to the north of the Grade II listed Dimco building and to the south of the John Lewis anchor store building which is currently being constructed on the site. The office levels are set back from the building line of the restaurant block to respect the relationships to surrounding buildings.

3.10 The combined restaurant and office building will create a new frontage with the proposed new public square (known as Relay Square) which is subject to detailed approval under the Public Realm Reserved Matters Application.

Application submission

3.11 The following documents have been submitted in support of the application:

- Application Covering Letter;
- Planning Application Form and Certificates;
- Planning Statement, prepared by Montagu Evans dated April 2017;
- Design and Access Statement, prepared by Glenn Howells Architects dated April 2017;
- Environmental Statement, prepared by Ramboll Environ dated April 2017, comprising:
 - Volume 1: Non-Technical Summary;
 - Volume 2: Environmental Statement Main Report;
 - Volume 3: Townscape, Heritage and Visual Impact Assessment; and
 - Volume 4A: Technical Appendices (including Flood Risk Assessment); and
 - Volume 4B: Transport Assessment (including Travel Plans, Delivery and Service Management Plan, and Construction Logistics Plan)
- Historic Environmental Report, prepared by Peter Stewart Consultancy dated April 2017;
- Sustainability Statement, prepared by Ramboll Environ dated April 2017;
- Letter from Foreman Roberts dated 22 February 2017, updating the Energy Strategy as approved under the 2015 Consent;
- Letter from Foreman Roberts dated 22 February 2017, comprising a BREEAM Pre-Assessment for the proposed offices;
- Statement of Community Involvement, prepared by H+K Strategies dated April 2017;
- CIL Additional Information Form, prepared by Montagu Evans on behalf of Westfield Europe Limited;
- Drawings:
 - W2-TBG N2-20- DR-A-08201 Rev P05;
 - W2-TBG N2-60- DR-A-08201 Rev P05;
 - W2-TBG N2-64- DR-A-08201 Rev P05;
 - W2-TBG N2-68- DR-A-08201 Rev P05;
 - W2-TBG N2-72- DR-A-08201 Rev P05;
 - W2-TBG N2-76- DR-A-08201 Rev P05;
 - W2-TBG N2-EN- DR-A-08201 Rev P05;
 - W2-TBG N2-EN- DR-A-08202 Rev P04;
 - W2-TBG N2-ES- DR-A-08201 Rev P04;
 - W2-TBG N2-ES- DR-A-08202 Rev P04;
 - W2-TBG N2-EZ- DR-A-08201 Rev P05;
 - W2-TBG N2-EZ- DR-A-08202 Rev P05;
 - W2-TBG N2-EZ- DR-A-08203 Rev P04;

W2-TBG N2-SZ- DR-A-08201 Rev P05;
W2-TBG N2-SZ- DR-A-08202 Rev P05;
W2-TBG N2-SZ- DR-A-08203 Rev P01;
W2-TBG ZA-00- DR-A-08201 Rev P03;
W2-TBG ZA-00- DR-A-08202 Rev P03;
W2-TBG ZA-76- DR-A-08201 Rev P04;
W2-TBG ZA-EZ- DR-A-08201 Rev P04; and
W2-TBG ZA-EZ- DR-A-08900 Rev P01.

4.0 CONSULTATION AND PUBLICITY

Pre-application consultation

4.1 A Statement of Community Involvement (SCI) has been submitted with the application which details the public consultation undertaken by the applicants (Westfield) prior to the submission of the application.

4.2 A public exhibition of the proposed development was held at Westfield London on the 30th and 31st March 2017. Local residents were advised of and invited to attend this public exhibition via leaflets posted to their homes. In addition, officers and Members of the Council were informed of the event, and an invitation was sent to the Hammersmith Society. The information presented at the exhibition was also published on the Westfield London development website. A total of 93 people attended the public exhibition.

Application publicity and consultation

4.3 Following submission of the application, the Council advertised details of the planning application by:

- Sending approximately 266 letters to surrounding properties;
- Displaying site notices around the site from 16/05/2017 to 06/06/2017;
- Publishing a press notice in the local paper from 10/05/2017 to 06/06/2017.

Consultation responses summary

4.4 External/statutory consultees:

i) Greater London Authority:

Raised no strategic issues.

ii) Transport for London:

The applicant must demonstrate that the existing approved servicing facility has capacity to accommodate the additional uses. The framework servicing and deliveries plan should be updated for this proposal.

Officer's response: Condition 17 is recommended which requires a servicing and deliveries plan to be submitted.

Details of blue badge parking was requested as the spaces were not shown with the application and so TfL requested that at least two parking bays for blue badge holders should be provided.

Officer's response: In response to this comments, the applicant submitted a plan which shows the relationship between the roof top car park on the retail extension and the office scheme. The plan shows the location of the blue badge parking spaces within the roof top car park and the route to the office scheme car park entrance and lifts located at level 60.

TfL requested that access arrangements to car club cars which featured in previous permissions are explained.

Office response: The previous permissions do not make any reference to access arrangement to car clubs.

In terms of underground, overground rail and bus capacity TfL does not consider there will be a significant impact from the identified trips spread over the peak hour and will not be seeking a capacity-increasing contribution. However, should there be any subsequent increase in floorspace/more impactful land use sought, a step change in bus improvement is likely to have been reached and TfL will review its requirements accordingly.

There is a great deal of transport infrastructure underlying the Westfield site. Accordingly, given this development will sit on top of the restaurant development, sharing the same foundations, the advice on the suitable wording of a condition safeguarding that infrastructure from damage is carried over from the restaurant scheme to the current proposal.

Officer response: London Underground were consulted on the application and advised that the conditions regarding the safeguarding of infrastructure were not required for this development as agreements between Westfield and London Underground are already in place.

The TA states that "A reassessment of the original CERS [and PERS] audits was undertaken on the 3rd of March 2016" but does not confirm this was a desk exercise or practical re-survey; it would appear the original findings from the 2013 assessments have been submitted. It is requested that the applicant updates these sections for this new land use which will be associated with different transport patterns from a residential use.

Officer response: The applicant has advised that they will updated the audits and officers have advised that the results should be presented in the travel plan.

Travel Plans for both the residential and retail/ commercial/ leisure uses were secured through the section 106 agreement in line with London Plan Policy 6.3 in the original consent. TfL expects these will be re-secured, and the content should take into account of the latest proposed change of land use mix. The council should to consult TfL on the plans prior to them being agreed to ensure accordance with TfL best practice guidance. Officer response: Condition 16 is recommended which requires the submission of a travel plan.

TfL requests that the submission of a delivery and servicing plan (DSP) and construction logistics plan (CLP) be re-secured by appropriate s106 agreement/ conditions.

Office response: A CLP is required through condition 10 and a delivery and servicing plan is required through condition 17.

The original outline consents provided section 106 contributions towards mitigating the development's transport impact across a number of modes as informed by the DIF Study. TfL expects that all of the transport obligations will be retained if the council is minded to grant consent to this proposal.

Officer response: The proposal will not affect the approved s106 contributions and all contributions will be retained.

iii) London Underground:

London Underground confirmed the planning applicant is in contact with their engineers regarding the development and that they therefore have no comment to make on the application except that the developer should continue to work with LU engineers.

iv) Historic England:

Recommended that the application is determined in accordance with national and local policy guidance, and on the basis of LBHF's specialist conservation advice.

v) Thames Water:

No objections with regards to sewerage infrastructure capacity and water infrastructure capacity. Recommended the following informative be added to any planning permission: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Officer response: The informative has been added to the recommendation.

vi) Hammersmith and Fulham Disability Forum Planning Group:

Require step free access (2 wheelchair use wide) from Relay Square to the proposal and step free access to the roof terrace. A drop off point to provide access to the offices and events space and a revision to the road and public realm application to reflect the changes proposed in this application.

Officer response: Step free access is proposed from Relay Square to the entrance and to/from the roof terraces. An amendment application to the road re-alignment permission is due to be submitted to amend the location of the drop-off bay.

The Disability Forum also stated that the following should be considered: canopies for outdoor space to protect people in bad weather and additional manifestation to glazing (including balustrade).

Officer response: A condition is recommended which will require details of any roof top canopies to be submitted for approval. See design section in assessment below for commentary on materials.

4.5 LBHF Internal consultees:

i) Environmental Policy:

Requested that conditions are added requiring i) the submission of a post construction BREEAM assessment for approval ii) the implementation of the energy efficiency and low carbon technologies as outlined in the proposal and iii) that a feasibility study is

carried out to investigate the possibility of installing living roofs on the roof of the scheme and that details should be submitted for approval if the installation is feasible.
Officer response: Conditions 5, 6 and 20 are recommended to address the comments.

ii) Environmental Protection:

The impact of the open air events space has not been sufficiently addresses within the application and conditions are informatives are therefore recommended requiring further details.

