

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 7th November 2017

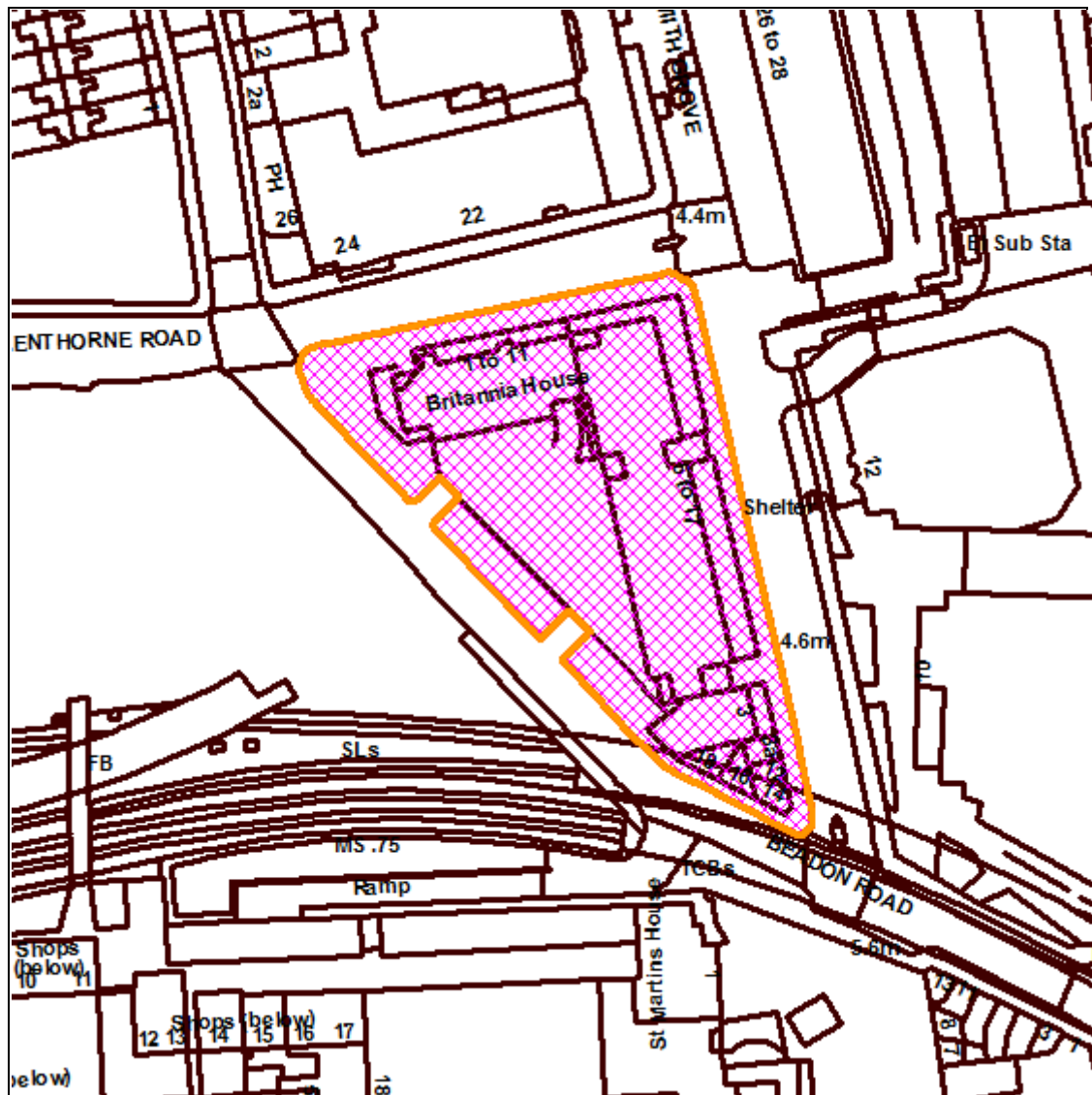
Index of Applications, Enforcement Actions, Advertisements etc.

WARD: REG NO:	SITE ADDRESS:	PAGE:
Hammersmith Broadway 2017/02717/FUL	The Triangle (5-17 Hammersmith Grove) And Britannia House (1-11 Glenthorne Road), 3 And 3A Hammersmith Grove And 12-18 Beadon Road, Hammersmith, London W6 0LH	17
College Park And Old Oak 2016/04452/COMB	The Gateway Site White City Place 201 Wood Lane London W12	84
Shepherd's Bush Green 2017/03851/FUL	Former Laundry Site Rear Of Nos. 9 - 61 Pennard Road London W12	165
Ravenscourt Park 2017/02065/FUL	12 And 14 Wellesley Avenue London W6 0UP	197
Avonmore And Brook Green 2017/02684/FUL	Cumberland Lodge 21 Cumberland Crescent London W14 8XB	233

Ward: Hammersmith Broadway

Site Address:

The Triangle (5-17 Hammersmith Grove) And Britannia House (1-11 Glenthorne Road), 3 And 3A Hammersmith Grove And 12-18 Beadon Road, Hammersmith, London W6 0LH



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Reg. No:
2017/02717/FUL

Case Officer:
Matthew Lawton

Date Valid:
17.07.2017

Conservation Area:

Committee Date: 07.11.2017

Applicant:

Romulus Construction Limited
C/o Agent

Description:

Demolition of all existing buildings on the site and redevelopment to provide a building of between 8 and 14 storeys in height plus two basement levels, comprising of 466 sqm GEA retail/commercial space (Class A1, A2 or A3) at ground floor level to the south and west of the building; office entrance, reception and ancillary office/gallery space to the east and north of the building at ground floor level fronting Hammersmith Grove and Glenthorne Road; service area to west accessed from Beadon Road including 1 accessible parking space; Class B1 office space from first to thirteenth floors (23,878 sqm GEA); plant enclosure at roof level; 15 car parking spaces, gym, plant, cycle storage and ancillary retail/office space in the two basement levels.

Drg Nos: 699_02_07_098 Rev.P4, 099 Rev.P4, 100 Rev.P5; 699_07_101 Rev.P3, 102 Rev.P3, 103 Rev.P3, 104 Rev.P3, 105 Rev.P3; 699_02_07_106 Rev.P3, 107 Rev.P3, 108 Rev.P3, 109 Rev.P5, 120 Rev.P1; 699_07_210 Rev.P3; 699_02_07_211 Rev.P3, 212 Rev.P3; 699_07_213 Rev.P3, 300 Rev.P3, 301 Rev.P3; 699_02_07_501 Rev.P2, 503 Rev.P2.

Application Type:

Full Detailed Planning Application

ADDENDUM

1.0 Introduction

- 1.1 At the Committee's last meeting (10/10/17) the current application to provide a building containing commercial space, a gallery at ground floor level and Class B1 office space was considered.
- 1.2 This is the fourth planning application submitted by the developer since December 2014 with only one application determined (02/09/15). That application was refused and is subject to a planning appeal due to be considered by a public inquiry (09/05/18).

2.0 Current application

- 2.1 At the last meeting Committee resolved to refuse, subject to no contrary direction from the London Mayor, due to:
 - 1. Height and massing of the proposed building.
 - 2. Impact on views into and out of nearby conservation areas.
 - 3. Loss of a locally listed Building of Merit.

- 2.2 Due to the scale of the application the determination will be referred to the Mayor of London, and is subject to any direction he may make. The current application is yet to be referred to the Mayor
- 2.3 The Council has a duty to ensure consideration of all material matters in determining applications and can consider applications further at a subsequent meeting until a decision notice is issued.

3.0 For consideration

- 3.1 Officers need to ensure the committee is fully advised of all the matters prior to issuing a decision notice. As such it is appropriate for the committee to ensure consideration of all material issues presented by officers.
- 3.2 The committee needs to be clear of the significant risk in relation to the appeal scheme and its decision in relation to the current application. This is a material consideration that Committee is required to fully assess in determining the current application.
- 3.3 The Council's stated position on the appeal application is: it is not opposed to the principle of the redevelopment of the site. Permission was refused on the appeal scheme due to the specific detail of the proposals.
- 3.4 As set out in the report, the current application addresses the specific reasons for refusal of the appeal scheme. This is the reason why officers recommend approval of the current application.
- 3.5 The three areas of concern identified by committee are addressed in detail in the current application report. Committee's attention is drawn to paragraphs:
- 3.10–3.50 set out the design of the building (including massing), its relationship to conservation areas, setting back of the building line and how this addresses the reasons for refusal of the appeal scheme.
 - 3.38–3.44 address the public benefits of new areas of open space weighed against the loss of the Building of Merit, again addressing the reason for refusal of the appeal scheme.
- 3.6 Committee needs to ensure consistency of approach in determining the application, given that the principle of the redevelopment of the site is accepted, and having considered the view of officers that the current application addresses the specific reasons for refusal of the appeal scheme.
- 3.7 Sufficient weight also needs to be given to other elements of the current scheme, that are different, or of greater benefit than the appeal scheme. In particular, paragraphs 4.1–4.7 of the report give a summary of officers' conclusions on the current application.
- 3.8 Should the developer lodge an appeal against a refusal of the current scheme the Council would be required to defend the reasons and provide robust evidence. At such an appeal, the absence of robust evidence to support a reason for refusal would be viewed as unreasonable. This would pose a significant risk

of substantial costs being awarded against the Council, in addition to costs of defending the appeals.

3.9 Committee is therefore advised to ensure full consideration of all planning matters highlighted. In particular, consistency between previous decisions and consideration of the current application. In particular, the:

- Council's in principle support for office led development of the site
- Current application addresses previous grounds for refusal
- Substantial risk posed by the likely award of costs against the Council in the event of the current application being refused then appealed.

4.0 Officer recommendation

4.1 Subject to there being no contrary direction from the Mayor of London, Committee resolve that the Director for Regeneration, Planning and Housing Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed in the report below.

4.2 Authorise the Director for Regeneration, Planning and Housing Services after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

ADDENDUM ENDS

Officer Recommendation:

1: Subject to there being no contrary direction from the Mayor of London, Committee resolve that the Director for Regeneration, Planning and Housing Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the conditions set out below.

2: Authorise the Director for Regeneration, Planning and Housing Services after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

- 1) The development hereby permitted shall not commence later than the expiration of 4 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 building development shall not be erected otherwise than in accordance with the following approved plans:

699_02_07_098 Rev.P4, 099 Rev.P4, 100 Rev.P5; 699_07_101 Rev.P3, 102 Rev.P3, 103 Rev.P3, 104 Rev.P3, 105 Rev.P3; 699_02_07_106 Rev.P3, 107 Rev.P3, 108 Rev.P3, 109 Rev.P5, 120 Rev.P1; 699_07_210 Rev.P3; 699_02_07_211 Rev.P3, 212 Rev.P3; 699_07_213 Rev.P3, 300 Rev.P3, 301 Rev.P3; 699_02_07_501 Rev.P2, 503 Rev.P2

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

- 3) Prior to any demolition works hereby permitted taking place the following shall be submitted to, and approved in writing by, the Council:

a) Demolition Logistics Plan (DLP) with details including the numbers, size and routes of demolition vehicles, provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. Approved details shall be implemented throughout the demolition period.

b) Demolition Management Plan (DMP) with details including all dust and emissions monitoring and control measures, any external illumination of the site during demolition, contractors' method statements, waste classification and disposal procedures and locations, suitable site hoarding/enclosure (including detailed plan, section and elevation drawings at a scale of not less than 1:20 and details of material and colour), noise monitoring and control measures for noise, vibration, 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.

The details, as approved, shall be implemented throughout the demolition period.

To ensure that demolition works do not adversely impact on the operation of the public highway, 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 London Plan 2015 Policy 6.3, and Policies DM H9, H10, H11 DM J1 and DM J6 of the Development Management Local Plan 2013.

- 4) Prior to any construction works hereby permitted taking place the following shall be submitted to, and approved in writing by, the Council:

a) Construction Logistics Plan (CLP) with details including the numbers, size and routes of construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters

relating to traffic management to be agreed. The CLP shall identify efficiency and sustainability measures to be undertaken while the development is being built.

b) Construction Management Plan (CMP) with details including, all dust and emissions monitoring and control measures, any external illumination of the site during construction, contractors' method statements, waste classification and disposal procedures and locations, timber site hoarding/enclosure (including detailed plan, section and elevation drawings at a scale of not less than 1:20 and details of material and colour), noise monitoring and control measures for noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the work.

The details, as approved, shall be implemented throughout the construction 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, DM J6, DM H9 and DM H11 of the Development Management Local Plan 2013.

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

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

- 6) Save for works below ground level, no development shall commence until particulars and samples of materials to be used in all external faces of the building, including glass samples, have been submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 7) Save for works below ground level, no development shall commence until details and samples of the proposed fenestration, including opening style, have been submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 8) Save for works below ground level, no development shall commence until drawings of a scale not less than 1:20 in plan, section and elevation of typical bays of the building on each elevation have been submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved.

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

- 9) Save for works below ground level, no development shall commence until detailed plans, sections and elevations at a scale of 1:20 of the rooftop plant and plant screening have been submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the details as approved.

In order to ensure a satisfactory external appearance, in accordance with policy DM G1 of the Development Management Local Plan 2013.

- 10) Save for works below ground level, no development shall commence until details are submitted to, and approved in writing by, the Council of the positioning, number and angle to the surface of the roof of the proposed PV panels to be provided. The development shall be carried out in accordance with the details as approved and shall not be occupied until such agreed details have been carried out.