Officer response: Conditions 7, 8, 9 and 10, 11 and 12 are recommended to address the comments.

iii) Environmental Quality (Land contamination):

No objections.

iv) Air Quality:

Air Quality asked for a low emission strategy for the development as further mitigation measures will be required for vehicle and building emissions.

Officer response: Condition 24 is recommended.

v) Urban Design and Conservation:

Comments within assessment.

4.6 Neighbours

4.7 No neighbour responses received.

5.0 ENVIRONMENTAL IMPACT ASSESSMENT

5.1 It is considered that the office extension development would not result in significant environmental effects in isolation. However, cumulatively due to the scale, size and form of the proposals alongside the wider Phase 2 development, the combined effects would be likely to result in significant environmental effects which require examination by way of an Environmental Impact Assessment (EIA).

5.2 As such, the proposed combined developments including the office extension have been systematically assessed through an Environmental Impact Assessment (EIA), in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the results of which are presented in full within the Environmental Statement (ES) submitted with the application.

5.3 The ES has been designed to inform readers of the nature of the proposed development, the likely environmental impacts and the measures proposed to eliminate, reduce or mitigate any significant adverse effects on the environment. The ES is an update of the previous ES that was lodged as part of the 2013 Outline Scheme (Ref: 2013/05115/OUT). The new ES covers all the various amendments to the subsequent varied planning permission, including where the reserved matters details are known. The ES therefore covers the amendments to the floorspace, the height of Plot K and flues, the horizontal lines of deviation for the plots and the restaurant block.

5.4 The ES also describes the likely environmental impacts of the proposed development during the demolition and construction phase, and on completion and occupation of the proposed development.

5.5 The wider development site is now under construction and all the former buildings have been demolished except for Network House; the basement has been piled and excavated; the bus layover is complete and the structure and envelope of Plot A are underway. However, this is a temporary and constantly evolving state and not representative of the conditions that prevailed across the site for many years and that still prevail across the wider WCOA to the north. Moreover, the effects during construction stage of what is now happening form part of the earlier assessments. Accordingly, the fully occupied site condition prior to the commencement of demolition and construction works, has been adopted as the 'Existing Baseline' within the ES as this presents the worst case.

5.6 The Environmental Statement comprises the following documents:

- ES Volume 1: Non-Technical Summary
- ES Volume 2: Environmental Statement Main Report
- ES Volume 3: Townscape, Heritage and Visual Impact Assessment
- ES Volume 4A: Technical Appendices; and
- ES Volume 4B: Transport Assessment.

5.7 The Environmental Statement Main Report contains the following chapters which outline the environmental topics considered.

- Chapter 1: Introduction
- Chapter 2: EIA Process and Methodology
- Chapter 3: Alternatives and Design Evolution
- Chapter 4: proposed development Description
- Chapter 5: Demolition and Construction Environmental Management
- Chapter 6: Planning and Land Use
- Chapter 7: Socio Economics
- Chapter 8: Archaeology
- Chapter 9: Transport and Access
- Chapter 10: Air Quality
- Chapter 11: Noise and Vibration
- Chapter 12: Ground Conditions
- Chapter 13: Water Resources, Hydrology and Flood Risk
- Chapter 14: Ecology
- Chapter 15: Daylight, Sunlight and Overshadowing
- Chapter 16: Wind
- Chapter 17: Telecommunications
- Chapter 18: Waste
- Chapter 19: Cumulative Effects
- Chapter 20: Summary of Residual Effects

6.0 PLANNING POLICY AND STATUTORY DUTIES

Development Plan

6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the planning application has been assessed against the adopted policies in the Development Plan together with any other material considerations.

6.2 The Development Plan comprises the London Plan (2016), London Borough of Hammersmith and Fulham Core Strategy (2011) and Development Management Local Plan (2013). The Government's National Planning Policy Framework (NPPF) has also been considered. Other adopted planning guidance includes the White City Opportunity Area Framework (WCOAPF) (2013) which has been adopted as a supplementary planning document. The Development Management SPD Supplementary Planning Guidance (2013) has also been considered.

Emerging Policy

6.3 The Local Plan was submitted for examination in February 2017 and public hearings took place in June 2017. The Local Plan sets out the vision, objectives and detail spatial strategy for future development in Hammersmith and Fulham for the next 15-20 years.

National Policy: National Planning Policy Framework (2012)

6.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is a material consideration in all planning decisions. The NPPF sets out national planning policies and how these are expected to be applied replacing the previous framework of Planning Policy Guidance and Planning Policy Statements. It is intended to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It includes a presumption in favour of sustainable development in both plan making and decision making.

6.5 A key principle of the NPPF is the requirement to ensure the planning system does everything it can to support sustainable economic growth and build a strong and competitive economy and it identifies that planning should operate to encourage and not act as an impediment to sustainable growth. It also promotes mixed use development encouraging the multiple benefits from the re-use of brownfield land in urban areas.

Regional Policy: London Plan (2016)

6.6 The London Plan forms part of the statutory development plan against which planning applications are considered. Policy 2.5 of the London Plan identifies the site within the West London sub-region and Policy 2.9 in the Inner London region. Policy 2.14 refers to areas for regeneration but some of the areas identified also fall within opportunity or intensification areas where policy 2.13 is applicable. Policy 2.13 sets out the Mayor's role in relation to the 33 Opportunity Areas (OA's) and what development proposals within OA's should achieve.

6.7 White City is recognised in the London Plan by its classification as an OA in Map 2.4. The whole of the application site lies within the White City Opportunity Area (WCOA). Typically, opportunity areas have capacity to provide at least 5,000 new jobs

and 2,500 new homes. However, for the White City Opportunity area, the capacity is estimated to provide 10,000 new jobs and 5,000 new homes.

6.8 London Plan Policy 2.13 states that developments within Opportunity Areas will be expected to optimise residential and non-residential densities, to provide necessary social and other infrastructure, to sustain growth and to contain a mix of uses where appropriate. The proposed development is considered to respond to the thrust of these policies with regards to the provision of new jobs and contribution to the local and London wide economy.

Local Policy: LBHF Core Strategy (2011) and LBHF Development Management Local Plan (2013)

6.9 The Council's regeneration strategy is set out within Chapter 7 in the Local Development Framework Core Strategy (Adopted October 2011). The site forms the southern part of Strategic site WCOA1 (White City East), designated within the Core Strategy which also comprises BBC Television Centre, Dairy Crest site, M&S site (St James) and Imperial College. In line with the London Plan, policy WCOA in the Core Strategy allocates indicative targets of 5,000 additional homes (of which around 4,500 in White City East) and 10,000 new jobs. Policy WCOA states:

"The Council will work with the GLA, other strategic partners, the local community and landowners to secure the comprehensive regeneration of the White City Opportunity Area (WCOA); and, to create a vibrant and creative place with a stimulating and high quality environment where people will want to live, work, shop and spend their leisure time. The existing estates community must be able to benefit from regeneration of the area through access to jobs, better local facilities, better and more suitable housing, and improved environmental conditions."

6.10 The Development Management Local Plan (2013) sets out the proposed development management policies used in helping to determine planning applications.

Supplementary Planning Document: White City Opportunity Area Planning Framework (2013)

6.11 The existing Westfield shopping centre, including the land to the north is also located within the wider regeneration area as defined within the White City Opportunity Area Planning Framework (WCOAPF) which was formally adopted in October 2013. This document builds upon the Core Strategy Regeneration policies and promotes the regeneration of the wider White City area. The WCOAPF encompasses an overarching strategy for urban design, land use, housing, transport, social and environmental and provides policy guidance for developers and landowners to ensure a comprehensive approach is taken in the redevelopment of the area. The SPD identifies several strategic sites where the majority of new development should be focused. This includes the application site.

Equality Act

6.12 Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The

first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. A further assessment of equalities impacts on protected groups is necessary for development proposals which may have equality impacts on the protected groups.

6.13 With regards to this application, all planning policies in the London Plan, Core Strategy, DM Local Plan and National Planning Policy Framework (NPPF) which have been referenced in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in officers' assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED. A summary of the equalities impacts on protected groups is set out as a separate section in the report.

Planning (Listed Buildings and Conservation Areas) Act 1990

6.14 Officers acknowledge that there is a strong statutory presumption under the Planning (Listed Building and Conservation Areas) Act 1990 and as reflected in recent case law against the grant of planning permission for any development which would either (1) fail to preserve the setting or special architectural or historic character of a listed building or (2) fail to preserve the character or appearance of a conservation area. This is because the desirability of preserving the special architectural or historic character of a listed building, or the character or appearance of the area is a consideration of considerable importance and weight.

6.15 Officer's assessment of the level of harm to the setting or special architectural or historic character of the Grade II listed Dimco building character and appearance of the conservation area is a matter of planning judgement and the design, heritage and townscape section of this report addresses these matters in detail.

7.0 PLANNING ASSESSMENT

7.1 The main planning considerations are:

- Regeneration and the principle of the development;
- Land use;
- Design, Heritage and Townscape;
- Transport;
- Impact on neighbouring amenity;
- Energy;
- Sustainability; and
- Other considerations.

Regeneration and the principle of the development

7.2 This section of the report sets out a review of the contribution of the proposed development to the delivery of the objectives for achieving the vision as set out in the WCOAPF (October 2013). The scheme itself represents a small part of the overall extension of Westfield London but does contribute to the benefits of the wider scheme and the vision of the WCOAPF.

7.3 The WCOAPF sets out a vision for the OA as follows:

"White City will be a vibrant and creative place with a stimulating and high quality environment where people will want to live, work, shop and spend their leisure time.

Anchored by world leading institutions including the BBC and Imperial College London, and with one of London's best retail offers at Westfield in a reinvigorated and metropolitan town centre, the area will become a renowned hub for creative industries and innovation...The area will contribute to meeting local employment and community needs, with a high proportion of new jobs filled by local people.

The area to the north of Westfield and including the former BBC television centre will become a new urban quarter with an enlarged, mixed community, through housing-led, mixed use development...The Opportunity Area will be fully integrated within the wider local area. The area will be a model of high quality urban design, sustainable architecture and construction situated within a first class, permeable and inclusive public realm to encourage walking and cycling. Many people will choose to both live and work in the area, reducing the need for commuting and demand on the public transport and road network."

7.4 The WCOAPF highlights eight objectives for achieving the vision. The objectives are set out below, along with a commentary on the role of the proposed development in responding to and meeting these objectives.

Provide mixed use commercial development

7.5 The application seeks two new uses, Class B1 office use and Sui Generis event space use. This is in addition to the A-class uses proposed at the lower levels within the restaurant block, and the range of uses proposed across the wider site. The wider regeneration responds directly to this objective, seeking a varied mix of land uses, which overall, ensures that vibrant and active frontages are established and maintained through the site.

7.6 The proposed development seeks to add to the quantum of commercial uses delivered at Westfield London. A Key objective of the WCOAPF is to provide mixed use commercial development and encouraging offices and flexible work spaces to shape and continue the growth of the economic sector. It is therefore considered that the redevelopment of the site, coupled with the redevelopment of the wider centre, responds to these principles.

Reinforce and connect with the town centre

7.7 The application seeks to facilitate the further extension of town centre activities (offices) northwards, connecting the important existing retail and commercial area centred on Westfield London Shopping Centre, with the surrounding area, including land to the north of the Hammersmith and City line viaduct and other areas within the OA which are undergoing rapid change.

Creation of new housing and opportunities

7.8 This application does not propose residential accommodation. The wider outline application scheme proposes to deliver 1,347 residential units and this is unaffected by the proposed development.

Maximise connectivity

7.9 The 2017 S73 Consent included the creation of new pedestrian connections within the site, linking the development to the wider area. Central to this is the creation of Ariel Walk, a major east-west route through the site, linking Ariel Square within the south east corner and Ariel Way to the west. This route provides connectivity to and through the site from Wood Lane in the west to the West Cross Route and RBKC in the east.

7.10 These elements are not affected by the office scheme proposals

Create high quality public realm and open space

7.11 The 2017 S73 Consent and the pursuant Public Realm and Public Room reserved matters applications include the delivery of high quality public spaces and landscaped areas within the site, to which significant amendments are not proposed. The Restaurant Scheme, and now the office scheme will form an important frontage to the proposed Relay Square.

Increase employment opportunities

7.12 As per Chapter 7 of the 2017 ES that accompanies this application, the office scheme itself is anticipated to give rise to approximately 325 net additional jobs, making a further contribution to the WCOA target of 10,000 new jobs in the area. The completed development is anticipated to create up to 3,171 net additional jobs in addition to the jobs created through the demolition and construction phases.

Provide social and community facilities

7.13 The redevelopment of the wider site will include the delivery of up to 1,600 sqm (GEA) of community floorspace and this is unaffected by the office scheme. In addition, the new public spaces that will be created across the site will be designed to be flexible to accommodate a range of uses and events.

Provide innovative sustainable energy solutions

7.14 As per Chapter 4 of the submitted ES, an Energy Strategy was prepared for the 2014 Consent, including an energy demand assessment and renewable energy feasibility study. The Applicant's current M&E engineers, Forman Roberts, have confirmed in a letter dated 22 February 2017, that this energy strategy remains valid for the proposed development as a whole, including the Outline Scheme, Restaurant Scheme and office scheme.

7.15 The 2013 Energy Strategy proposes to reduce the energy consumption and carbon emissions associated the proposed development through the use of passive design measures and energy efficiency design measures. Further details are provided in the Energy section of this report.

Land Use

7.16 As per the Council's LDF Proposals Map, the site falls within the Metropolitan Town Centre boundary. The London Plan sets out that the opening of the Westfield London Shopping Centre has raised the status of Shepherds Bush to a Metropolitan Town Centre (Annex 2, Table A2.1). The existing Shepherds Bush Town Centre boundary as designated in the LDF Proposals Map corresponds with the old alignment of Ariel Way, which has been realigned by the shopping centre development under planning permission ref. 2015/05684/FUL.

7.17 The Core Strategy recognises that there may be a case for a town centre extension to the north of the Westfield London Shopping Centre (Strategic Policy C - Hierarchy of Town and Local Centres and Strategic Policy WCOA - White City Opportunity Area), for the purposes of appropriately locating major mixed use regeneration incorporating retail, leisure and residential uses. It is recognised that such an extension could help to create a more successful physical link between the existing shopping centre and the area to the north. The WCOAPF states that an extension of town centre uses north of the existing shopping centre could: "help improve the planning of the entire area, allowing for a gradual transition from the town centre and retail uses to more community, leisure and residential uses".

7.18 The 2015 S73 Consent and the 2017 S73 Consent establish the principle of an extension of the shopping centre and therefore the increase in town centre uses in this area. The 2015 S73 Consent addresses policy requirements in terms of providing a development within this area which meets the planning policy. The proposed provision of additional town centre uses as part of the 2015 S73 Consent and the 2017 S73 Consent was consistent with the Council's commitment to potentially extend the existing town centre boundary northwards to include the site while allowing for growth in the existing part of Shepherds Bush town centre. This policy is clear that the northern boundary of the site is the only part of the WCOA suitable for this expansion. This is consistent with the approach in the NPPF to accommodating identified need in extensions to town centres where that need cannot be met entirely within the town centre.

7.19 As part of the town centre extension, the WCOAPF acknowledges, at paragraph 3.125 that an active environment will be created with retail uses at ground floor, with offices and residential above.

Office use and events space

7.20 The proposed office use and events space alongside the mix of uses consented under the outline scheme will meet the Council's key objective of achieving a comprehensive redevelopment of the site that will provide attractive linkages across the site and to the established town centre uses to the south, including both with the Westfield London Shopping Centre and the rest of Shepherds Bush Town Centre.

7.21 Policy 4.2 of the London Plan (Offices) supports the mixed use development of office provision to improve London's competitiveness and address wider objectives of the Plan. It seeks to consolidate and extend the strengths of the diverse office markets by promoting their competitive advantages and focuses new development on viable locations with good public transport, enhancing the business environment.

7.22 Policy 4.3 of the London Plan (Mixed use development and offices) supports mixed use development incorporating office use.

7.23 White City is identified in the London Plan as being the potential focal point for office development, especially at and around the tube stations at White City and Wood Lane. The development is a short distance from Wood Lane underground station and is in a sustainable location with excellent public transport accessibility.

7.24 The Mayor's Town Centres SPG identifies that offices play an important role in defining economic function as well as generating footfall and supporting vitality and viability. The report recognises the changing patterns in the supply and demand of office space in Central and Inner London, including the loss of office development through permitted development rights (introduced in 2013).

7.25 With due consideration of market factors, the Mayor encourages local authorities to adopt a proactive approach to office development where increased potential can be identified, focusing demand on the most viable and competitive locations and having regard to viability, townscape considerations and local transport capacity, amongst other factors. The SPG promotes an attractive business environment as part of a broader mix of uses within a development.

7.26 A Strategic Objective of the Council's Local Plan is to support the local economy and inward investment to ensure that existing and new businesses can compete and flourish. Strategic Policy B of the LBHF Core Strategy states that substantial, office based development is encouraged in the White City Opportunity Area (WCOA) as part of a mixed use approach.

7.27 The Strategic Policy for the WCOA seeks to create a vibrant and creative place with a stimulating and high quality environment where people will want to live, work, shop and spend their leisure time. The policy identifies 10,000 indicative new jobs over the plan period.

7.28 The WCOAPF states that there is an opportunity for substantial commercial activity in the OA and that White City East would be ideally positioned to deliver on the key criteria needed to attract office-based creative industries. White City has an established employment base and new employment should build on this presence, capitalising on existing businesses to thrive and expand.