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

- 11) Prior to the commencement of above ground works (other than works of site preparation, excavation and demolition of existing buildings), a statement setting out detailed measures of how 'Secured by Design' requirements are to be adequately achieved shall be submitted to and approved in writing by the Council. Such details shall include, but not be limited to, CCTV coverage, access controls, basement security measures, the approved details shall be carried out prior to occupation of the development hereby approved and permanently retained thereafter.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with policies 7.3 and 7.13 of the London Plan (2016), policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (July 2013).

- 12) The development hereby approved shall not be occupied before a Refuse Management Plan, including full details of refuse storage (including provision for the storage of recyclable materials) have been submitted to, and approved in writing by, the Council. The approved details shall be implemented prior to the

occupation of the development and shall thereafter be permanently retained. All refuse/recycling generated by the development hereby approved shall be stored within the agreed areas. These areas shall be permanently retained for this use. Refuse and recyclables shall be stored only within the curtilage of the application site except on collection days.

To ensure the satisfactory provision of refuse and recycling storage, to ensure the use does not give rise to smell nuisance and to prevent harm arising from the appearance of accumulated rubbish, in accordance with policy 5.3 of the London Plan (2016) and policy DM H5 of the Development Management Local Plan 2013.

- 13) 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 all external mechanical plant and building services equipment, and from any ventilation exhaust or intake, and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery and building services 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 DM H11 of the Development Management Local Plan 2013.

- 14) No deliveries nor collections shall occur at the development hereby approved other than between the hours of 07:00 to 23:00 hours on Monday to Friday, 08:00 to 23:00 on Saturdays and between 10:00 and 17:00 hours on Sundays and Public/Bank Holidays.

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

- 15) 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 any odour abatement equipment and extract system serving any commercial premises, 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 details as approved 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 and surrounding premises are not adversely affected by cooking odour, in accordance with Policies DM H9 and DM H11 of the Development Management Local Plan 2013.

- 16) Prior to the display of any illuminated sign or advertisement, details shall be submitted to and approved in writing by the Council, of artificial lighting levels (candelas/ m2 size of sign/advertisement). Details shall demonstrate that the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011' will be met, particularly with regard to the 'PLG05,2015-The Brightness of Illuminated Advertisements'. Approved details shall be implemented prior to use/ display of the sign/ advertisement and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by artificial lighting, in accordance with Policies DM H10 and DM H11 of the Development Management Local Plan 2013.

- 17) Save for works below ground level, no development shall commence until details of external artificial lighting have been submitted to, and approved in writing by, the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies DM H10 and DM H11 of the Development Management Local Plan 2013.

- 18) With the exception of the terrace areas indicated on the approved drawings, no part of any other roof of the approved buildings shall be used as a terrace or other amenity space. The upper floor terrace areas shall not be used after 2300 and before 0800 the following day Mondays to Fridays and shall not be used after 2300 and before 0900 hours the following day on Saturdays, Sundays and Bank Holidays. No live or amplified music shall be played or performed on the external terrace areas hereby approved.

To safeguard the amenities of the occupiers of neighbouring properties, and to avoid overlooking and loss of privacy and the potential for additional noise and disturbance, in accordance with policies DM H9 and DM A9 of the Development Management Local Plan 2013.

- 19) The development hereby permitted shall not commence (excluding works of site clearance and demolition of existing buildings) until a Sustainable Drainage Strategy (SuDS), which details how surface water will be managed on-site in line with the proposals outlined in the submitted reports 'Drainage Strategy' and 'Drainage Strategy Addendum', has been submitted to, and approved in writing by, the Local Planning Authority. Information shall include details on the design and location of all sustainable drainage measures, including rainwater harvesting system, along with confirmation of the levels of attenuation achieved and a proposed maintenance strategy. 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 implemented in accordance with the

approved details prior to the occupation of the development hereby permitted, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details permanently thereafter.

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).

- 20) Notwithstanding the information provided in the submitted Flood Risk Assessment, further details shall be submitted to, and approved in writing by, the Council of access to an area of refuge at first floor level or above from lower floors of the building in the event of the building being affected by flooding. The development shall be implemented in accordance with the approved details, and maintained in accordance with the approved details permanently thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with policy 5.12 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).

- 21) No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to, and approved in writing by, the local planning authority in consultation with Thames Water. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

To ensure no detrimental impact upon underground sewerage and water utility infrastructure, 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.

- 22) The development hereby permitted shall not commence until a revised Energy Strategy has been submitted to, and approved in writing by, the Council. All details as approved shall then be implemented prior to occupation or use of the development hereby permitted, and thereafter be permanently retained. Where there is a shortfall in meeting the London Plan CO2 reduction target, a payment in lieu will be required.

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 DM G1 and DM H1 of the Development Management Local Plan 2013, Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), and Core Strategy (2011) Policies BE1 and CC1.

- 23) The development hereby permitted shall not commence until a revised Sustainability Statement, including measures which will meet BREEAM 'very good'

rating as a minimum, has been submitted to, and approved in writing by, the Council. All details as approved shall then be implemented prior to occupation or use of the development hereby permitted, and thereafter be permanently retained. Within six months of first occupation of the development details of compliance with sustainability measures, contained within the post construction BREEAM assessment, shall be submitted to, and subsequently approved in writing by, the Council.

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 DM G1 and DM H2 of the Development Management Local Plan 2013 and Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), and Core Strategy (2011) Policies BE1 and CC1.

- 24) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

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

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

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

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

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

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

- 28) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the

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

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

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

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

- 30) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the submitted Flood Risk Assessment the supplementary information provided in emails from the Applicant's Agent dated 30/8/17 and 8/9/17. In line with advice from Thames Water, a non-return valve or other suitable device shall also be installed to avoid the risk of the sewerage network surcharging wastewater to basement and ground levels during storm conditions. The development shall not be occupied until all of the proposed flood

mitigation measures have been integrated into the development, and they shall be maintained and retained thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with policy 5.12 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).

31) The development hereby permitted shall not be commenced until detailed design and method statements for the proposed demolition and excavation works and all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority in consultation with London Underground which:

- Provides details on all structures;
- Provides details of tall plant and scaffolding;
- Accommodates the location of any existing London Underground structures;
- Demonstrates access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering their land;
- Demonstrates that there will at no time be any potential security risk to London Underground railway, property or structures;
- Accommodates ground movement arising from the construction thereof; and
- Mitigates the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements and no change therefrom shall take place without the prior written consent of the Local Planning Authority in consultation with London Underground. All structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

To ensure that works during demolition, construction and operation does not have adverse impacts on existing London Underground transport infrastructure, in accordance with policy 6.3 of the London Plan (2016) and the Mayor's 'Land for Industry and Transport' Supplementary Planning Guidance (2012).

32) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) relating to archaeology has been submitted to, and approved in writing by, the Council. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

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

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

To ensure the preservation or protection of any archaeological interests that may be present on the site, in accordance with policy DM G7 of the Development Management Local Plan (2013) and the National Planning Policy Framework (2012) Chapter 12.

- 33) Prior to the commencement of the development, details (including detailed drawings) shall be submitted to, and approved in writing by, the Council demonstrating how the development hereby approved would be accessible to all and comply with SPD Design Policies 1, 2, 3, 6, 7 and 8 of the Council's adopted Planning Guidance Supplementary Planning Document (2013). The details as approved shall be carried out prior to first use of the development, and shall thereafter be permanently maintained.

In order to ensure easy and convenient access for all users, including disabled people, in accordance with Policy BE1 of the Core Strategy 2011, SPD Design Policies 1, 2, 3, 6, 7 and 8 of the Council's adopted Planning Guidance Supplementary Planning Document (2013) and Policies 4.5 and 7.2 of The London Plan (2016).

- 34) Prior to the occupation of the development the details of the proposed 16 car and 4 motorcycle parking spaces (including 3 car parking spaces for use only by blue badge holders and which shall be demarcated as such) and service area shall be submitted to, and approved in writing by, the Council. The details shall include the provision of electric vehicle charging points for all of the 16 car parking spaces. The car and motorcycle parking spaces and servicing area shall thereafter be laid out and permanently retained and used for their intended purposes only.

To ensure satisfactory provision and retention of car parking spaces and servicing area so that the development does not result in additional on-street parking stress or obstruction on the highway, in accordance with policy DM J4 of the Development Management Local Plan 2013 and SPD Transport Policies 5, 6 and 22 of the Planning Guidance Supplementary Planning Document 2013.

- 35) 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. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 36) The open seating areas associated with the development hereby approved shall not be used after 2300 and before 0800 the following day Mondays to Fridays and shall not be used after 2300 and before 0900 hours the following day on Saturdays, Sundays and Bank Holidays; and when not in use the chairs and tables shall be stored within the development hereby permitted.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with Policies DM H9 and DM H11 of the Development Management Local Plan 2013.

- 37) No customers shall be on the retail/commercial premises hereby approved between the hours of midnight and 0730.

In order that noise and disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are sufficiently similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents, in accordance with Policies DM C6, DM H9 and DM H11 of the Development Management Local Plan 2013.

- 38) Save for works below ground level, no development shall commence until details of measures to mitigate light spillage from all floor levels of the proposed building towards neighbouring residential properties and a scheme for the control of the operation of internal lighting (during periods of limited or non-occupation) have been submitted to, and approved in writing by, the Council. The details as approved shall be implemented prior to first occupation of the building hereby permitted and thereafter be permanently retained.

To ensure that the amenities of surrounding residential properties are not unduly affected by light pollution and in order to conserve energy when not occupied, in accordance with policies DM H10 and DM H11 of the Development Management Local Plan (2013) and Core Strategy (2011) policy BE1.

- 39) No demolition or development shall take place until an internal and external photographic record has been made of No.3 Hammersmith Grove and the record has been submitted to, and approved in writing by, the Council. A copy of the approved photographic record shall be lodged with the Borough Archives.

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

- 40) Prior to commencement of the development, excluding works of demolition, ground or enabling works, details and samples, where appropriate, of all paving (including permeable paving) and external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details.

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

- 41) The main lift core within the development shall contain at least one fire rated lift, details of which shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of the building. All lifts within the building, including car lifts, shall have enhanced lift repair service running 365 day/24 hour cover to ensure that no occupiers (including wheelchair users) are trapped if the lift breaks down. The fire rated lift shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development is accessible and responds to the needs of people with disabilities, in accordance with policy DM G1 of the Development Management Local Plan 2013.

- 42) The building shall not be used for any purposes other than those described in this planning permission, neither shall the premises be used for any other purposes within the relevant Use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended).

In granting this permission, the Council has had regard to the special circumstances of the case. Certain other uses within the same use class would be unacceptable due to effect on access provision, residential amenity or traffic generation, in accordance with Policy T1 and CF1 of the Core Strategy (2011), and Policies DM A9, DM H9, DM H11 and DM J1 of the Development Management Local Plan (2013).

- 43) No alterations shall be carried out to the external appearance of the development, including the installation of air-conditioning units, ventilation fans or extraction equipment, plumbing or pipes, other than rainwater pipes, on the approved elevations 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 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.

- 44) Prior to commencement of development, excluding works of demolition, ground or enabling works, details of micro climate mitigation measures necessary to provide an appropriate wind environment throughout and surrounding the development shall be submitted to, and approved in writing by, the Council. The development shall proceed in accordance with the approved details and be retained as such thereafter.

To ensure that suitable measures are incorporated to mitigate potential adverse wind environments arising from the development, in accordance with policies 7.6 and 7.7 of the London Plan (2016).

- 45) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and 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 additional 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 building, in accordance with policies DM G1 and DM G7 of the Development Management Local Plan (2013).

- 46) Notwithstanding the details shown on drawing Nos.699_02_07_100 Rev.P5 and 699_02_07_120 Rev.P1, the development shall not commence until a completed section 278 legal agreement has been entered into with the highway authority in connection with the implementation of public realm works to a scheme and a programme to be agreed with the Council which shall include:
- (i) Resurfacing of the footways surrounding the site;
 - (ii) Access changes on Beadon Road including the closure of an existing access and the widening of an existing vehicle access point;
 - (iii) Provision of 14 Sheffield cycle stands on the footways surrounding the site.
- Detailed drawings of the proposed works including a layout plan shall be submitted to, and approved in writing by, the Council prior to the commencement of the works. The works detailed on the approved drawings shall be implemented in accordance with the highways agreement prior to occupation of the development.

In order to ensure that the works on the highway are carried out in a satisfactory manner and ensure direct, convenient and safe access to and from the development, in accordance with policies DM J5 and DM J6 of the Development Management Local Plan 2013.

- 47) No advertisements shall be displayed on either the external faces of the development and/or inside any windows, without details of the advertisements having first been submitted to and agreed in writing by the Council.

In order to ensure a satisfactory appearance to the development and to prevent harm to the streetscene in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM G1 and DM G8 of the Development Management Local Plan 2013.

- 48) The window glass of the building at ground floor level shall not be mirrored, tinted or otherwise obscured. The development shall be permanently retained in this form.

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

- 49) Prior to the occupation of the development the 298 internal cycle parking spaces shown on drawing No.699_02_07_099 Rev.P4 and 27 external cycle parking spaces shall be provided, and shall be permanently accessible for the storage of bicycles for staff and visitors to the development.

To ensure the provision of bicycle spaces 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).

- 50) The development hereby permitted shall not be occupied or used until full details of the shower rooms and changing areas (including the number of showers) to be provided in the proposed building for use by staff are submitted to, and approved in writing by, the Council. Such details as are approved shall be provided prior to first use and they shall be permanently retained for the use of employees.

In order to ensure satisfactory facilities for staff including cyclists, in accordance with policy DM J5 of the Development Management Local Plan (2013).

- 51) No external roller shutters shall be attached to the building at ground floor level.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies DM G1 and DM G7 of the Development Management Local Plan 2013.

- 52) The development hereby approved shall not be occupied unless and until the proposed access to Beadon Road has been constructed (in accordance with details to be agreed under the required S278 highways agreement) and provided with visibility splays of 2.4 metres x 25 metres, in accordance with the submitted drawing No.03001 Rev.P1. The visibility splays shall be kept permanently clear of any obstruction over 0.6m in height thereafter.

In order to ensure direct, convenient and safe access to and from the development, in accordance with policies DM J5 and DM J6 of the Development Management Local Plan 2013.

- 53) No machinery or equipment operated in connection with the retail/commercial uses shall be used outside the hours during which customers are permitted to be on the premises.

In order that the machinery and equipment used in connection with the permitted use does not give rise to conditions that would be detrimental to the amenities of surrounding occupiers by reason of noise disturbance, in accordance with Policies DM C6 and DM H9 and DM H11 of the Development Management Local Plan 2013.

- 54) No organised delivery of food shall take place from the premises using motor vehicles (which includes motor cycles, mopeds and motor scooters).

No provision has been made for the parking of vehicles off-street in connection with a delivery service. In the circumstances, any such vehicles would be likely to park on the public highway which would prejudice the free flow of traffic and public safety and harm the setting of this building, contrary to policies DM J1 and DM G1 of the Development Management Local Plan 2013.

- 55) No live or amplified music shall be played or performed in the open seating areas hereby approved.

In order that the use does not give rise to conditions detrimental to the amenities of surrounding occupiers by reason of noise disturbance in compliance with policies DM H9 and DM H11 of the Development Management Local Plan 2013.

- 56) Save for works below ground level, no development shall commence until details of any window cleaning equipment including appearance, means of operation and storage have been submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the details as approved.

In order to ensure a satisfactory external appearance, in accordance with policy DM G1 of the Development Management Local Plan 2013.

- 57) Prior to the commencement of the development hereby permitted, other than demolition, ground works, site preparation or remediation, details of the proposed hard and soft landscaping of the site, including: planting schedules and details of the species, height and maturity of any trees and shrubs and proposed landscape maintenance shall be submitted to, and approved in writing by, the Council. 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, and the landscaping shall thereafter be retained and maintained in accordance with the approved details.

To ensure a satisfactory external appearance and that occupiers of the development are not adversely affected by air quality, in accordance with London Plan 2016 policy 7.14, Policies BE1, CC4 and HTC of the Core Strategy (2011) and policies DM E4 and DM H8 of the Development Management Local Plan (2013).

- 58) Any tree or shrub planted pursuant to approved landscape details that is removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted, unless otherwise agreed by the local planning authority, in the next planting season.

To ensure a satisfactory external appearance in accordance with Policies BE1 and HTC of the Core Strategy (2011) and policy DM E4 of the Development Management Local Plan (2013).

- 59) All works shall be carried out in accordance with the submitted Arboricultural Implications Report (which includes the Tree protection plan) by SJA Trees Ref.SJA air 17155-01c dated June 2017, and in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

To ensure a satisfactory external appearance and to ensure the retention of trees adjacent to the site in the interests of visual amenity, in accordance with Policies BE1 and HTC of the Core Strategy (2011) and policy DM E4 of the Development Management Local Plan (2013).

- 60) The development hereby permitted shall not be used or occupied until final Commercial Travel Plans for the office and the ground floor commercial and gallery uses have been submitted to, and approved in writing by, the Council. The travel plans shall be implemented in full compliance with the approved details, and

shall thereafter continue to be fully implemented whilst the approved uses remain in operation. The plans shall be annually monitored and reviewed and the details of the outcome of this process shall be submitted in writing to the Council.

To ensure that the existing amenities of local residents are safeguarded and to ensure that the operation of the use does not add unduly to existing levels of traffic generation, in accordance with Policy T1 of the Core Strategy 2011 and policies DM J1, DM J5, DM J6, DM H9 and DM H11 of the Development Management Local Plan 2013.

- 61) The development hereby permitted shall not commence until a Demolition and Construction Workers Travel Plan has been submitted to, and approved in writing by, the Council. The travel plan shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented throughout the demolition and construction of the development.

To ensure that the existing amenities of local residents are safeguarded and to ensure that the operation of the use does not add unduly to existing levels of traffic generation, in accordance with Policy T1 of the Core Strategy 2011 and policies DM J1, DM J5, DM J6, DM H9 and DM H11 of the Development Management Local Plan 2013.

- 62) 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 sensitive 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 occupiers 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 operational phases by means of a Ultra Low Emission Vehicle Plan (ULEVP) e.g. use of Ultra Low Emission Vehicles such as Electric, Hybrid (Electric-Petrol). The strategy must re-assess air quality neutral in accordance with the Mayor of London's 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 details, as approved, shall be fully implemented prior to the occupation/use of the development and thereafter be permanently retained and maintained.

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

- 63) 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 and air extract locations and the design details and locations of windows on all habitable floors to be occupied for Class B1 use and the gym at basement level -2 to demonstrate that they avoid areas of NO₂ or PM exceedance e.g. Beadon Road, Glenthorne Road and Hammersmith Grove. 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 ensure that occupiers of the development are not adversely affected by air quality, in accordance with London Plan 2016 policy 7.14, Core Strategy 2011 Policy CC4, and Development Management Local Plan 2013 Policy DM H8.

- 64) 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 hot water. The Gas fired boilers to be provided for space heating and hot water shall have dry NOx emissions not exceeding 30 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 will need to be provided to the council to verify boiler emissions. The details as approved shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

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

- 65) Prior to the commencement of development an Air Quality Dust Management Plan (AQDMP) shall be submitted to, and approved in writing by, the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London's '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 Mayor's SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction, dust and emission control measures including on-road and off-road construction traffic, Ultra Low Emission Vehicle Strategy (ULEVS) e.g. use of Low Emission Vehicles such as Electric, Hybrid (Electric-Petrol), and 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. The developer must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

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

- 66) Prior to the first occupation of the development a final operational Delivery and Servicing Plan in accordance with Transport for London's Delivery and Service Plan Guidance shall be submitted to, and approved in writing by, the Council. Details shall include times of deliveries and collections/silent reversing methods/location of loading bays and vehicle movements. The servicing shall thereafter be carried out in accordance with the approved details.

To ensure that the amenity of occupiers of the surrounding premises are not adversely affected by noise and that servicing activities do not adversely impact on the highway, in accordance with Policies DM H9, DM H11 and DM J1 of the Development Management Local Plan 2013, and SPD Transport Policy 34 of the Planning Guidance Supplementary Planning Document 2013.

Justification for Approving the Application:

1. Land Use: The use of the site primarily as a Class B1 office building is considered to be acceptable in the context of the existing use of the site and the its location in Hammersmith Town Centre with excellent public transport facilities. The proposed development would achieve a sustainable development, whilst optimising the use of previously developed land. Core Strategy (2011) Strategic Policy B and Policy LE1, and Policy 4.2 of The London Plan (2016), would thereby be satisfied.
2. Design: The proposal would be of a high standard of design. It is considered that the building would enhance the appearance of the area and have an acceptable impact upon nearby conservation areas. The proposed loss of a Building of Merit is considered to be justified in this instance. Core Strategy policy BE1, Development Management Local Plan (2013) policies DM G1 and DM G7, Policies 7.4 and 7.6 of The London Plan (2016) and the NPPF would thereby be satisfied.
3. Highways: There would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network. Off-street parking and servicing would be provided and the development is considered not to have the potential for contributing significantly towards pressure on on-street parking due to the high accessibility to public transport, subject to satisfactory measures to discourage the use of the private car which would be contained in travel plans. Improvements would be made to the highway at the development site as part of the proposal. Adequate provision for servicing and the storage and collection of refuse and recyclables would be provided. The proposal is thereby in accordance with Development Management Local Plan (2013) policies DM J1, DM J2 and DM H5.
4. The development would provide level access, lifts to all levels, suitable circulation space and dedicated parking spaces for wheelchair users. Satisfactory provision is therefore made for users with mobility needs, in accordance with

policy BE1 of the Core Strategy (2011), SPD Design Policies 1, 2 and 3 of the Planning Guidance Supplementary Planning Document (2013) and policies 4.5 and 7.2 of the London Plan (2016).

5. Sustainability and Flood Risk: The application proposes a number of measures to reduce CO2. The proposal would seek to achieve a 'very good' BREEAM rating and the implementation of sustainable design and construction measures would be a condition of the approval. A Sustainable Drainage Strategy would be required by condition. Policies CC1 and CC2 of the Core Strategy (2011) and policies 5.1, 5.2, 5.3, 5.6 and 5.7 of The London Plan (2016) are thereby satisfied.

6. Residential amenity: The impact of the proposed development upon neighbouring occupiers is considered to be acceptable. Measures would be secured by condition to minimise noise and disturbance to nearby occupiers from the operation of the proposed development. In this regard the development would respect the principles of good neighbourliness, and thereby satisfy policy BE1 of the Core Strategy (2011) and policy DM G1 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: 10th July 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	07.08.17
Thames Water - Development Control	04.08.17
Historic England London Region	25.07.17
Greater London Authority - Planning Decisions Unit	03.10.17
Transport For London - Land Use Planning Team	01.08.17
London Fire And Emergency Planning Authority	25.09.17
Civil Aviation Authority - Safety Regulation Group	03.08.17
Natural England	09.08.17
Victorian Society	27.07.17

Hammersmith & Fulham Historic Buildings Group	10.09.17
The Hammersmith Society	04.09.17
Brackenbury Residents' Association	02.10.17
Historic England London Region	14.08.17
London Air Ambulance	15.08.17

Neighbour Comments:

Letters from:

Dated:

2A Aldensley Road London W6 0DH	19.07.17
31 Brading Terrace 225 Goldhawk Road London W12 8ES	27.07.17
19a Sycamore Gardens Hammersmith London W6 0AP	08.10.17
211 Hammersmith Grove London W60NP	25.07.17
8 Overstone Road London W6 0AA	09.08.17
10 Hammersmith Grove London W6 7AP	10.08.17
48 Southerton Road Hammersmith W60PH	15.08.17
211 Hammersmith Grove London W60np	28.07.17
32 Overstone Road London W6 0AA	31.08.17
6 Overstone Road London W6 0AA	10.08.17
The Dartmouth Castle 26 Glenthorne Road London w6 0LS	26.07.17
19 Southerton Road Hammersmith London W6 0PJ	02.08.17
40 Iffley Road London W6 0PA	25.07.17
15A Kilmarsh Road London W6 0PL	08.08.17
35 Overstone Road London W6 0AD	31.07.17

1.0 BACKGROUND

1.1 The application site is a triangular piece of land bounded to the east by Hammersmith Grove, to the north by Glenthorne Road and to the south west by Beadon Road. The site comprises the buildings known as 'The Triangle' (5-17 Hammersmith Grove) and 'Britannia House' (1-11 Glenthorne Road) - two linked office buildings of 6-7 storeys in height, forming an L-shape on the site. The site also includes No.3 Hammersmith Grove - a two storey Victorian building which is on the Council's register of locally listed Buildings of Merit, and Nos.3a Hammersmith Grove and 12-18 Beadon Road - a cluster of single storey commercial units which form the southern end of 'The Triangle'. All the buildings are in the Applicant's ownership.

1.2 The site is approximately 0.41 hectares in area and is situated to the north of Lyric Square. To the east, on the opposite side of Hammersmith Grove, is the former NCP site, which has been redeveloped as two 9-11 storey office buildings. There is also an 8-storey office building to the north of this redevelopment site, at 26-28 Hammersmith Grove, which has a taller 13 storey element set back from the street. To the north, on the other side of Glenthorne Road, is a 5-storey (including roof accommodation) 1950s building in office use, known as Glen House. To the south west, on the opposite side of Beadon Road, was a commercial building at 45 Beadon Road which has recently been demolished as part of the redevelopment of King's Mall Car Park (Sovereign Court). When completed Sovereign Court will be a 10-17 (residential) storey block located opposite the site. On the other side of the railway tracks which run under Beadon Road,

there is a 14 storey office block known as One Lyric Square, and this, along with Lyric Square itself, forms the southern edge of the townscape opposite the site.

1.3 The nearest residential properties are currently located in Overstone Road and Southerton Road to the north of the site (approximately 50m away). There is also believed to be ancillary residential accommodation above the public house at 26 Glenthorne Road, which is opposite the north-west corner of the application site. As mentioned above, however, the site opposite the application site on Beadon Road is currently being developed for residential use. Residential properties on Hammersmith Grove to the north are approximately 90m away. Residential flats at Aschroft Square are approximately 100m from the site.

1.4 There are two existing vehicular accesses to the site from Beadon Road, leading to a surface level car park with 28 parking spaces (and a vehicle access ramp leading to a further 9 parking spaces at a lower level).

1.5 The Triangle and Britannia House provides approximately 6000sqm of office (Class B1) floor space.

1.6 The site is within the designated Hammersmith Town Centre and is part of the Hammersmith Town Centre and Riverside Regeneration Area. It is not in a conservation area, although the boundary of the Bradmore Conservation Area is on the opposite side of Glenthorne Road to the north west of the site (10 metres away), this conservation area having been extended and bringing it closer to the site in October 2014. The Hammersmith Grove Conservation Area begins approximately 90m to the north of the site. The Hammersmith Broadway Conservation Area lies to the south east, approximately 30m away. No.3 Hammersmith Grove, which forms part of the application site, is a locally listed Building of Merit (BOM). The site lies within the Environment Agency's Flood Risk Zones 2 and 3.