7.29 Paragraph 2.13 of the WCOAPF states that "Employment spaces should be flexibly designed to be resilient to future trends in employment space demand. As well as providing larger floorplate units for established businesses, applications should include flexible business space suitable for small and medium sized enterprises."

7.30 With regards to emerging policy contained within the Proposed Submission Local Plan, Strategic Policy WCRA (now known as the White City Regeneration Area), continues to identify that the area has potential to contribute 10,000 jobs to the area, most of which are identified within White City East. The emerging policy also states that: "development in WCRA should... provide commercial uses within a new mixed use area in White City East, capitalising on existing activities in the area..."

7.31 Emerging Policy E1 supports proposals including mixed use schemes for new employment uses and supports the intensification of existing employment uses. The emerging policy also states:

"When considering new employment floorspace or the extension of existing floorspace the council will also take into account:

- a) whether the scale and nature of the development is appropriate, having regard in particular to local impact, the nature of the surrounding area, and public transport accessibility;
- b) impact upon small and medium sized businesses that support the local community;
- c) scale and nature of employment opportunities generated in the new development;
- d) whether there will be displacement of other uses such as community facilities or housing; and
- e) the Hammersmith and Fulham Economic Growth Plan and the council economic strategies."

7.32 In consideration of the above, the emerging policy also states that the town centres and White City Opportunity Area will be the preferred locations for new office development above 2,500 sqm.

7.33 The proposed development comprises 4995.1sqm of office floorspace and so the scale is considered to be appropriate given its location within the Westfield Extension and its proximity to public transport nodes. The development will generate additional employment opportunities to benefit of those living in the borough and wider London.

7.34 The office scheme comprises an extension to the retail and restaurant extensions to the Westfield Shopping centre and would therefore will not displace any existing uses. The floorspace is to be open plan, providing flexible space which can be divided to accommodate different sizes of businesses and types of occupiers and is therefore in accordance with the policies set out in the emerging local plan.

7.35 The proposed development is located in an optimum position with excellent public transport connectivity, and the services and facilities available within the Shepherd's Bush Town Centre and the wider Opportunity area. The development would also compliment the uses contained within the existing Westfield and the approved extension.

7.36 The development of an approximately 5,000 sq m of office accommodation is expected to generate 325 additional jobs and further employment opportunities during construction.

7.37 In conclusion, the proposed office floorspace is considered to be compatible with the aspirations set out in the Core Strategy and WCOAPF as it has potential to positively contribute towards a sustainable mix of uses in the town centre and OAPF area. The principle of the development this location is therefore considered to be acceptable and complies with the NPPF, policies 4.2 and 4.3 of the London Plan (2016), Strategic Policy B and C of the Core Strategy (2011), policy DM D2 of the Development Management Local Plan (2013), the White City Opportunity Area Planning Framework and the Mayor's Town Centres SPG.

7.38 In addition to the proposed office floorspace, this application also seeks permission for a roof terrace/events space (Class Sui Generis) at level 72 which includes kitchens, lobby area and other amenities to be used in association with the space. The applicant has indicated the events space would be used by the offices, however no details on the type of events/use have been provided with the application

and conditions are therefore recommended to ensure that details of the use are provided before the occupation of the development.

Design, Heritage and Townscape

Design

7.39 High quality and inclusive design which is delivered through mixed and integrated developments with well-planned public spaces is encouraged at all policy levels. The NPPF notes that good design is a key aspect of sustainable development, and should contribute positively to making places better for people. Part 7 of the NPPF outlines the requirement for good design and sets out that development should:

- Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Are visually attractive because of good architecture and appropriate landscaping.

7.40 Chapter 7 of the London Plan (2016) sets out the Mayor's policies on a range of issues regarding places and space, setting out fundamental principles for design to ensure that people can live and work in a safe, healthy supportive and inclusive neighbourhood with easy access to facilities and services that are relevant to them and access to a network of open and green spaces. Policy 7.2 (An Inclusive Environment) requires all new development in London to achieve the highest standards of accessible and inclusive design, while Policy 7.4 (Local Character) states that:

"Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings". Part D of Policy 7.6 (Architecture) states that buildings and structures should "not cause unacceptable harm to the amenity of surrounding land and buildings".

7.41 At the borough level, Core Strategy Policy BE1 (Built Environment) states that all development should create a high quality urban environment. It adds that 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. The Core Strategy also states that the WCOA will be a "model of high quality urban design, sustainable architecture and construction situated within a first class permeable, accessible and inclusive public realm".

7.42 DM LP Policy DM G1 (Design of New Build) 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. All proposals must be designed to respect:

- The historical context and townscape setting of the site, and its sense of place;
- The scale, mass, form and grain of surrounding development;
- The relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
- The local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
- The principles of good neighbourliness;
- The local landscape context and where appropriate should provide local landscaping and contribute to an improved public realm;
- Sustainability objectives, including adaptation to, and mitigation of, the effects of climate change;
- The principles of accessible and inclusive design; and
- The principles of "Secured by Design".

7.43 Section 3 of the WCOAPF sets out the Urban Design Strategy for the area. The three principle design objectives for the OA are as follows

- Creating areas of new public realm and open space;
- Maximising connectivity; and
- Quality urban design that responds to context.

7.44 Paragraph 3.125 of the WCOAPF specifically refers to development north of the existing Westfield London Shopping Centre, stating that:

"Town Centre uses will be extended north of the existing Westfield with major leisure, residential and retail in an active environment with a series of retail uses at ground level on streets with offices and residential above. New development should avoid the monolithic approach of the existing Westfield Mall and instead deliver variation in scale, grain and built form to make a successful transition from the shopping mall typology and encourage a suitable mix of commercial and residential uses. This will require a finer grain of development requiring separate blocks, open public streets and passageways without canopies or bridges above and generous open spaces".

7.45 The application site is situated adjacent to the Grade II listed Dimco building to the south which comprises two adjoining single height gable-ended brick buildings. The western part of the Dimco building is occupied by substations for London Underground and Westfield. The eastern part of the Dimco building is now redundant following the relocation of the TfL bus layover area to a purpose built facility beneath Plot C of the development site.

Layout and Scale

7.46 With regards to the layout of the proposed development, the proposed entrance is located at ground floor level within a colonnade provided by the original restaurant block scheme. The ground floor layout would provide an appropriately scaled and legible entrance to the office accommodation. Levels 4 and 5 (Level 60 and 64 respectively), provide flexible office space of the same size, which is sub-divisible in a variety of open plan or cellular configurations. At Level 6 (Level 68), further space is provided at a slightly lower quantum.

7.47 The office extension is set back from the restaurant block façade by approximately 5m on the south elevation, 7m on the west elevation and 5m on the north elevation. The setback provides relief to the elevations and moderates the scale. The uppermost office levels align with the John Lewis cornice line. Roof terraces are provided in the resulting space between the restaurant block façade and office extension façade. The conservation and design officer has raised concerns about the height and massing of the extension including the sheer faced blank façade facing Dimco which provides an inactive façade, thereby limiting the potential interaction between buildings. The applicant responded to the comments and advised that the layout of the extension has been determined by the location of the service core which could only be positioned in this location on the southern elevation due to the underground tunnels which run beneath the site. The core is located behind the southern façade which has resulted in the elevation facing the Dimco being inactive.

7.48 The conservation and design officer raised no objections in principle to the incorporation of a roof terrace at roof level but the associated 1.7m high glazed screens to enclose the roof terrace, the associated plant and ancillary facilities and the upward extension would increase the height and bulk of the building and therefore its visual impact, including on the setting of the listed building. The applicant responded to the views raised by the conservation officer by removing the vertical subdivisions between the glass panels of the balustrade and proposing butt jointed glazing instead to reduce the bulky appearance of the roof terrace which is considered to be acceptable.

Appearance and Materials

7.49 The two lower office levels are formed of a glazed curtain wall with anodised aluminium projecting fins. On the upper level (Level 68) the vertical fins are enlarged so that the glazed panels are wider than the levels below. A glazed balustrade is then proposed on the roof terrace level. The horizontal string course between the upper and lower levels gives scale to the elevation and divides the façade.

7.50 It is proposed that the predominant external finish would be glazing with a range of finishes. Natural anodised aluminium projecting fins are proposed at levels 60 and 64 which would reinforce the connection to the restaurant block below. On lower areas of the glazing panels, a ceramic frit treatment is proposed for privacy. The conservation and design officer has reviewed the proposed materials and has advised that there is no objection to the materials in principle and that it is accepted that a predominantly glazed structure would be an appropriate method to terminate the building.

7.51 It is important to note that whilst the proposed materials are described in the assessment, all materials at this stage are illustrative only. Officers recommend condition 3 which requires details of the proposed external materials to be submitted to and approved by the Council.

Heritage and Townscape

7.52 Para 131 of the NPPF states that local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

7.53 Para 132 of NPPF requires the decision maker to give great weight to the conservation of designated heritage assets such as the Grade II listed Dimco when considering the impact of a proposed development on their significance. It further states that 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.

7.54 The proposal would cause harm to the setting of the listed building opposite by virtue of its height, bulk and the relationship of the blank sheer faced Ariel Walk elevation to the northern elevation of the Dimco building. Such harm would be in addition to that identified at the time of considering the application for the erection of the restaurant block, which was justified by the extent of the public benefits that the scheme would provide.

7.55 The proposed office floorspace, if let, could generate additional footfall in the vicinity of Dimco and the potential for linked trips, which may assist the viability of future schemes for the reuse of the northern Dimco building. The applicant has submitted material alongside the application which provides details on the proposed future use of the Dimco east building as it now lies vacant following the relocation of the bus layover. The applicants have advised that it is intended to convert the eastern Dimco building into an internal events space which may be used for art, design or fashion events, pop-up restaurants, private dinners or an entertainment venue. The landscape and crossing points across Ariel Way are being considered with the intention of bringing Dimco back into beneficial use in mind. The applicant has advised that they will be coming forward with detailed proposals for listed building and planning consent for the building in or around the third quarter of this year. The future change of use of the Dimco buildings to a publicly accessible events space would be a public benefit that could, subject to future applications for planning permission and Listed Building Consent being granted, offset some of the harm that the proposed office scheme may cause.

7.56 Para 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.

7.57 The applicants have put forward a number of public benefits from the proposed development do offset any harm which may be caused to the listed building. The benefits included are:

- The office scheme will generate approximately 325 jobs during the operational stage of the development. This represents an increase in net additional jobs when compared with the original Outline Scheme. The creation of jobs wholly accords with the objectives for the WCOA as set out within the London Plan, LBHF's Core Strategy and the WCOAPF;
- The proposed uses will add to the mix of uses within Westfield and contribute towards the range of uses sought by the WCOAPF; and
- The office scheme, along with the approved Restaurant Scheme will bring additional development north and westwards and will enhance connectivity with the wider Opportunity Area.

7.58 On balance and having regard to the great weight to be given to the conservation of designated heritage assets, officers consider that the less than substantial harm to the setting of the listed building is outweighed by the public benefits of the proposal including the unique opportunity to deliver office floorspace in White City East in such close proximity to transport links and the approved mixed-use phase 2 extension. The principle of the provision of additional commercial floorspace in this location is strongly encouraged within the adopted development plan and emerging plan policies and it would contribute to the vitality of Shepherd's Bush Town Centre and the future viability of this area.

7.59 The proposal would also be visible from the forecourt of the Grade II listed former BBC Television Centre. Officers consider that the impact on the setting of the Grade II listed building would be neutral due to the distance between the sites and the intervening buildings. Furthermore, in the event of Block D being implemented, the visibility of the proposed development would be significantly reduced from within the BBC Television centre site.

Transport

7.60 Section 4 of the NPPF sets out the Government's policy in terms of Transport. Paragraph 29 notes that: "transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives".

7.61 Paragraph 32 requires that: "all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment". Furthermore, paragraph 36 states that developments which will generate a significant amount of movement should provide a Travel Plan.

7.62 Paragraph 34 states that: "plans and decisions should ensure 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". Chapter 6 of the London Plan provides the regional guidance for transport. Policy 6.1 (Strategic Approach) outlines the general objectives of transport policy and seeks a closer integration of transport and development. Policy 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport) focuses on public transport and seeks to: "improve the integration, reliability, quality, accessibility, frequency, attractiveness and environmental performance of the public transport system".

7.63 The requirement for a transport assessment is outlined within Policy 6.3 of the London Plan (Assessing Effects of Development on Transport Capacity), while Policy 6.4 (Enhancing London's Transport Connectivity) states the need to support sustainable development through transport developments.

7.64 Policy 6.5 of the London Plan (Funding Crossrail and Other Strategically Important Transport Infrastructure) sets out the negotiation of planning obligations, whilst Policy (Better Streets and Surface Transport) seeks to improve the quality of bus, bus transit and tram services.

7.65 Policy 6.9 (Cycling) outlines the Mayor's strategy to increase cycling within the capital. The identified target is for cycling to account for at least 5% of modal share by 2026. The policy outlines that development should contribute to the increase of cycling

through the provision of cycle parking facilities and on site changing facilities. Policy 6.10 (Walking) aims to bring about a significant increase in walking, by improving the quality of the pedestrian and street environment.

7.66 Policy 6.11 (smoothing traffic flow and tackling congestion) expresses the Mayor's wish to take a coordinated approach to smoothing traffic flow and tackling congestion. Policy 6.12 (Road Network Capacity) states the Mayor's support for limited improvements to London's road network, with the priority on seeking improvements to conditions for pedestrians, cyclists, public transport users, freight and local residents.

7.67 The Mayor's Transport Strategy was published in May 2010 and sets out the transport vision for London as follows:

"London's transport system should excel among those of world cities, providing access to opportunities for all its people and enterprises, achieving the highest environmental standards and leading the world in its approach to tackling urban transport challenges of the 21st century".

7.68 Policy T1 of the Core Strategy refers to Transport and states that the Council will seek to ensure that the intensity of development is related to public transport accessibility and highway capacity. The policy sets out a need to improve transportation provision and accessibility in the borough by (inter alia) increasing opportunities for walking, seeking localised improvements to the highway network, securing access improvements for all and ensuring appropriate parking provision.

7.69 With regards to transport considerations, Strategic Policy WCOA (White City Opportunity Area) states that:

"The overall quantity of development and its expected trip generation must be related to the capacity of the public transport and highway networks, taking account of firm improvements that could be made, to prevent unacceptable levels of congestion and improve the flow of essential traffic on Wood Lane, in particular. Where individual sites come forward, the transport and traffic impact must be considered in relation to the expected transport and physical infrastructure capacity. Development must be permeable and well connected both within and outside the area, especially for pedestrians and to overcome the barrier effect of the West London Line/A3220 and A40".

7.70 DM LP Policy J1 (Transport Assessments and Travel Plans) reiterates the requirement for a Transport Assessment and states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and the primary route network, and against the existing and potential availability of public transport, and its capacity to meet increased demand.

7.71 The site has a Public Transport Accessibility Level (PTAL) of 6b using Transport for London's (TfL's) methodology which represents a high level of accessibility. In terms of local transport links, Wood Lane Underground Station is directly to the north-west corner of the site and is served by the Hammersmith and City Line. Shepherds Bush Underground Station is located to the south of the site, and is served by the Central Line. Adjacent to Shepherds Bush Underground Station is an integrated bus station interchange and Shepherds Bush Overground station. The site is within Controlled

Parking Zone (CPZ) O, which operates restricted parking Monday to Saturday 9:00am - 5:00pm.

7.72 A Transport Assessment prepared by Vectos was submitted with the application as part of the Environmental Statement. For the purposes of the TA, the Restaurant Scheme forms the baseline position, with the key assessment being the change in effect from this baseline.

Car Parking

7.73 No new car parking spaces are provided for the office extension. Visitors travelling by car would use the car parking within either the existing centre or the Retail Extension car parks. A total of 1,128 non-residential car parking spaces will be provided within the Retail Extension and will be located beneath the Anchor Store building and on the roof above the Retail Extension. For the whole site shopping centre site, a total of 4,100 car parking spaces will be provided, except for peak periods where the total could be increased to 5,320 by using the parking reservoir. Within the retail extension car park, 40 blue badge spaces are provided along with 113 active electric vehicle parking spaces and 113 passive electric vehicle parking spaces.

7.74 TfL commented on the application stating that: 'it is unacceptable that additional disabled-design parking spaces have apparently not been provided: the London Plan Parking Addendum requires any development providing off-street parking (and it is considered Westfield does this) to provide at least two bays designated for Blue Badge holders.' The applicant has responded to the comments by providing a plan which shows that the office workers would be able to access the blue badge parking bays within the car park which is at the same level as the first level of the office scheme. Blue badge holders would then use the lifts within the main core for vertical movement between the office levels. Details of the blue badge parking bays including dimensions and location will be submitted via a condition attached to the outline scheme. A car park management plan is also required to be submitted.

7.75 The number of motorcycle parking spaces proposed within the Retail Extension is 34 spaces. The Transport Assessment submitted with application states that although this number is below the SPG requirement, an analysis of survey data illustrates that the number of spaces will accommodate the forecasted level of demand with the office scheme.

Cycle Parking

7.76 The London Plan sets out the cycle parking minimum requirements for all development in Table 6.3. For office developments in inner London, there is a requirement for 1 space per 90 sqm for staff and 1 space 500 sqm for visitors. The London Plan standards are also set out in the emerging LBHF local plan.

7.77 For the office scheme, a total of 64 spaces are therefore required to meet the London Plan cycle parking spaces. Of these spaces, 54 should be long stay staff spaces and 10 should be visitor cycle parking spaces.