1.7 The site is well served by public transport with a Public Transport Accessibility Level (PTAL) of 6b, on a scale of 1-6a/b where 1 is 'poor' and 6b being rated as 'excellent'. The Hammersmith and City Line Station is 90m from the site and Hammersmith Broadway (underground - District and Piccadilly lines - and bus station) is located approximately 150m to the south east.

Planning History

1.8 The main office buildings date from the 1960s, although 'The Triangle' was refurbished in the 1990s. There have been various applications for alterations to both buildings since they were constructed. Most relevantly to the current proposals, the following application for extensions to Britannia House was granted in 2003:

2001/02475/FUL - Demolition of existing building (except basement); erection of a nine storey building to provide 4,817 square metres of offices (Class B1); alterations to car park and associated landscaping.

1.9 The following application for extensions to The Triangle building was also approved in 1999 (and was subsequently implemented):

1999/00015/FUL - Extensions and alterations to south wing:- Erection of part 5/part 1 storey extension to Hammersmith Grove elevation to provide lift tower and new

entrance; 5 storey infill extension to southern service core; rendering of existing brickwork; installation of replacement windows and metal casing to pilasters and erection of railings and gate along boundary with Beadon Road.

1.10 In December 2014 (2014/05794/FUL) a planning application was submitted for the demolition of all existing buildings on the site and redevelopment to provide a building of between 7 and 14 storeys in height plus two basement levels, comprising of 1447sqm GEA retail/commercial space (Class A1 (shops), A2 (professional and financial services) or A3 (cafe/restaurant)) at ground floor level to the south and west of the building; office entrance, reception and ancillary office/gallery space to the east and north of the building at ground floor level fronting Hammersmith Grove and Glenthorne Road; service area to west accessed from Beadon Road; Class B1 office space from first to thirteenth floors (25,192 sqm GEA); plant enclosure at roof level; 16 car parking spaces, swimming pool, gym, plant, cycle storage and ancillary retail/office space in the two basement levels. Following the publication of an Officers' report to the Planning and Development Control Committee recommending refusal of the proposals, the Applicants withdrew the application in March 2015.

1.11 In August 2015 a planning application (Ref.2015/04018/FUL) was submitted for the demolition of all the existing buildings on the site and redevelopment to provide a building of between 38.85m and 79.625m in height plus two basement levels providing: gym/leisure use (Class D1), car and cycle parking, plant, waste and recycling storage at basement level; retail use (Class A1/A2/A3) at the southern end of the ground floor; office use above (Class B1a); residential use (Class C3) from ground floor up at northern end of the site; and plant enclosure at roof level. Sufficient information was not submitted to validate the application, however, and this was subsequently not pursued by the Applicant.

1.12 Shortly prior to this in June 2015 a planning application (Ref.2015/02573/FUL) was submitted for the demolition of all existing buildings on the site and its redevelopment to provide a building of between 8 and 14 storeys in height plus two basement levels, comprising of 620 sq m GEA retail/commercial space (Class A1, A2 or A3) at ground floor level to the south and west of the building; office entrance, reception and ancillary office/gallery space to the east and north of the building at ground floor level fronting Hammersmith Grove and Glenthorne Road; service area to west accessed from Beadon Road including 1 accessible parking space; Class B1 office space from first to thirteenth floors (24,266 sq m GEA); plant enclosure at roof level; 15 car parking spaces, swimming pool, gym, plant, cycle storage and ancillary retail/office space in the two basement levels. Planning permission was refused on 2nd September 2015 for the following reasons:

- The building would be set forward of the existing and established building line on Hammersmith Grove and the building and would loom overbearingly above development to the north, the development would have an adverse impact on the setting and views into/out of the Bradmore Conservation Area and the Hammersmith Grove Conservation Area.
- The loss of a locally listed Building of Merit at 3 Hammersmith Grove was considered not to be justified by the proposed public realm provision.
- The proposal to fell six mature London Plane street trees in Hammersmith Grove and Beadon Road
- The impact of the proposal on the daylight conditions of new residential units within 'Sovereign Court' opposite on Beadon Road.

1.13 An appeal was submitted against the Council's decision to refuse planning permission for the application Ref.2015/02573/FUL, with a hearing originally due to be held in July 2016. In advance of this taking place the Planning Inspectorate decided that the appeal should instead be held as an inquiry. This was then scheduled to take place in March 2017, but was postponed by the Planning Inspectorate one day before it was due to begin. The inquiry was then rescheduled to be held in June 2017, but due to the further postponement the Applicant engaged in discussions with Officers with a view to submitting a revised application which would address the reasons for refusal. The Inspectorate have now rescheduled the inquiry to take place in May 2018.

Current proposal

1.14 The current application is a revised submission of the appeal scheme which seeks to address the reasons for refusal of application Ref.2015/02573/FUL. It again proposes the demolition of all existing buildings on the site and redevelopment to provide a building of between 8 and 14 storeys in height plus two basement levels, comprising of 466 sqm GEA retail/commercial space (Class A1, A2 or A3) at ground floor level to the south and west of the building; office entrance, reception and ancillary office/gallery space to the east and north of the building at ground floor level fronting Hammersmith Grove and Glenthorne Road; service area to west accessed from Beadon Road including 1 accessible parking space; Class B1 office space from first to thirteenth floors (23,878 sqm GEA); plant enclosure at roof level; 15 car parking spaces, gym, plant, cycle storage and ancillary retail/office space in the two basement levels.

1.15 As with the previous proposal, the two existing linked office buildings would be replaced by one new building with a roughly triangular footprint, expanded to cover the majority of the site area. To the southern part of the site, however, the demolished single storey commercial units would not be replaced by new built development, and this area would become an open pedestrian area. The majority of the building would be 14 storeys in height above ground (plus roof top plant enclosure). On Glenthorne Road, it would step down in two steps from the full height to an 8 storey frontage to the street. On Beadon Road, the building would step up in three steps from 5, to 8, to 11, to 14 storeys, although the 14 storey element would wrap around the southern edge of the site. A vehicle entrance way into a covered service area would be accessed from Beadon Road, with two car lifts to provide access to two subterranean basement levels (parking being at level -2).

1.16 The basements would contain plant, cycle storage, toilets, changing and shower facilities, a gym (for ancillary office use, not for public access), parking for 15 cars, the lower floor of the office/gallery, and ancillary storage space. At ground floor level, the development proposes retail/commercial space within the southern part of the building. The office entrance and reception is proposed on Hammersmith Grove in the northern half of the site. Towards Glenthorne Road an office/gallery space is proposed. The upper floors would all be in office (Class B1) use.

1.17 The following key amendments have been made to the scheme in this current application, compared to the refused application Ref.2015/02573/FUL which is currently at appeal:

- The building has been set back by approximately 3m from the pavement edge along Hammersmith Grove;
- The building has been set back by 4.5m from the southern end of the site opposite Lyric Square;

- The retention of 6 London plane trees on Hammersmith Grove and Beadon Road;
- An increase in the amount of public realm proposed around the building;
- Alterations to the massing of the building on Beadon Road;
- Independent access is proposed for the art gallery at ground floor level.

1.18 This report will focus on whether the above amendments address the reasons for refusal of the appeal scheme.

1.19 A screening request was submitted to the Council on 5th June 2017 in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations (2017). The Council confirmed on 30th June 2017 that an Environmental Impact Assessment would not be required. The application is however accompanied by various supporting documents, including a Planning Statement, a Design and Access Statement, a Townscape and Visual Impact Assessment, a Transport Assessment and Travel Plan Framework, a Wind Assessment, Daylight and Sunlight Assessment; an Arboricultural Report; Preliminary Ecological Appraisal, a Sustainability Statement; Energy, Flood Risk, a Noise Assessment, an Air Quality Assessment; an Environmental Risk Assessment; a Construction Management Plan, a Drainage Strategy, a Flood Risk Assessment and a Statement of Community Involvement.

1.20 The application is referable to the Mayor of London due to the height and floorspace of the proposed building.

2.0 PUBLICITY and CONSULTATIONS

Previous schemes

2.1 An office-led proposal on this site was previously presented to the Design Review Panel on 21st October 2014. In general the DRP's response was positive.

2.2 Both the current scheme and the appeal scheme have not been presented again to a Design Review Panel, but the schemes are similar to the one previously considered by the DRP in 2014.

2.3 A Planning Forum was also held on 28th October 2014 with invited representatives of local amenity groups, local residents and ward councillors, at which the developers presented a 12 storey office redevelopment scheme, again this was a forerunner to the current proposal.

Public Consultation on the Current Application

2.4 A Statement of Community Involvement (SCI) has been submitted with the application.

2.5 The Applicants held a public exhibition on 19th and 22nd July 2017 to present the application proposal. The Applicants say that 488 local residents and neighbouring businesses were invited by letter. Twenty four people attended the exhibitions over the two days.

2.6 The current planning application was publicised by the Council by way of press and site notices posted in July 2017, and 1778 notification letters were sent to individual properties in surrounding buildings or streets.

2.7 Fifteen responses were received raising objections to the proposal. The following objections and concerns have been raised, in summary:

- Noise pollution detrimental to residents.
- Noise, vibration, dirt and dust and other construction impacts such as an impact on parking resulting from developments close to the site have affected residents and businesses and this would continue this disruption, including to the Dartmouth Castle public house, particularly its outdoor seating area. Further development may threaten the viability of the business.
- No need for car park in this location.
- Loss of mature trees on Hammersmith Grove and Beadon Road is unacceptable.
- Will restrict future tree growth on Beadon Road.
- Will worsen the noise and vibration effects of the train movements.
- Loss of listed building.
- The height should be limited to 10 floors to allow fire brigade ladders to reach.
- Loss of sky views.
- New offices not needed.
- New gym not needed.
- Will worsen traffic jams in the area.
- Will make the area more crowded.
- There are enough tall buildings in the area.
- The building should only be 6-10 storeys high.
- Will reduce quality of urban landscape, footprint and height are excessive.
- Will be nowhere for smokers in the building to go if car park is developed.
- Public consultation only took place after application submitted and during the summer holidays, limited time to respond.
- Construction impacts lead to increased costs for adjacent businesses in terms of cleaning, air conditioning.
- Adjacent businesses concerned about loss of services during construction.
- Loss of light and privacy to neighbouring offices.
- Detrimental impact to properties to the north due to the proposed height of the building.
- Would contribute to creating wind tunnels.
- Existing buildings on site are in keeping with the area and should be retained.
- Increased traffic will worsen air pollution.
- The redevelopment is unnecessary.
- Will result in a loss of light, space and character.

2.8 The Hammersmith Society has responded with objections to the proposal. They state, in summary:

- Objections have been raised to previous applications including the recent appeal scheme.
- The minimal amendments to the current scheme do not justify the granting of planning permission.
- Too high and an over-development of the site leading to a canyon effect in the streets surrounding the site;
- Disrespectful to the domestic scale of the adjoining conservation areas;
- Gives rise to potential loss of trees and lack of landscaped areas.

- Acknowledge that the issue of the building line on Hammersmith Grove and loss of trees has been addressed by the current application.
- Previous engagement with the Applicant is not reflected in the revised scheme and the timing of this application has made commenting awkward.
- The proposed building is not of exceptionally good design. It has a hard edged, almost brutal quality which is alien to Hammersmith and its context.
- The design does not justify the loss of the Building of Merit at 3 Hammersmith Grove, public open space should be more structured.

2.9 The Hammersmith and Fulham Historic Buildings Group have responded, indicating that they object to the application. In summary their comments are:

- Existing buildings respect their surroundings and the Building of Merit which is in good condition.
- The current application is very similar to the appeal scheme and satisfies few of the objections.
- The proposed building fails to integrate with its surroundings.
- Mature trees in Beadon Road and Hammersmith Grove will be lost.
- No attempt appears to have been made to save or integrate the Building of Merit and the proposals do not merit its loss.

2.10 The Brackenbury Residents Association have responded, indicating that they object to the application. In summary their comments are:

- An LBHF planning brief, assembled with public consultation, should have been in place to inform the development discussions.
- Adjacent buildings have set the height datum, promoting a pattern of overdevelopment.
- Not the place for a 'key marker' building which should be in the town centre, not the periphery. Edge-of-centre site should respond to smaller scale of adjacent residential streets, traditional environment, and the assets of the conservation areas.
- Height of proposed building would present a monotonous façade, which would block sky views and create a sense of entrapment, transforming Lyric Square from a recreational space into a forecourt to surrounding high buildings.
- Large vehicular entrance cut into side of the building introduces undisguised service back-door character, impoverishing the pedestrian environment, and unwelcome outlook for residential development opposite.
- Design of the proposed building fills the site close to its boundaries, presenting a mass of relentless form, barely relieved by the stepped façade and balcony landscaping, wrapped in sharp edged metal cladding. This is wholly out of place alongside a suburban high street and Victorian residential area, bringing unchanging, relentlessly repetitive facades in amongst the quirky, varied style of the Hammersmith surroundings.
- Introduction of a set-back to the existing building line on Hammersmith Grove is a welcome concession to urban context, but the dominance of the overall form remains unacceptable.
- These design proposals are not good enough for this important site and the application should be refused.

Responses from other consultees

2.11 Thames Water raises no objection. Conditions and informatives are recommended including details of the impact of piling close to sewers and water infrastructure.

2.12 The Environment Agency raises no objection but raised the issue of an escape route to higher floors in the event of a flood. A condition (No.20) requires the submission of details of access to an area of refuge at first floor level or above.