7.78 The transport assessment states that 51 spaces are proposed comprising 47 long stay and 3 short stay spaces. Officers advised that the proposed number was below the minimum requirement and so the applicant subsequently submitted revised details

which show that 64 spaces can be accommodated. The cycle parking will be located at ground floor level near the core/lifts up to the offices and will be accessed from Ariel Way. As full details of the cycle parking have not been submitted with the application, condition 15 is recommended which requires details of the location and associated showers and changing facilities for 64 cycle parking spaces.

Trip generation and impact on the transport network

7.79 Trip generation has been carried out using the same methodology as for the restaurant block which is considered acceptable by Highways officers and TfL. The proposed development will result in a maximum of 12 two-way vehicle trips in the AM peak, 84 two-way vehicle trips in the PM peak, and 70 two-way vehicle trips in the Saturday peak. Additionally, there would appear to be a maximum 45 two-way bus trips during a peak (Weekday pm) and similarly 229 for train/underground trips.

Public transport

7.80 In terms of underground, overground rail and bus capacity, the analysis in this Transport Assessment demonstrates that the impact of the proposed development will be broadly in line with the effect of the consented scheme, and the proposed development will not have a material impact on the operation of underground, overground rail and bus capacity. TfL have reviewed the application and have advised that they do not consider that there will be a significant impact from the identified trips spread over the peak hour and will not be seeking a capacity-increasing contribution.

7.81 As part of the 2015 S73 Consent, a sum of £450,000 for additional bus capacity through the White City Opportunity Area (OA) was secured. TfL have advised that should significant bus journey time impacts arise from either the restaurant/office development or the relocation of the bus station, additional funding to maintain bus frequencies may be required. It is therefore suggested that monitoring of bus usage forms part of the travel plan monitoring.

Construction Logistics Plan and Travel Plan

7.82 A Construction Logistics Plan (CLP) will be required via a condition. The CLP which should seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. A Travel Plan is required to be submitted for the office scheme and this has been requested via condition.

Servicing and deliveries

7.83 Two service yards will be provided as part of Retail Extension in Plot A and the office scheme would use these service yards. One service yard will be located to the north of Ariel Way beneath the John Lewis Department Store and one will be located to the south of Ariel Way opposite the Dimco buildings. The service yards within the Retail Extension have been designed to have the flexibility and capacity to accommodate the additional demand. The applicant has included a draft Servicing Management Plan with the application and a full site wide servicing and delivery plan is required via condition.

7.84 In summary, it is considered that the overall traffic impact of the proposed development, on its own and as part of the wider development scheme would be acceptable and in accordance with policies 6.1, 6.3, 6.5, 6.9, 6.10, 6.11, 6.13 and Table

6.3 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).

Impact on neighbouring amenity

7.85 Policy 7.6 of the London Plan (2016) 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 and overshadowing.

Daylight

7.86 Environment Statement Chapter 15 of the Environmental Statement provides an assessment of the potential effects on the daylight, sunlight and overshadowing on the surrounding properties, public open space and amenity areas as well as on the residential properties proposed on the site as a result of the office scheme. The assessment has been carried out for the construction phase and the operational phases of the proposed development, in the context of national and regional policies.

7.87 The residential properties along 87-101 Macfarlane Road and 63-67 Wood Lane have been highlighted as sensitive receptors even though they are located approximately 170m from the site. The other sensitive receptors highlighted within the ES are within Hunt Close to the east of the site although this was due to the impact from the increase in height to Plot K as this is included in the ES assessment.

7.88 The daylight and sunlight analysis shows that there would be no noticeable reductions to the properties along Macfarlane Road and Wood Lane when compared against the baseline condition. This is due to the separation distance between the development and the neighbouring properties. The ES concludes that the effect on the daylight and sunlight levels to these properties would therefore be Negligible.

7.89 The ES also considers the cumulative effects of the development together with the BBC Television Centre Plots G and H, Plots E and F and the St James Scheme on the daylight and sunlight levels to the existing residential receptors. The ES concludes that with the introduction of the proposed development and the relevant cumulative schemes, there would be no noticeable reductions when compared with the baseline conditions for both 63-67 Wood Lane and 87-101 Macfarlane Road.

7.90 An assessment has also been undertaken to assess the proposed internal daylight and sunlight levels within the residential properties that form part of the outline scheme. The office extension will be located above the restaurant scheme which is partly within the outline masterplan and is situated opposite the residential block D. The assessment has been undertaken for all the residential blocks within the development (Plots D, K and C) although the proposal would have no impact in terms of daylight on Plots C and K due to the separation distance.

7.91 The impact of the scheme on the daylight and sunlight of Plot D is a material consideration as the office extension is located 12m (minimum) from the south elevation of the residential Plot D. As the residential elements of Plot D are in outline, the sizes of the rooms, locations of windows, balconies and window fenestration details have not yet been decided. However, in the absence of detailed internal layouts, the likely sizes of

rooms can be predicted with a reasonable degree and the following assumptions were made to assess the daylight and sunlight levels:

- A standard bedroom size of 3 m x 4 m with a window size of 1.2 m wide x 2 m tall;
- A living room size of 4.5 m x 4 m, with a window size of 2 m wide x 2 m tall;
- Balcony provision for a living room with a balcony size of 2 m x 1.5 m deep, which has been offset from the centre point of the living room window;
- An assessment of the living room without a balcony has also been conducted to demonstrate that through alternative design solutions, a high degree of daylight can be achieved to the living room if necessary.

7.92 To undertake the assessment, an Average Daylight Factor (ADF) test was used. It is recommended that ADF is a minimum of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The assessment uses the 1.5% for kitchens as it is likely that the units will have open plan living room/kitchens. The assessment was carried out at the second floor level which is the lowest floor level of residential use. This represents the units likely to receive the least amount of light due to their height and location. The results from the assessment are presented in the table below.

Table 2: Plot D 2nd Floor - Baseline Scenario (with balconies)

Room	Pass / fail	%
Living/Kitchen/Dining (1.5%)	2 / 6	33%
Bedroom (1%)	6 / 6	100%
Total	8 / 12	66%

Table 3: Plot D 2nd Floor - Without balconies

Room	Pass / fail	%
Living/Kitchen/Dining (1.5%)	6 / 6	100%
Bedroom (1%)	6 / 6	100%
Total	12 / 12	100%

7.93 The ADF assessment of daylight to Plot D shows that with the office extension in place, the majority of habitable rooms (66%) at the second floor level within Plot D would receive an appropriate level of daylight. If balconies are not included within the Plot D development, 100% of the habitable rooms would receive adequate daylight. The assessment was carried out at the second floor level which presents the worst case scenario and so there is likely to be less of an impact on the upper levels. It should also be noted that the size of the rooms, location of windows, balconies and window fenestration details have not been decided for Plot D and alternative design solutions could be carried out to achieve a higher degree of daylight to units is necessary. Based on the ADF assessment, officers consider that the provision of daylight to Plot D will be acceptable with the office extension in place.

Sunlight

7.94 The Annual Probable Sunlight House (APSH) methodology was used to measure sunlight levels to existing and consented neighbouring properties around the site. The

APSH involves the prediction of sunlight availability for the main window of each 'habitable room' (principally main living rooms), which face within 90° of due south. It should be undertaken for both summer and winter months.

7.95 An assessment of existing and proposed sunlight levels to the existing residential receptors on Wood Lane and Macfarlane Road was undertaken and the assessment shows that following the completion of the office scheme, there would be no noticeable reduction in sunlight due to the separation distance between the properties.

7.96 For the consented block D, the analysis shows that there would be a change to the statistical results, but the results have not changed to an extent that windows move between significance criteria bandings. Therefore, with the introduction of the office scheme, the overall effect to the internal sunlight of the test points of Block D would be minor.

Overshadowing

7.97 The BRE Guidelines require that at least 50% of any garden or open space should receive at least two hours of sunlight on 21st March. In addition, if following the completion of a development an existing garden/amenity area does not meet the suggested criteria and the reduction in the area which can receive some sun is more than 20% the loss of sunlight is likely to be noticeable.

7.98 Due to the separation distances, the office block would not have any impact on the existing gardens/amenity areas of the nearest existing residential properties. An assessment on overshadowing on amenity space within the Westfield development has been carried out as part of the ES. The assessment confirms that the indicative roof level communal open space at Plot D would obtain an acceptable level of sunlight between 9am - 5pm on 21st March, 9am - 5 pm on 21st June and 10am - 3pm on 21st December and would therefore comply with the relevant guideline criteria. The office scheme rooftop terrace was also assessed and it was concluded that the events space would receive an acceptable amount of sunlight.

7.99 In summary, given the urban context, it is considered that the proposed development would not have a detrimental impact in terms of daylight, sunlight or overshadowing on the existing and proposed residential properties or the approved open spaces which are under construction.

Noise

7.100 NPPF paragraphs 109 and 123 are the primary source of planning guidance with respect to noise. Paragraph 109 states 'The planning system should contribute to and enhance the natural and local environment by inter alia preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise'.