2.13 The Victorian Society have objected to the loss of the Building of Merit and state that this would harm the setting of the Hammersmith Grove Conservation Area. They state that the application does not constitute sustainable development as it does not sensitively manage the historic environment and the Building of Merit should be retained and incorporated into any redevelopment of the site.

2.14 Transport for London (TfL) responded with the following comments:

- Zero parking would be supported given the high PTAL level.
- The most recent data for cycle hire in the locality confirm demand is still high, consider that a contribution of £110,000 should be made to cover the capital costs of a new docking station.
- A financial contribution to the Cycle Superhighway 9 scheme proposed adjacent to the development and which would see junction improvements adjacent to the site would also be appropriate.
- London Underground infrastructure should be protected by condition.
- Travel plan, construction logistics plan and delivery and servicing plan should all be secured as part of any planning permission.

2.15 London Underground have responded with no objections to the proposal subject to conditions and informatives relating to the protection of their infrastructure.

2.16 The London Air Ambulance have raised no objections to the proposal.

2.17 Natural England has responded with no objections.

2.18 Historic England (Development Management section) have responded to state that the application should be determined in accordance with national and local policy guidance, and specialist conservation advice.

2.19 Historic England (The Greater London Archaeological Advisory Service (GLAAS) responded with recommendations that the applicant carry out further work, in the form of a desktop assessment for further review by GLAAS, to establish the extent of archaeological deposits and scope for and method of their retention. This work should inform a planning decision. (Officer response: the submission of such an assessment would be a condition of an approval).

2.20 The Station Manager of Hammersmith Fire Station has stated they have no concerns regarding the demolition phase and construction.

2.21 The Hammersmith and Fulham Disability Forum Planning Group have responded with the following comments:

- Do not support aspirations for a shared surface on Hammersmith Grove but would support signalised crossings to provide access to the site.
- Facilities should be in place to ensure easy access to both levels of the proposed gallery.
- Details of the internal ramp at ground floor level should be provided.
- Maintenance contract for car lift should be provided so people with mobility difficulties are not trapped in basement car park, and the car lift controls should be accessible.

- The lockers provided at basement level should be accessible.

2.22 The application was referred to the Greater London Authority (GLA) under Category 1B of the Town and Country Planning (Mayor of London) Order 2008, as the height of the new building would exceed 30m and the floor space of the proposed building would exceed 20,000 sqm. The Mayor of London's Stage 1 report to the Council is summarised as follows:

- Principle of development: The principle of development is supported in accordance with London Plan policy and will deliver qualitative and quantitative improvements to office provision within the town centre. The Council should ensure that the section 106 agreement secures public access to any gallery space delivered. The significant uplift of floorspace is welcome and would significantly improve the offer of Hammersmith Town centre as an office location.

- Urban design: The application complies with London Plan policy on urban design. It is not considered that this proposal would have a negative impact on any of the surrounding areas as the buildings have been designed to respond to the emerging townscape context. Accept that the Building of Merit could not be retained and that replacement development will comprise an exceptional design and will be of arguably greater quality than the existing building.

- Climate Change: The applicant should include further measures to reduce carbon dioxide emissions and provide further information in relation to heat networks, and future management arrangements in line with London Plan Policy 5.2.

- Transport: Car parking should be reduced in line with London Plan Policy 6.13. Contributions relating to Cycle Hire provision (£110,000), pedestrian crossing facilities and Legible London signage should be secured as well as conditions relating to London Underground infrastructure and construction traffic in line with London Plan policies 6.9 and 6.14.

- Recommendation: That Hammersmith & Fulham Council be advised that whilst the application is broadly acceptable in strategic planning terms, it does not fully comply with the London Plan; but that the possible remedies set out could address these deficiencies.

2.23 The planning issues raised in all the responses to the planning application outlined above will be considered in the body of the report below.

3.0 PLANNING CONSIDERATIONS

3.1 The main issues for consideration in relation to this application are:

- Whether the development would accord with the appropriate policies in the National Planning Policy Framework (NPPF), The London Plan, the Core Strategy, the Development Management Local Plan and the Planning Guidance Supplementary Planning Document.
- Whether the proposal is acceptable in land use terms.
- The quantum of the development in terms of its height, scale, massing and alignment.
- The design quality/external appearance including materials of the proposal

- The impact on the character and appearance of the surrounding conservation areas and the surrounding townscape.
- The potential for traffic generation and the impact on the highway network.
- The impact on the amenities of neighbouring occupiers in terms of outlook, light, privacy and noise/disturbance.
- Energy efficiency and sustainability.

LAND USE

3.2 The application proposes the redevelopment of an existing office building in Hammersmith Town Centre to re-provide, expand and improve the quality of the office accommodation on site. The amount of office floor space would increase by 15,218 sqm GEA (from the existing 8,660 sqm. to 23,878 sqm (GEA - gross external area).

3.3 The NPPF indicates that planning decisions should assist in securing economic growth and encourage business development. London Plan policies 2.11 and 4.2 support office rejuvenation through the renewal and modernisation of the existing office stock in viable locations, and seeks an increase in the overall quantum of offices to meet anticipated future requirements for economic growth. Core Strategy Strategic Policy B encourages major office based development within Hammersmith Town Centre (a Major Centre) and Strategic Policy HTC states it will encourage regeneration in the town centre and supports the introduction of modern office accommodation and creation of new jobs. Policy LE1 of the Core Strategy seeks to retain premises capable of providing continued accommodation for local services or significant employment. Policy DM B1 of the Development Management Local Plan (DMLP) provides support to the intensification of existing employment sites. The proposal, in terms of the increased office floorspace proposed, is thus considered to be consistent with the aims of these policies

3.4 The site is in Hammersmith centre, within close proximity of four underground lines and a bus interchange. It has highest public transport accessibility level (PTAL 6b) and already provides an established office development of significant scale. Given this, and the local, regional and national policies which seek to encourage new office development in viable town centre locations, it is not considered that there is a planning policy objection to a redevelopment scheme which provides a larger amount of office floor space on this site. This is particularly the case as the proposed scheme would renew and expand an outdated office building to modern standards with Grade A accommodation, in order to continue to provide significant employment in the local area. Whilst the acceptability of the proposal is also dependent on other factors such as the design of the building and the impact on neighbouring residents and the surrounding area, Officers raise no objection in land use terms to the predominantly office-based proposal.

3.5 The scheme is a B1 office-led scheme but also proposes retail/commercial uses on the ground floor, along with a gallery space which would be ancillary to the office use. The mix of uses is considered to be in compliance with national, regional and local land use policies. In particular Core Strategy policy HTC states that 'office development will be expected to include an active frontage with other uses that enhance the street'. Policy DM B1 of the DMLP encourages the mixed use enhancement of employment sites which are under-utilised, subject to the satisfactory retention or replacement of employment uses in the scheme. Policy DM C1 states that the Council will 'support proposals that enhance the viability and vitality of the Borough's town centres and will

seek to ensure a range of accessible shopping and other town centre uses to meet the needs of local residents, workers and visitors'.

3.6 The scheme proposes a total of 466 sqm (GEA) of flexible retail (Use Class A1) and/or café/restaurant (Class A3) or financial and professional services (Class A2) premises (compared to 439 sqm within the existing buildings on the site). These uses would generate active frontages to the development on Beadon Road and the southern part of Hammersmith Grove, replacing, expanding and improving on the quality (both in visual terms and potentially in terms of the retail offer) of the existing frontages provided by the single storey commercial units on the site. The proposed gallery space would also enliven the frontage along Glenthorne Road which does not currently have an active frontage.

3.7 It is considered that the retail, restaurant or commercial uses would provide convenient facilities for workers and local residents which would complement other similar uses in Hammersmith Town Centre. In particular the introduction of a larger commercial unit on the ground floor would serve to create an attractive new cluster of commercial uses taken together with the recently opened restaurants at 10 and 12 Hammersmith Grove.

3.8 It is acknowledged that the redevelopment would result in the loss of four existing (and one vacant) commercial uses at the southern end of the site along with the occupants of The Triangle and Britannia House. The scale and nature of the redevelopment and the re-provision of high grade office space which would support greater employment opportunities in the town centre and is considered to justify this loss of smaller units in this instance. The Applicant is also sensitive to its current tenants and as such has requested a four year planning permission, instead of the usual 3 years, in order to allow existing tenants to serve out their leases. In this instance, and taking into account the scale of the development, it is considered that a four year permission would be appropriate.

3.9 For the above reasons, Officers support the principle of the land uses proposed on the site, which are considered to be appropriate within this town centre location, and are consistent with relevant national, regional and local planning policies.

DESIGN

3.10 Paragraph 56 of the NPPF states that great importance should be attached to the design of the built environment. Paragraph 58 states that planning decisions should aim to ensure that developments 'will 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 as a result of good architecture and appropriate landscaping'. Paragraph 60 states 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through

unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness'.

3.11 London Plan policy 7.1 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.

3.12 London Plan Policy 7.4 states that 'Buildings, streets and open spaces should provide a high quality design response that: a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, b) contributes to a positive relationship between the urban structure and natural landscape features, c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings, d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, and e) is informed by the surrounding historic environment.' Policy 7.5 promotes public realm and requires the provision of high quality public realm that is comprehensible at a human scale. Policy 7.6 addresses architecture and states that buildings should be of the highest architectural quality which 'is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials. Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality'. Policy 7.7 relates to the design of tall buildings. Policy 7.8 requires that development respects affected heritage assets by being sympathetic to their form, scale, materials and architectural detail. Policy 7.21 seeks the retention of existing trees of value with new development, and their replacement when lost.

3.13 Relevant local policies concerning the design of the proposed development include policy BE1 and of the Core Strategy and policies DM G1, DM G2 and DM G7 of the Development Management Local Plan.

3.14 Policy BE1 of the Core Strategy 2011 states that 'Development 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. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.

3.15 Policy DM G1 (Design of New Build) of the Development Management Local Plan seeks to ensure that new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting. It states that:

'All proposals must be designed to respect:

- a) the historical context and townscape setting of the site, and its sense of place;
- b) the scale, mass, form and grain of surrounding development;
- c) the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;

- d) 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;
- e) the principles of good neighbourliness;
- f) the local landscape context and where appropriate should provide good landscaping and contribute to an improved public realm; and
- g) sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
- h) the principles of accessible and inclusive design; and
- i) the principles of Secured by Design.'

3.16 Policy DM G2 (Tall buildings) seeks to restrict tall buildings to those areas identified in the Core Strategy (broadly, these areas are the regeneration areas which includes parts of Hammersmith Town Centre Regeneration Area). In these areas, any proposal for tall buildings would need to demonstrate that it:

- a) has an acceptable relationship to the surrounding townscape context in terms of scale, streetscape and built form;
- b) has an acceptable impact on the skyline, and views from and to open spaces, the riverside and waterways and other locally important views and prospects;
- c) has an acceptable impact in terms of the setting of, and views to and from, heritage assets;
- d) is supported by appropriate transport infrastructure;
- e) is of the highest architectural quality with an appropriate scale, form and silhouette;
- f) has an appropriate design at the base of the tall building and provides ground floor activity;
- g) interacts positively to the public realm and contributes to permeability of the area;
- h) is of a sustainable design and construction where energy use is minimised and the design allows for adaptation of the space;
- i) does not have a detrimental impact on the local environment in terms of microclimate, overshadowing, light spillage and vehicle movements; and
- j) it respects the principles of accessible and inclusive design.

3.17 Core Strategy Policy BE1, in relation to tall buildings, says that tall buildings may be appropriate in parts of Hammersmith Town Centre. However, it states:

'Not all parts of the town centre will be suitable and any proposals for tall buildings will need to respect the existing townscape and historic context and make a positive contribution to the skyline emphasising a point of civic or visual significance. The character of the built form and the sensitivity of the setting of heritage assets may mean that some parts of these areas will be sensitive to, or inappropriate for, tall buildings. Any proposals for tall buildings will need to respect the existing townscape context, demonstrate tangible urban design benefits, and be consistent with the council's wider regeneration objectives.'

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

3.19 SPD Design Policies 1 and 45, 46, and 49 of the Supplementary Planning Document 2013 are also relevant. SPD Design Policy 45 requires new development to

respect the dominant building line on the street frontage. SPD Design Policy 46 states that new development should respect the general townscape in each area. SPD Design Policy 49 states that development should not adversely affect key views within, into or out of a conservation area.

Existing site

3.20 The existing main 1960s buildings on the site are L shaped in form and 6 storeys high on Hammersmith Grove and 7 storeys high on Glenthorne Road. The Beadon Road frontage is dominated at ground level by the service area and surface level car park.

3.21 No. 3 Hammersmith Grove (Building of Merit) is the last remaining remnant of a Victorian terrace that stood on the Triangle site. The building's facade itself is attractive but it has unfortunately lost its setting with the demolition of the rest of the terrace along Hammersmith Grove. It has an awkward relationship of scale and alignment with the existing Triangle buildings. The single storey buildings attached to it on the south side are of low townscape quality.

Proposed building

Height

3.22 At its highest point the proposed building would be 14 office storeys in height above ground level. Other recent development on neighbouring sites includes the 9 and 11 storey office buildings opposite at 10 and 12 Hammersmith Grove and the 17 (residential) storey Sovereign Court building on Beadon Road. The proposed building on the Triangle site would be taller by a storey than both of these immediate neighbours and would be the tallest building to the north of King Street (it would exceed 12 Hammersmith Grove by 5.3m and the Sovereign Court tower by 3.5m. The height of St Martin's House, 1 Lyric Square would be exceeded by approximately 3.5m).

3.23 As viewed from Lyric Square, the southern end of the building would present its narrowest profiled tip, with a width of three window bays rising to the full height of 14 storeys. The southern tip would present slender proportions, but due to the triangular shape of the site and the fact that the building's footprint would now cover much of the site, views of the east and west facades would also be highly visible as components of the view from Lyric Square and beyond.