7.101 The Noise Policy Statement for England sets out the government's noise policy, which is to 'promote good health and a good quality of life through the effective management of noise.' Policies within the London Plan and the London Ambient Noise Strategy aim to minimise the adverse impacts of noise on people living, working in, and visiting London by using the best available practices and technologies. A key aim is to work towards a more compact city development, whilst minimising noise. The policies in

the DM Local Plan state that noise generating development will not be permitted if it would materially increase the noise experienced by the occupants/users of existing or proposed noise sensitive uses in the vicinity.

7.102 The application proposal includes the provision of a wraparound roof terrace on the north and west elevations at level 60 and a roof terrace at level 68 on the north elevation which will all be associated with the office use. At level 72, another roof terrace is proposed which is referred to as the 'events space' in the submission. The principle of a roof top terrace is considered to be acceptable in this location due to the separation distance between the site and neighbouring residential properties, however no details of the proposed use or types of events have been submitted with the application. As no details of the proposed use of the events space have been provided, condition 14 is recommended which requires further details on the types of events and opening hours which will be hosted on the terrace and the submission of a management plan prior to the occupation of the roof terrace.

7.103 With regards to noise from the proposed development, the applicant has submitted a noise assessment within the Environmental Statement which assesses the noise impact from the proposed outdoor amenity areas. It concludes by stating that the office rooftop event space comfortably achieves the WHO external criterion and no mitigation measures are considered necessary. However, environmental health have advised that a further noise assessment is required which demonstrates that noise from the uses and activities from the events space shall meet the relevant standard as no details of the have been submitted with the application. Officers have therefore recommended condition 7 which requires the details to be submitted before occupation of the office scheme.

7.104 The external roof terraces at levels 60 and 68 are unlikely to result in any harm to neighbouring amenity with regards to noise as the terraces would only be uses during office hours.

Overlooking

7.105 SPG Housing Policy 8 of the Supplementary Planning Guidance Document states that 'generally a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy than from the access point onto the proposed roof terrace/balcony'. Due to the separation distance between the roof terraces and existing residential properties, the terraces would not result in any direct overlooking to the existing surrounding neighbouring properties. The terraces would be opposite Block D with the nearest terrace being approximately 13m (minimum distance) away. It is likely that some overlooking into Block D may occur from the roof terraces and events space. However, the lower roof terraces would only be used during office hours and any impact on residential amenity is likely to be minimal. Condition 14 is recommend for the roof terrace at level 72 which requires details of the use and opening hours of the space to ensure that it does not have a negative impact on future residential amenity.

7.106 No details of the design and layout of Block D have come forward yet but officers would ensure that the units are designed to minimise any overlooking into the residential development from the office scheme.

Energy

7.107 Section 10 of the NPPF contains the Government's policy on climate change. Paragraph 96 states that: "in determining planning applications, local planning authorities should expect new development to:

- Comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the application, having regard to the type of development involved and its design, that this is not feasible or viable; and
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption".

7.108 The Mayor seeks to achieve an overall reduction in London's carbon dioxide emissions of 60% (below 1990 levels) by 2025 (Policy 5.1 Climate Change Mitigation). Boroughs are to develop policies to promote the reduction of carbon dioxide emissions and to help achieve the Mayor's strategic carbon dioxide emissions target.

7.109 Policy 5.2 of the London Plan (Minimising Carbon Dioxide Emissions) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be Lean: use less energy
- Be Clean: supply energy efficiently
- Be Green: use renewable energy

7.110 Policy 5.5 (Decentralised Energy Networks) states that the Mayor expects 25% of the heat and power used in London to be generated using localised decentralised energy systems by 2025. To do this, the Mayor 'prioritises the development of decentralised heating and cooling networks at the development and area wide levels, including larger scale heat transmission networks'. Policy 5.6 (Decentralised Energy in Development Proposals) states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites. Part B of the Policy requires that major development proposals select energy systems in accordance with the following hierarchy:

- Connection to existing heating or cooling networks
- site wide CHP network
- Communal heating and cooling

7.111 Policy 5.7 (Renewable Energy) further states that major development should provide a reduction in expected carbon dioxide emissions using on-site renewable energy generation, where feasible.

7.112 The Council's policy on energy is set out within Core Strategy Policy CC1. This states that the Council will reduce carbon emissions and tackle climate change by:

- Reducing carbon emissions from the redevelopment or reuse of buildings, by ensuring developments minimise their energy use, make use of energy from efficient sources and use renewable energy where feasible;
- Maximising provision of decentralised energy networks and integrating the use of renewable energy in the proposed regeneration areas;

- Meeting London Plan targets for reducing carbon emissions from new development;
- Promoting efficient use of land and buildings and patterns of land use that reduce the need to travel by car;
- Safeguarding existing heating and cooling networks in the borough;
- Where possible, new development should link to existing centralised energy systems and upgrade these systems. New decentralised energy systems and heat networks should be set up in the regeneration areas and other areas where major development is taking place. New development should also maximise the amount of energy generated from renewable sources to meet renewable energy targets for London.

7.113 The DM LP also sets out the Council's approach to tackling and adapting to climate change and other environmental matters. Policy DMH1 (Reducing carbon dioxide emissions) states that the Council will require the implementation of energy conservation measures by:

- Implementing the London Plan sustainable energy policies and meeting the associated carbon dioxide reduction targets
- Requiring energy assessments for all major development to demonstrate and quantify how the proposed energy efficiency measures will reduce the expected energy demand and CO2 emissions
- Requiring major developments to demonstrate that their heating and/or cooling systems have been selected to minimise CO2 emissions
- Using on site renewable energy generation where feasible
- Where it is not feasible to make the required CO2 reductions by implementing measures on site, contributions should be made to a local fund to help reduce CO2 emissions through off-site schemes.

7.114 The applicant has submitted a Sustainability Strategy which provides details on the scheme's Energy Strategy, including information on expected CO2 emissions. Energy efficiency measures include: the use of building elements with high insulation properties; high performance glazing; energy efficient lighting (LEDs) and energy efficient services including a Combined Cooling, Heating and Power system. The energy efficient measures are calculated to provide an annual reduction in CO2 emissions of 43.2% compared to the Building Regulations 2010. This meets the London Plan target of a 40% improvement based on these Regulations. Condition 6 is recommended which requires the measures to be implemented before building occupation.

Sustainability

7.115 London Plan Policy 5.3 (Sustainable Design and Construction) states that development proposals should demonstrate that sustainable design standards are integral. Part C of the policy goes on to state that "Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance...The standards include measures to achieve other policies in this Plan and the following sustainable design principles:

- a) Minimising carbon dioxide emissions across the site, including the building and services (such as heating and cooling systems).
- b) Avoiding internal overheating and contributing to the urban heat island effect.
- c) Efficient use of natural resources (including water), including making the most of natural systems both within and around buildings

- d) Minimising pollution (including noise, air and urban runoff)
- e) Minimising the generation of waste and maximising reuse or recycling
- f) Avoiding impacts from natural hazards (including flooding)
- g) Ensuring developments are comfortable and secure for users, including avoiding the creation of adverse local climatic conditions
- h) Securing sustainable procurement of materials, using local supplies where feasible, and
- i) Promoting and protecting biodiversity and green infrastructure.

7.116 Policy DM H2 of the Development Management Local Plan (2013) states that the Council will require the implementation of sustainable design and construction measures and sustainability statements for all major developments to ensure the full range of sustainability issues have been considered during the design stage.

7.117 The proposed scheme forms an extension to the Outline Scheme and therefore shares many aspects of the wider scheme in terms of design measures, including the site wide energy strategy, drainage strategy and landscaping.

7.118 A BREEAM Pre-Assessment has been carried out for the Office proposals which shows that the scheme is expected to score a "Very Good" rating as minimum and could achieve "Excellent", subject to further development of the design. Condition 5 is recommended which requires the submission of a final post-construction assessment prior to the occupation of the development to certify that a minimum BREEAM rating of "Very Good" has been achieved for the scheme. The scheme shall be implemented in accordance with the approved details.

7.119 In light of the above, the proposed development is considered to be acceptable in energy and sustainability terms in accordance with policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15, and 7.19 of the London Plan (2016), policies CC1, CC2 and H3 of the Core Strategy (2011) and policy DM H1, DM H2, DM H3, DM H4, DM H5, DM H6, DM H7, DM H8, DM H9, DM H10 of the Development Management Local Plan (2013), the Council's Planning Guidance Supplementary Planning Document and the White City Opportunity Area Planning Framework (2013).

Equality

7.120 As set out in earlier paragraphs of the report, the Council's statutory duty under the Equality Act 2010 applies to planning decision making. In the consideration of all planning applications the Council must have regard to all relevant planning policies available at the time unless material considerations indicate otherwise.

7.121 The protected characteristics to which the Public Sector Equality Duty (PSED) applies now include age as well as the characteristics covered by the previous equalities legislation applicable to public bodies (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex).