Views from Lyric Square and Hammersmith Grove

3.24 In this revised scheme, the main eastern elevation of the building on Hammersmith Grove has been set back by a further 3m compared to the appeal scheme and this will have a number of positive effects. The proposed building line is similar to the alignment of the existing 1960s Triangle building and similar to the alignment of the previous terrace of Victorian houses (Nos.5-17) that originally stood on the site. An important part of the character of the street is its width and the site falls within the setting of the Hammersmith Grove Conservation Area to the north. The Conservation Area Profile mentions that 'the character of the street differs slightly from the surrounding area in that the street dimensions are more generous'. It also states that 'the most important views are the vistas down Hammersmith Grove (both North and South). Great care must, therefore, be taken when considering applications which will

affect these vistas, including those on sites outside the conservation area, i.e. at the extreme ends of Hammersmith Grove'.

3.25 By setting the eastern elevation close to the original building line, the new building will reinforce the original wide character of the street and will not narrow the views into and out of Hammersmith Grove, including from that part which falls within the Hammersmith Grove Conservation Area. This is a significant improvement compared to the appeal scheme that would have risen close to the plot boundary, resulting in a pronounced restriction of the view. There will be an additional benefit from the demolition of the existing building, due to the removal of its external, 6 storey lift and stair tower. This primarily glazed structure projects well forward of the Triangle building to a position close to the plot edge and close to the back of the public footpath. It currently creates a pinch point, that narrows the views into Hammersmith Grove looking from Lyric Square and in views down the street from north of the site. The removal of the lift and stair tower will improve the setting of the Hammersmith Grove Conservation Area by removing the restriction to the historically wide view down the street towards the town centre. The view into and along the street from vantage points within Lyric Square will also be opened up, allowing more of an appreciation of its wide and tree lined character.

3.26 The appeal scheme would have created intense enclosure of the street and a canyon like effect, by rising close to the back edge of the plot line. That problem has been satisfactorily resolved in this application by setting back the elevation by a further 3 metres, in a position close to the historic building line. This will ensure that a comfortable distance is achieved between the facades of Nos.10-12 Hammersmith Grove on the opposite side of the street and will feel very similar to the existing street width.

3.27 When viewed from Lyric Square, the 3 window bay width of the 14 storey south facade will create a positive, high quality elevation of slender and elegant proportions that will enhance the backdrop to Lyric Square. Whilst being slightly taller than the adjacent Sovereign Court on its west side and 12 Hammersmith Grove to its east, at the proposed scale and massing, the building will sit comfortably within the composition of taller town centre buildings. When looking along Beadon Road from Lyric Square, the buildings steps down to 11, 8 and 5 storeys and this reduction of scale will aid the sense of transition towards the lower scale of the primarily residential area to the north that lies within the Bradmore Conservation Area. Conversely, when viewed from Glenthorne Road the building steps up along Beadon Road reinforcing the transition of scale from residential area towards the greater scale of the town centre location. On the eastern elevation too, when viewed from Lyric Square, the building steps down to 11 and 8 storeys where it meets the 5 storey office building, Glen House that is also in the town centre. From this vantage point, the transition down in height is considered acceptable as the lower scale residential buildings in the Hammersmith Grove Conservation area are set a substantial distance away from the site with the intermediate height buildings of Glen and Grove House laying in-between.

3.28 Looming mass at a high level was a concern with the appeal scheme as the eastern elevation was set 3m further forward into Hammersmith Grove. It would have created significant bulk at a high level that would have closed off much of sky view at the south end of Hammersmith Grove. The proposed building is the same height as the appeal scheme and would be more visible along Hammersmith Grove than the existing building, however, the problem of looming mass has been resolved by pulling the

building back to close to the original building line. The realignment will help to reinforce the sense of a linear view when seen from a long distance along the street that it is a strong component of the Hammersmith Grove Conservation Area's character. Whilst the building is tall, it is massed to step up and away from the residential area of Hammersmith Grove. It is considered to be of a similar height to other office buildings visible at the southern end of Hammersmith Grove that mark the transition to town centre scale. This change is therefore considered to be respectful of the character of the Hammersmith Grove Conservation Area.

Views along Glenthorne Road

3.29 Glenthorne Road in the Bradmore Conservation Area is a transition street between the domestic scale to its north and the increased massing of the town centre to its south. South of Glenthorne Road the character has been changing during the post war period with the construction of buildings of greater scale and mass, generally stepping up in height towards the town centre. The adjacent Sovereign Court development does this along Glenthorne Road, rising from 6 storeys to 9 as it turns into Beadon Road. Whilst this is successful for most of its length, at the corner it does result in a jump in scale across Glenthorne Road that is moderately unsympathetic to the scale of buildings in the Bradmore Conservation Area directly opposite. The proposed building does something similar in scale and massing, with a jump in scale across the street from the 5 storeys of Glen House to the 8 storeys of the proposal. The transition in scale across the street to the proposed building is considered to be moderately unsympathetic to the character of the Bradmore Conservation Area when viewed along Glenthorne Road. However Glen House is not within a conservation area, and the change in scale across the street does not harm the setting of Hammersmith Grove Conservation Area in views along Glenthorne Road.

3.30 Viewed from the west along Glenthorne Road, the stepping up in height of the building away from residential areas towards the town centre will be apparent. The stepped profile will be seen behind the roofline of Sovereign Court and the western elevation of 12 Hammersmith Grove will form the backdrop. Setting the mass further away from the Bradmore Conservation Area would have been more sympathetic to its setting in this view. However, it is considered to be only moderately harmful to the character of the conservation area given its position in the view between newly built tall buildings that have already established a new skyline.

3.31 At ground floor level the base of the building is considered to have the potential to provide active edges that will engage more thoroughly with the public realm on all 3 sides. A retail/café space, art gallery and commercial entrance could all assist in increasing physical and visual permeability along the edges of the building. The edge of the existing site onto Beadon Road is currently a car park and its least engaging elevation. By building up to the plot line on this street the definition of the route will be greatly enhanced through the creation of active built form where there is currently none.

Townscape Views

3.32 Officers acknowledge that whilst the building would be taller than its existing and proposed neighbours, the height would not excessively surpass the height of the of other taller buildings in the town centre. Townscape views testing has shown that in many longer views (such as views from the riverside) the development would be fully or partially screened by existing buildings or by those recently approved.

Public Realm

3.33 Setting the building back by 3 metres has the additional benefit of releasing space that will contribute to the public realm. At present, the public footpath in front of the site is narrow. The paved area will greatly increase the width of the accessible public realm and circulation space for pedestrians on the western side of the street and this is considered to be of public benefit.

3.34 Compared to the appeal scheme, the southern elevation has been set back further north from the plot boundary and the kerb edge and this will release a substantial area of paved forecourt. A tree will also be planted in this area in line with the existing planes on Beadon Road. This will help to extend the perception of Lyric Square further north to create a more contiguous public realm, which was an ambition established during the original conception of the Lyric Square project.

Materials and details

3.35 The building will have a clear base, middle and top. The ground floor bays have extra height which emphasises their importance and provides a strong visual base for the floors above. The top floor bays also have extended height bays to create differentiation and visual emphasis.

3.36 The façade is well articulated with a repeating pattern of bays across all facades. Each floor is delineated by a horizontal band that projects forward from the glazed skin. The vertical structural piers are hidden behind ribbed masonry panels which are orientated on each façade to respond to the conditions of the street alignment. As such the masonry will be parallel to the glazing on the main street elevations and perpendicular on the southern façade. The bays will all have considerable depth and shadow which will greatly assist the articulation of the facades. The ribs in the masonry panels will add further texture and visual interest. A palette of white and light grey materials has been chosen to tone with the buildings nearby, both modern and Victorian. This is an appropriate choice that picks up on local precedents and will reinforce local distinctiveness.

3.37 When considering the elevational treatment of the building, Officers acknowledge the responses from local residents and amenity groups which consider the proposed treatment to be harsh and alien to Hammersmith. Officers are also mindful of the NPPF, which prescribes that it is not appropriate for planning policies and decisions to impose architectural styles or particular tastes, although it is proper to seek to promote or reinforce local distinctiveness. In this case, the façade treatment would intentionally act as a foil to the predominantly glazed facades of the buildings on the NCP site opposite. A palette of white and light grey materials has been chosen to tone with the buildings nearby, both modern and Victorian. Officers do not raise objections to the proposed façade treatment therefore.

Demolition of the Building of Merit

3.38 The proposals would involve the loss of No.3 Hammersmith Grove, which is a locally listed Building of Merit and therefore a heritage asset. The Council's DMLP policy DM G7 aims '...to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment,

including...buildings and artefacts of local importance and interest'. It also includes the following principle:

'd) Applications for development affecting heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset.'

3.39 Paragraph 135 of the NPPF states:

'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.'

3.40 Additionally, the Council's SPD Design Policy 21 of the Planning Guidance SPD states:

'Development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings, structures and artifacts that are of local townscape, architectural or historic interest, including all buildings identified on the council's Register of Buildings of Merit unless:

1. (a) The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or
- (b) The proposed replacement would bring substantial benefits to the community and which would decisively outweigh the loss; and
- (c) The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses; and
- (d) The existing building or structure has been fully recorded.'

3.41 The Building of Merit on the site, No.3 Hammersmith Grove, is the only building to remain of the demolished Victorian terrace which was at Nos.3-17 Hammersmith Grove. The building's stucco facade with distinctive first floor pierced balustrade is attractive and the building is unique within the borough in terms of its particular architectural and decorative style. Unfortunately, however, the building has lost its setting and is now an isolated remnant and reminder of the history of what stood on the site before post-war redevelopment. SPD Design Policy 21 states that development will not be permitted if it will result in the demolition of a locally listed Building of Merit unless exceptions are met. The first of these is that the building or structure is no longer capable of beneficial use, and its fabric is beyond repair, there is no suggestion that that exception applies here. The second is that the proposed replacement would bring substantial benefits to the community that would decisively outweigh the loss. The appeal scheme was considered not to provide substantial benefits and this was a reason for its refusal. It is considered, however, that the current proposal does provide substantial benefits that would outweigh the loss of the Building of Merit. This revised proposal sets the building a further 4.5m back from the southern end of the site. This would be of benefit in terms of increased circulation space for pedestrians in a location which is currently constrained, this space would also be intended for outdoor seating for the proposed commercial unit at ground floor. The current proposal has also introduced a 3m setback to the building along Hammersmith Grove, and there would be a further setback in the north eastern corner of the site by the junction with Glenthorne Road, resulting in an even wider area of pavement and an increased area of accessible public realm along the eastern side of the development on Hammersmith Grove. The amount of public realm that the demolition of the Building of Merit and redevelopment of the site would facilitate is therefore considered to improve the amount of pedestrian circulation space

and to extend the contiguous nature and ambience of Lyric Square to the northern side of Beadon Road.

3.42 It has previously been acknowledged that it might be awkward to retain the Building of Merit as part of a wholesale redevelopment of the site, particularly one which also includes the single storey buildings to the south as is the case in this proposal. Retaining No.3 would also severely restrict the ability of any such redevelopment to provide additional public realm at the southern end of the site which is considered to be a substantial public benefit. It is therefore accepted by Officers that, in this instance, the Building of Merit cannot practicably be adapted to retain any historic interest that the building possesses.

3.43 In order to ensure that the existing building would be fully recorded, a condition (No.39) requires a full photographic survey of the Building of Merit to be submitted for approval by the Council prior to its demolition to ensure a satisfactory record for the borough archives.

3.44 Officers are therefore satisfied that, in line with the requirements of the NPPF to take a balanced judgement on the loss of a non-designated heritage asset, the proposed demolition of No.3 would bring substantial benefits to the community in the form of improved areas of public realm on this prominent town centre site which would decisively outweigh its loss. The proposal is therefore considered to comply with policy DM G7, SPD Design Policy 21 and the NPPF in this regard.

Trees

3.45 The previously refused application currently at appeal proposed the removal of six healthy London Plane street trees surrounding the site which are considered to offer substantial visual amenity value and contribute to the setting of the nearby conservation areas. It was considered that the loss of these mature trees would result in long term harm to public amenity and the visual appearance of the street scene. During the course of the appeal the need to remove these trees has been further investigated, and it was concluded that the three street trees on Beadon Road would actually be able to be retained. As this revised application has been pulled back approximately 3m on its Hammersmith Grove frontage this will also allow the three street trees on this side of the proposed building to be retained. Three Rowan street trees would also be retained on Glenthorne Road. All of the mature trees on the streets surrounding the site could therefore be retained if this current proposal was to be constructed.

3.46 The five existing plane trees on Beadon Road and the three plane trees on Hammersmith Grove will need to be pruned more regularly and heavily than at present due to the fact that building lines of the proposed development, particularly on Beadon Road where there is currently a car park where the pruning would be required to cut them back from the building. However, as this pruning would be to keep the trees away from the building, they would maintain their visible street facing amenity, and the Council's Arboricultural Officers are satisfied that the level of pruning required will not threaten the health of the trees. The additional pruning to the plane trees on Hammersmith Grove will also primarily impact upon the southernmost of the three trees, as the northernmost two trees are already reasonably well pruned because of the position of the existing building's lift shaft and staircase which projects forward of the existing building. No additional pruning would be required to the three Rowan street trees located on Glenthorne Road due to their existing size. The Applicant has agreed

to fund the additional pruning required to the existing street trees on Hammersmith Grove and Beadon Road as a result of the construction of the new building for a period of 21 years.

3.47 In order to accommodate the proposed development and facilitate its construction all the existing trees within the site would need to be removed, as detailed in the submitted arboricultural report. These trees consist of the three Silver Birch trees located in the site car park fronting Beadon Road, and a group of shrub-like Holm Oak on the Glenthorne Road and Hammersmith Grove frontages. All of the trees to be removed have been assessed in the submitted report as category 'C'. Three replacement trees are proposed, including a plane tree in line with the existing planes on Beadon Road at the southern end of the site. This proposal is supported and this tree would be visible from Lyric Square, and so would be a prominent new feature in the streetscene to the benefit of amenity. Two other trees are proposed, one each in the north west and north east corners of the site, the former being visible from Overstone Road and Glenthorne Road and would add to the existing trees on Beadon Road, and the latter being visible from Glenthorne Road and would add to the existing trees on Hammersmith Grove. During the course of the appeal the possibility of planting additional street trees in Hammersmith Grove has been explored and it is considered that it would therefore be appropriate to plant two additional street trees adjacent to the site in Hammersmith Grove in the gaps between the existing street trees. The Applicant has agreed to fund the provision of these trees to mitigate against the impacts of the proposed building and the additional pruning required to the existing street trees.

3.48 Additional planting is also proposed within the development on the terraces at high level. The proposed planting on the terraces would also be beneficial to the amenity in the area.

3.49 The proposed tree planting both within the site and on Hammersmith Grove to be funded by the Applicant is considered to be of sufficient size and quantity in order to compensate for the removal of the trees within the site necessary in order to construct the development. The proposal is therefore considered to be in accordance with policies DM E4 and DM G7 of the Development Management Local Plan 2013, and is therefore acceptable in this regard.

Conclusion on design matters

3.50 Officers consider that the proposal has improved upon the appeal scheme and has addressed the Council's most serious concerns. It will provide a suitable redevelopment scheme that could bring about townscape and regeneration benefits to this part of the town centre. Pulling back the building line on Hammersmith Grove by 3 meters will ensure that the development will be compatible with the scale and character of existing development along Hammersmith Grove. Important views along Hammersmith Grove will be respected and opened up from Lyric Square. The width of the view and alignment of the street will be respected and this will preserve the setting of the Hammersmith Grove Conservation Area. Mature street trees in Beadon Road would be retained as part of the redevelopment, and are no longer required to be removed as in the appeal scheme. This would satisfy the provisions of Policies DM G1 and DM E4 and London Plan Policy 7.4 in these respects. Against this, there will be moderately unsympathetic impacts on the setting of the Bradmore Conservation Area due to the jump in scale across Glenthorne Road and massing of the setbacks above it. The Building of Merit will also be demolished but will bring substantial community

benefits and is therefore compliant with the requirements of Policy DM G7 of the DMLP, London Plan Policy 7.8, paragraph 135 of the NPPF and SPD Design Policies 21 and 49 of the Planning Guidance SPD. On balance, therefore, it is considered that the revisions to the appeal scheme have resulted in a proposal which would have an acceptable impact in terms of design related issues and which can now be supported.

Accessibility

3.51 Policy 7.2 of The London Plan requires all new development to achieve the highest standards of accessible and inclusive design. Policy DM A4 of the Development Management Local Plan states that car parking spaces provided on site should include the needs of blue badge holders. Policy DM G1 and SPD Design Policies 1 and 8 require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings. The proposed development would include two designated car parking spaces for people with disabilities within the basement level car park and one space at ground floor level. Officers consider these spaces are appropriately located close to the core of the building, with one disabled parking bay in the service area which would provide easier access to the ground floor commercial unit. The location and number of car parking spaces will be secured by condition (No.34).

3.52 SPD Design Policy 1 states that buildings should be accessible and inclusive to all. It states that drawings submitted for planning approval should show external access features for detailed approval, showing how internal facilities will cater for different users and how barriers to access will be overcome, as well as showing circulation routes and explaining how accessibility will be managed when the development has come into use. SPD Design Policy 2 refers to entrances into a building and states that any entrances to a building which are above or below street level, or positioned to be level should be level or the slope should not exceed a gradient of 1 in 20 from the street.

3.53 There is a slope to the footway on Beadon Road and Hammersmith Grove running north to south, and a level difference across the site. This necessitates an internal ramp and steps in the commercial premises at the southern end of the site. However, all entrances from the street would be level and there would be level or ramped access to lifts, providing level access to all floor levels. A condition (No.33) requires detailed accessibility drawings, and this would ensure that the development would provide accessible facilities for all people, including people with disabilities. A further condition (No.41) requires details a fire rated lift, and that all lifts within the building, including car lifts, have enhanced lift repair service to ensure that no occupiers (including wheelchair users) are trapped if lifts break down.

Crime Prevention

3.54 Policy 7.3 of The London Plan advises that new development should seek to create safe, secure and appropriately accessible environments. Core Strategy policy BE1 advises that developments throughout the borough should be designed to enhance community safety and minimise the opportunities for crime. Policy DM A9 of the DMLP refers to a safe and secure environment whilst Policy DM G1 requires new development to respect the principles of Secure by Design.

3.55 Full details of how the proposed development would incorporate crime prevention measures to provide a safe and secure environment are required by condition (No.11) including how there would be site wide CCTV coverage.

HIGHWAYS MATTERS

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

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

3.50 Core Strategy Policy T1 supports The London Plan. Policy DM J1 of the Development Management Local Plan states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policies DM J2 and DM J3 of the 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 7.

3.58 The development site is surrounded by Beadon Road, Glenthorne Road and Hammersmith Grove all with 20mph speed restrictions. The Triangle site is very well served by public transport and has a Public Transport Accessibility level(PTAL) of 6b, which is excellent in terms of its location to public transport network, service availability and walking time to public transport. There are a variety of shops and services locally, with easy access to central London and links to major transport nodes.

3.59 The A315, Beadon Road is classified as a Borough Distributor Road, while Glenthorne Road and Hammersmith Grove are all classified as Local Access Roads. Beadon Road carries one-way eastbound traffic feeding into the Hammersmith Gyratory. Glenthorne Road forms the northern boundary of the site, it is a one-way eastbound road with wide footways (approximately 3m on both sides). Most of the southern side of Glenthorne Road is designated for on-street parking (with restrictions from Monday to Saturday 8.30am-6.30pm) and for motorcycle parking. It also has a 30m bus stand where stopping at any time is prohibited. Hammersmith Grove forms the eastern boundary of the development site and is a two-way road, becoming one-way only at the very southern end of Hammersmith Grove approximately 30m north of its junction with Beadon Road. The western side of the southern end of Hammersmith Grove is predominantly used for on-street parking (with restrictions from Monday to Saturday 8.30am-6.30pm), and there is a bus stop on the eastern side opposite the site.

Car Parking

3.60 There are currently 37 car parking spaces serving the existing office building - 28 spaces in a surface level car park and 9 spaces at basement level. In terms of the proposed development, 15 car parking spaces are proposed at basement level accessed by car lift, two of which would be for drivers with disabilities, whilst one parking bay for people with disabilities would be provided within the service area at ground floor level; making a total of 16 parking spaces (a reduction of 21 spaces). All car parking bays would have electric charging points.

3.61 It is noted that TfL have requested that no parking is provided within the development. London Plan standards and policy DM J2 of the Development Management Local Plan allow up to 1 space per 600-1,000 sqm gross floor space. With a proposed floor area of over 24,000 sqm, 24-40 car parking spaces could meet this standard. The parking provision proposed in this development would therefore be well below the maximum parking standards set out in The London Plan and borough standards and would support a reduction in the potential number of car borne trips arising from the redevelopment. Due to the fact that the development would reduce the number of existing parking spaces, the parking provision is considered to be acceptable in this instance.

3.62 The provision for electric vehicles is compliant with The London Plan which requires 20% active and 10% passive charging points, whereas the development proposes 100% provision. The blue badge parking provision is compliant with the Blue Badge parking standards contained in London Plan (2016). Swept path analysis plans have been submitted for the servicing and parking areas and are satisfactory.

3.63 SPD Transport Policy 11 relates to motorcycle parking and states that 'The council will require motorcycle parking facilities in developments that require a Transport Assessment or where car parking is provided. At least four spaces should be provided'. In line with this policy Highways Officers requested that motorcycle parking be incorporated into the proposal, and revise plans now include 4 motorcycle parking spaces at basement level.

3.64 The development would include two car lifts providing access to the basement car park. The lifts would be set well into the site, where there would be room for cars to wait in the service area should they arrive when the lifts were in use. Given the limited number of parking spaces it is considered that there would not be many occasions where cars would need to queue for a lift, particularly as two lifts would be provided. The use of the lifts is therefore considered not to give rise to concern that cars would queue on the highway. However it is considered necessary that the Applicants submit a scheme for the maintenance and emergency repair of the car lifts to avoid impact from breakdowns (condition No.41).

Deliveries, servicing and refuse collection

3.65 SPD Transport Policy 34 seeks off-street servicing for all new developments. This is best achieved by securing a delivery and servicing plan in accordance with Transport for London's Delivery and Service Plan Guidance. It should also address all the other delivery and servicing needs of the development.

3.66 Deliveries and servicing for the proposed development are proposed to take place wholly within the service yard, accessed from Beadon Road. The Applicant has provided a servicing and delivery plan (Appendix A of the TA). It is estimated that a total of 46 trips in and out a day will be generated related to deliveries and servicing, an increase of 32 trips in and out. All servicing is to take place within the enclosed service yard away from the public highway, however. Space has been set out within the service area to accommodate loading, unloading, manoeuvring, service vehicle parking bays and waste storage rooms. The service yard would have one unloading bay for cars/vans and another for vehicles 7.5T box vans. Swept path analysis plans have been submitted and are satisfactory. A management company will manage time slot bookings to ensure that servicing deliveries occur in an orderly fashion. The development would provide two dedicated goods lifts for transporting deliveries between floors.

3.67 After reviewing the servicing and delivery plan, Highways Officers are satisfied that the delivery and servicing operations on the site demonstrate that these activities can be accommodated without detriment to the local highway network. A condition (No.66) requires the submission of a detailed Delivery and Servicing Plan, in order to ensure the acceptability of the building when in use.

3.68 Refuse stores would be provided at the ground level with access from Beadon Road for the storage and collection of segregated waste. It is intended that refuse would be collected from within the service yard, away from the public highway. A Refuse Management Plan will be required by condition (No.12), to ensure accordance with policy DM A9 of the Development Management Local Plan (2013).

Cycle Parking

3.69 Policy DM J5 and Table 5 of the Development Management Local Plan seek to ensure that satisfactory cycle space is provided for all developments.

3.70 The Council's cycle parking standards say that one space per 50sqm of office space would be required, however policy 6.9 of The London Plan (2016) states that the provision of cycle parking should be no less than 1 space per 90sqm for inner London. As a result the minimum level of long-term secure cycle parking the development should achieve is 268. A total of 325 cycle parking spaces are proposed, comprising 298 long stay spaces in the basement (287 for office workers, 10 spaces for the A1/A2/A3 uses and 1 space for the gallery) and 27 short stay Sheffield Stand cycle parking spaces to be used by customers and visitors, located in the public realm surrounding the development. Whilst this is less than the number required by the Council's standards (2013), the proposed cycle parking is compliant with the more recent London Plan (2016), and the Council's Highways Officers do not object to the level of provision. In this case, given the excellent accessibility to the bus and tube networks, the applicant's Transport Assessment has concluded that employees are most likely to arrive at the site via public transport and Officers consider this a realistic conclusion. The proposed cycle parking is therefore acceptable, however, it would be required as part of the applicant's Travel Plans (which are secured via condition No.60), that the total cycle parking spaces would be monitored and increased in line with future additional parking demand. Access to the basement level parking spaces would be via Beadon Road, aided by a cycle lift between the ground floor and the basement. A goods lift or a wheeling ramp provided on a stairwell would also facilitate cycle access to the

basement. Shower, changing and locker facilities are provided at basement level -1, adjacent to the internal cycle parking and in line with London Plan policy 6.9.

3.71 Occupiers and visitors to the site would also have access to nearby docking stations as part of the London Cycle Hire Scheme. The on site cycle parking together with a contribution to the provision of the Mayor's London Cycle Hire Scheme would improve the cycling provision consistent with both London and local plan policies. TfL have requested a contribution of £110,000 towards the provision of a new cycle hire docking station in the area, and this would form part of the proposed S106 agreement. TfL have stated that the most recent (December 2016 to May 2017) usage returns for docking stations in the locality confirm that demand for cycle hire is high. They state that the £110,000 would cover the capital cost and enable them build the station, but they would not be requesting any operational cost to maintain the station after its commission in this instance.

Trip Generation

3.72 In order to assess the relative traffic impact of the development proposals, the Applicant has estimated the number of trips that would be generated by the proposed development and compared this with that generated by the existing land use, whilst also taking into account the predicted trips of consented developments in the area.

3.73 Since the existing office site is not fully occupied the applicant's Transport Assessment (TA) has used the average of trip rates of four comparable sites within the TRICs database sites for this estimation. This analysis shows the net change of total person trips during AM and PM peak periods for both the existing office building (if fully occupied) and the proposed development. The database analysis confirms that total two-way person trips by all modes of transport will increase by 480 for the AM period versus the existing, with an increase of 493 two-way person trips for the PM period.