7.122 Section 149 of the Equality Act (2010) requires the Council to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected

characteristic and persons who do not share it. This means that the Council must have due regard for the impact on protected groups when exercising its functions, and case law establishes that this must be proportionate and relevant, and does not impose a duty to achieve results.

7.123 The equality assessment undertaken under the outline scheme concluded that the scheme complied with section 149 of the Equality Act as the proposal included extensive areas of public realm, play space (with inclusive play equipment) and an internal shopping environment that would be accessible by all user groups, including those with mobility impairments such as wheelchair users or the visually impaired. In addition to this, all residential units would be built to Lifetime Homes standards, 10% of units would be designed to be readily adaptable to full wheelchair housing standard and lift access is provided throughout the buildings.

7.124 The analysis of equality impacts of the planning application on protected groups as defined by the Act has been considered in the assessment of the application. Step-free access will be provided to the office development and the building would be designed to meet current accessibility requirements. 10% of the car parking spaces within the retail development will be for blue badge holders which will be accessible to the occupants of the office scheme who require blue badge parking and details of a shop mobility scheme within the retail extension were approved under details application 2016/01540/DET.

7.125 In conclusion it is considered that LBHF has complied with section 149 of the Equality Act and has had due regard to provision of the Equality Impact of the proposed development in its consideration of this application.

Other considerations

Flood Risk and Surface Water Management

7.126 The NPPF states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test.

7.127 The London Plan (2016) includes the following water-related policies: Policy 5.1 (Climate change mitigation); 5.3 (Sustainable Design and Construction); 5.11 (Green roofs and development site environs); 5.12 (Flood risk management); 5.13 (Sustainable drainage); 5.14 (Water quality and wastewater infrastructure); 5.15 (Water use and supplies); The Mayor's Sustainable Design and Construction Supplementary Planning Guidance (2014) provides additional information to support the implementation of the London Plan including sections on water and water pollution and flooding.

7.128 Local planning policy includes Core Strategy (2011) policy CC2 (Water and Flooding) states that the Council will expect all development to minimise current and future flood risk and the adverse effects of flooding on people. Policy CC4 (Protecting and Enhancing Environmental Quality) states that "The council will support measures to

protect and enhance the environmental quality of the borough including harmful emissions to...water".

7.129 Development Management Local Plan (2013) policy DM H3 (Reducing Water Use and the Risk of Flooding) and DM H4 (Water Quality). The policy states that all new build development application shall be supported by a Flood Risk Assessment (FRA) and all development in the borough will be required to incorporate Sustainable Drainage Systems (SUDS). Developments are expected to achieve at least 50% attenuation and where possible 100% attenuation.

7.130 This site is in the Environment Agency's Flood Zone 1, which indicates a low risk of flooding from the River Thames. The proposed development is an extension above the proposed restaurant block - i.e. no basement or ground level development. Therefore, there is no need to include flood protection measures into the extension, although there will be a need to manage surface water run-off.

Surface Water Management

7.131 It is proposed that surface water runoff from the office extension would be managed via the proposed permeable paving linked to underground attenuation tanks. The applicant has advised that office scheme will 'plug' into the existing surface water management system. Nevertheless, there is an opportunity to provide further SuDs measures that are higher up the London Plan Drainage Hierarchy such as the provision of living roof. As no living roofs have been proposed on the office scheme, condition 18 has been recommended which requires the submission of a feasibility study which shall examine whether a green roof can be installed on the office scheme roof and if it can, details to be submitted for approval by the Council.

7.132 Water demand would increase with the development, however it is proposed that the increase would be offset by the adoption of a variety of water-saving devices (water meters, low water use features), rainwater harvesting and grey water recycling measures. Thames Water have raised no objection to the proposal.

Air Quality

7.133 The NPPF requires the planning system to prevent development from contributing to, or bring unacceptable risk from elevated levels of air pollution. The London Plan (2016) policy 7.14 "Improving Air Quality" states that development proposals should "minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly in the Air Quality Management Areas (AQMAs)). Development should also promote sustainable design and construction to reduce emissions from demolition and construction. The Sustainable Design and Construction SPG (2014) introduces an Air Quality Neutral requirement on new developments.

7.134 The Core Strategy (2011) policy CC4 (Protection and Enhancing Environmental Quality) states that "the Council will support measures to protect and enhance the environmental quality of the borough including harmful emissions to land, air and water and the remediation of contaminated land. Policy DM H8 "Air Quality" of the Development Management Local Plan (2013) supports the Core Strategy policy stating that:

"The Council will seek to reduce the potential adverse air quality impacts of new major development by: requiring all major developments to provide air quality assessment; requiring mitigation measures to be implemented to reduce emissions, particularly nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality; 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".

7.135 The development site is within the borough wide Air Quality Management Area (AQMA).

7.136 The council is required to work towards achieving the air quality objectives for nitrogen dioxide and PM10. Developers must therefore develop appropriate low emissions strategies to reduce the cumulative impact of new developments to ensure that no deterioration in air quality occurs in accordance with Core Strategy policy CE5.

7.137 An Air Quality Assessment (for the site wide development) has been carried out which assesses the development's potential impacts on local air quality and considers the issue of exposure to pollution for residents. The assessment takes account of the potential temporary impacts during the construction phase and the operational impacts caused by increase in traffic flows and emissions from boilers used to provide heating on-site.

7.138 The office scheme would introduce an additional three storeys of office accommodation and roof level event space above the Restaurant Scheme which is located adjacent to Block D. The area between the Restaurant and office schemes and Block D at ground level is pedestrianised and would therefore not be significantly impacted from direct traffic emissions at ground level.

7.139 The Air Quality team have reviewed the application and asked for the submission of a Low Emissions Strategy which has been conditioned. Several air quality conditions were also placed on the restaurant scheme application such as the submission of an air quality and air neutral assessment and a dust management plan. As the office scheme is located directly above the restaurant scheme, it is considered that the air quality impacts of the cumulative developments can be minimised by implementing the proposed mitigation measures, as set out in the planning conditions which would be secured by both developments.

Waste

7.140 London Plan (2016) Policy 5.17 (Waste Capacity), CC1 of the Core Strategy (2011), and Policy DM H5 (Sustainable Waste Management) requires that all development should minimise waste and provide convenient facilities with adequate capacity to enable the occupiers to separate, store and recycle their waste.

7.141 The Sustainable Design and Construction SPG (2014) provides guidance for the minimisation of waste arising throughout the design, construction and operational stages.

7.142 Section 6 of the White City Opportunity Area Planning Framework also outlines the following waste objectives:

- Demolition and excavation waste, including contaminated waste, should be treated, recycled and reused on-site;
- In addition to regulatory approaches, redevelopment in the OA should contribute towards reducing, reusing and recycling waste through non regulatory and education based approaches
- Redevelopment of the OA must deliver sustainable and integrated waste collection and management systems;
- Redevelopment of the OA should provide green waste and kitchen waste collection to support a community led composting scheme;
- Consideration of an automated waste collection system to improve traffic congestion, air quality and local environmental quality.

7.143 Chapter 8 of the ES considers the potential impacts and likely effects of the August 2016 proposed development on waste arising, waste disposal infrastructure and waste management practices during the demolition and construction works and once the wider development is complete and operational, in the context of national, regional and local waste policies.

7.144 Refuse arising from construction site waste will be dealt with by way of a site Waste Management Plan (SWMP) which will be updated as part of the site wide Construction Environmental Management Plan required under the outline scheme.

7.145 A waste strategy summary statement has also been submitted within the Design Statement which sets out how the waste from the office block will be managed.

7.146 The waste strategy for the proposed development has been prepared on the basis that the waste generated by the application scheme will be managed across the two new proposed service yards (as approved under the Block A Reserved Matters application) and the three existing service yards on a shared use basis.

7.147 Once operational, the ES states that the office block would produce 24, 800 litres of waste per week. The outline scheme consented under the 2015 S73 Application and submitted under the 2017 S73 Consent would produce 1,571,305 L per week. Therefore, the additional waste which would be generated because of the office scheme would be minimal when compared with the overall scheme.

7.148 As such, it is considered that the proposed refuse provisions in the wider development scheme would provide satisfactory capacity to accommodate the additional waste generated from the additional retail development proposed within the restaurant block which would be in accordance with London Plan policy 5.16, Core Strategy policy CC1 and DM Local Plan policy DM H5 and the relevant planning guidance set out in the Mayor's SPG (Sustainable Design and Construction), the WCOAPF and the London Waste Management Strategy.

8. CONCLUSION

8.1 In conclusion, the proposed development is considered to be in accordance with the relevant national and regional planning policy guidance, the Council's Core Strategy and Development Management Local Plan and is hereby recommended for approval.

9. RECOMMENDATION

9.1 That the Committee resolve that the Director for Regeneration, Planning & Housing Services be authorised to determine the application and grant planning permission subject to conditions and planning permission 2016/04602/FUL being granted for the restaurant block.