3.74 As the vast majority of person trips to the site would be on foot or by public transport (estimated to be over 90% of the total trips), and the number of car parking spaces would be reduced in the proposed development compared to the existing, the net change in two-way vehicle trips would be less significant. Trips by private car are in fact expected to be less as a result of the redevelopment. The change in trips by the various private vehicle modes in the proposed scheme during the AM and PM peaks is anticipated to be as shown below in Table 5-6:

Table 5-6: Net Change in Trips – Proposed Development versus Existing Site

Mode	AM Peak (0800-0900)			PM Peak (1700-1800)			Daily Total (0700-1900)		
	In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
Car Driver	-9	-1	-10	-1	-9	-10	-44	-44	-88
Car Passenger	9	1	10	1	9	10	44	44	88
Bus/Coach	69	5	74	8	68	76	343	343	685
London Underground	205	16	221	24	203	227	1017	1017	2034
National Rail	73	6	79	9	73	81	365	365	730
Taxi	4	0	5	1	4	5	22	22	44
Motorcycle	9	1	10	1	9	10	44	44	88
Pedal Cycle	29	2	31	3	29	32	144	144	287
Walk	51	4	55	6	51	57	254	254	508
Other	4	0	5	1	4	5	22	22	44
Total	445	34	480	52	441	493	2211	2211	4422

3.75 The TA has also taken account of the cumulative impact of additional traffic movements associated with the nearby consented development sites (namely 10-12 Hammersmith Grove; King's Mall; Hammersmith Town Hall). However, as the additional vehicle trips arising from the proposed development at the Triangle site are minimal, it is considered that the development would not have an adverse impact on the highway network, even taken cumulatively with these nearby developments. Officers have assessed the information contained in the TA and consider the figures to be realistic. Having considered the above figures and the net additional trips generated by the proposed development, Officers accept that these trips would not have a detrimental impact on the road network.

Impact on Public Transport

3.76 The TA predicts there would be a net increase of 150 two-way bus trips for the AM peak and PM peak periods as result of the proposed development. Bearing in mind the availability of 151 buses per hour within close proximity of the development site, as well as the proximity of the bus station at Hammersmith Broadway with numerous routes, the additional bus trips should have negligible impact on bus services and facilities and infrastructure.

3.77 In the case of the Underground the TA estimates that there would be a net increase of 221 two-way trips in the AM peak and 227 in the PM peak periods. The increase in trips is less than 1% of the underground ratio to flow capacities of all lines based on the submitted study of the demand and capacity figures available. TfL has been consulted on the application and raises no objection to the proposals in terms of public transport capacity.

Pedestrian impact

3.78 An additional 55 pedestrian two-way trips anticipated in both the AM and PM peak periods, and in addition public transport users would also walk from the stations/bus stops to the site. The Applicant's transport consultants have carried out a Pedestrian Environment Review System (PERS) audit to assess the existing facilities and the likely

impact of these additional trips on the pedestrian environment. The PERS audit indicates that the additional pedestrian trips could be accommodated without adversely affecting existing pedestrian facilities, and Officers concur with this assessment.

3.79 TfL have commented that it would be appropriate to seek a contribution by the Applicant towards the Cycle Superhighway 9 (CS9) scheme which is currently out for public consultation, and which proposes improvements to highways in close vicinity of the site. The Council's Highways Officers have confirmed that they are supportive of this approach. The route of CS9 will pass close to the site, and works on Beadon Road and at the southern end of Hammersmith Grove are specified in the proposals out for consultation. The published CS9 consultation plan shows the installation of three signalised crossings at the junction of Hammersmith Grove with Beadon Road, which include a crossing linking the application site with Lyric Square and a crossing linking the site with the eastern side of Hammersmith Grove. These proposals would therefore provide improved pedestrian facilities at the junction of Beadon Road and Hammersmith Grove. This would therefore be directly related and of great benefit to the future occupants of development proposed in this application, and would help to mitigate the road safety impacts of additional pedestrian and vehicular trips generated by this development. As such a contribution towards the CS9 scheme is proposed by the Applicant, and this will be secured by the S106 agreement accompanying any planning permission.

Travel Plan

3.80 A framework Travel Plan for the site has been submitted alongside the Transport Assessment. A condition (No.60) requires the Applicants to produce final Commercial Travel Plans for the office and also the ground floor commercial and gallery uses which would be subject to ongoing monitoring and review (for a minimum of 5 years) to encourage users of the site to travel by modes other than the car.

3.81 It has been noted that different tenants will set out their own targets, and these targets should be updated along with the mode shares before submitting the final travel plans for approval by the Council. It is also noted that within the TA a Travel Plan Coordinator is to be appointed for this site. As the site is in PTAL zone 6b, it is considered that there is capacity within the existing public transport network to accommodate the additional trips proposed from this development. Officers welcome the provision of Travel Plans in support of the proposal to promote sustainable travel for occupiers of the development.

3.82 A Demolition and Construction Workers Travel Plan will also be required and is subject to a separate condition (No.61).

Demolition and Construction Logistic Plans

3.83 A framework demolition and construction management and logistics plan was submitted with the application. At this stage of the planning process the information relating to the Construction Management Plan and Construction Logistics Plan has yet to be detailed, and therefore this information needs to be developed. Officers consider this information needs to be improved in compliance with TfL guidelines. The plans will be required to include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the

demolition/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 plans would need to be developed to be in accordance with TfL requirements, which seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. These are secured by conditions (Nos.3 and 4). Protection of the nearby London Underground infrastructure would also be secured by condition (No.31).

Works to the highway

3.84 It is proposed within the application that the two existing vehicular accesses to the application site from Beadon Road will be consolidated into one access to serve the proposed service yard. In response to a request from Highways Officers the Applicant has provided additional information in the form of visibility splays for the proposed vehicular access, which are considered to be acceptable and would be secured by condition (No.52). The construction of the access and reinstatement of the kerb line along Beadon Road would be completed under a S.278 legal agreement required to be entered into by condition (No.46).

3.85 As noted in the PERS Audit submitted with the TA the footways surrounding the application site are not in a desirable condition, they are inconsistent and are likely to be damaged during construction. When re-instating redundant crossovers, the footway should be repaved. These works are also to be completed under the S.278 legal agreement, and would be carried out by the Council at the Applicant's expense. The footway around the application site along Beadon Road, Hammersmith Grove and Glenthorne Road should be re-paved in accordance LBHF's Streetsmart with a scheme to be submitted to and approved by the Council.

Conclusion on highways matters

3.86 There are no objections to the proposal based on highways, traffic or parking. The scheme has been developed in compliance with relevant London Plan and local transport policies. It is considered that the capacity of the existing highway network could sufficiently support the development without further detriment, and that public transport capacity is sufficient to serve the additional trips generated. The proposal is considered not to lead to any detrimental impact on on-street parking given the excellent public transport facilities and the provision of off-street parking within the development.

IMPACT ON RESIDENTIAL AMENITY

3.87 Policies DM G1 and DM A9 of the Development Management Local Plan 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, and privacy. Policy 7.6 of The London Plan states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings. Policy 7.7 states that 'tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference'.

3.88 The site's surrounding neighbours to the east and north are currently in office use, while the development of residential units at Sovereign Court, on the opposite side of Beadon Road, is currently under construction and is nearing completion. In terms of existing residential neighbours, the upper floors of the public house at No.26 Glenthorne Road are in ancillary residential use. The building at 28-36 Glenthorne Road is in hotel use and has recently been redeveloped. The nearest residential dwellings in Overstone Road are approximately 50m away from the north-west corner of the application site, and are east-west orientated (i.e. at a 90 degree angle to the application site).

Daylight and sunlight

3.89 The Applicants have submitted a daylight and sunlight assessment, in line with the guidance provided in the Building Research Establishment (BRE) document entitled 'Site Layout Planning for Daylight and Sunlight' (2011).

3.90 The impact of the proposed development on the nearest residential properties, including the development at Sovereign Court, has been considered. The properties considered in the assessment are:

- 26 Glenthorne Road (ancillary accommodation above the public house)
- 38 Glenthorne Road
- Sovereign Court (Lancaster House and Clarence House)
- 28-36 Glenthorne Road have also been assessed, albeit that these premises are in hotel use

3.91 Properties further north in Overstone Road and Southerton Road have not been analysed in the assessment. However, the assessment shows that the nearer Glenthorne Road properties do not experience noticeable reductions in daylight in sunlight, thus it is reasonable to assume that these dwellings, which are further away, would be similarly unaffected in this regard.

3.92 Only residential accommodation has been assessed for daylight/sunlight impacts (and a hotel building as mentioned above). No assessment of the impact on surrounding office/commercial uses has been presented. The BRE guide recommends that only windows and rooms within 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. Taking this advice into account, Officers consider it unnecessary to assess the non-residential buildings within the vicinity of the site, as offices are routinely lit with electric lights in the daytime given their deep floorplates. Rights to light to the existing neighbouring commercial development would need to be protected in the scheme, but this would be through a process separate from planning.

Daylight (assessment methodology)

3.93 For all properties assessed an analysis of the daylight (vertical sky component (VSC) and no sky line (NSL)) that would reach an affected window has been submitted with the application. Figures showing the existing situation compared with the effect of the proposed development have been presented.

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

3.95 The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen converting it into a percentage. An unobstructed window will achieve a maximum level of 40% VSC. The BRE guide advises that a good level of daylight is considered to be 27% VSC. Daylight will be noticeably reduced if after a development the VSC is both less than 27% and less than 80% of its former value.

3.96 The plotting of the NSL measures the distribution of daylight within a room. It indicates the point in a room from where the sky cannot be seen through the window due to the presence of an obstructing building. The NSL method is a measure of the distribution of daylight at the 'working plane' within a room. In houses, the 'working plane' means a horizontal 'desktop' plane 0.85 metres above floor level. This is approximately the height of a kitchen work surface.

3.97 The NSL divides those areas of the working plane in a room which receive direct sky light through the windows from those areas of the working plane which do not. If a significant area of the working plane lies beyond the NSL (i.e. it receives no direct sky light), then the distribution of daylight in the room will be poor and supplementary lighting may be required.

3.98 The impact of the distribution of daylight in an existing building can be found by plotting the NSL in each of the main rooms. For dwellings this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed, although they are considered less significant in terms of receiving direct sky light. Development will affect daylight if the area within a room receiving direct daylight is less than 80% of its former value.

3.99 The ADF method uses a mathematical formula which involves values for the transparency of the glass, the net glazed area of the window, the total area of room surfaces, their colour reflectance and the angle of visible sky measured from the centre of the window. This is a method that measures the general illumination from skylight and takes into account the size and number of windows, room size, room qualities and room use. The BRE test recommends an ADF of 5% for a well daylit space or 2% for a partly daylit space. The minimum standards for ADF recommended by the BRE for individual rooms 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

3.100 When reviewing the daylight results for each property, the methods would normally be considered sequentially; VSC, NSL and then ADF. In the first instance, therefore, the VSC results should be considered.

3.101 If all the windows in a building meet the VSC criteria, it can be concluded that there will be adequate daylight. If the windows in a building do not meet the VSC criteria, the NSL analysis for the room served by that window needs to be considered. If neither the VSC nor NSL criteria are met, the ADF results should be considered.

3.102 The applicants have submitted VSC and NSL assessments for all of the properties mentioned above. The ADF test has only been carried out where the results show a failure of the VSC and NSL standards.

Daylight Impact - results

Glenthorne Road properties (26-38 Glenthorne Road)

3.103 The results demonstrate that the properties analysed on Glenthorne Road would all maintain good levels of daylight following the proposed redevelopment. No windows within these properties would experience reductions in VSC below the levels identified in the BRE Guidance, i.e. all windows maintain at least 80% of their former VSC value, and therefore any reduction in daylight will not be perceptible. This is also the case with the NSL analysis, and indeed for most of the windows analysed there is virtually no change in the NSL.

3.104 Given that these are the nearest properties north of the proposed development, it is reasonable to conclude that no residential properties to the north would experience any detrimental loss of daylight as a result of the development.

Sovereign Court (former site of King's Mall)

3.105 It is important to note that this development is not yet occupied as residential apartments, however it is nearing completion.

3.106 The Applicants have obtained floorplans and elevations of the Sovereign Court development as constructed to produce window maps and to inform an analysis of the room layouts. 342 windows within the development were considered relevant for assessment, the windows facing north east and north onto Beadon Road and Glenthorne Road at 'Lancaster House' and 'Clarence House'.

3.107 The first analysis carried out was simply to compare the existing daylight conditions to these windows with the conditions that would result if the proposed building at the Triangle site were constructed. Of the 342 windows assessed, 146 (42.7%) show full compliance with VSC methodology.

3.108 196 windows therefore show losses in VSC above 20%, serving 128 rooms within Sovereign Court and these also fall short against the NSL methodology. These windows are on the Beadon Road elevation facing towards the proposed Triangle development.

3.109 The Applicants have obtained the floorplans of these rooms as constructed to enable an assessment of ADF to take place. It has been assessed that 65 of the 128 rooms which are not in full compliance with VSC or NSL methodology would however satisfy the minimum criteria for ADF. Of the remaining 63 rooms in Sovereign Court, 20 would be bedrooms and 43 would be living/kitchen/dining rooms. The Applicants state that 11 of these L/K/Ds would have an ADF of at least 1.3%, which they consider to be acceptable in the urban context of the site and given the existence of balconies at Sovereign Court which restrict daylight to some of its own windows. The Applicants go on to calculate that if these balconies were to be excluded from the calculations (an approach included in the BRE guidelines), a further 15 L/K/Ds would have an ADF of at least 1.3%.

3.110 The Applicants state that of the remaining 17 L/K/Ds, 14 have restricted access to daylight due to their location in relation to structural features in the elevation of Sovereign Court (such as behind recessed structural balconies), and that excluding these the 3 remaining windows have an ADF of 1.1% or 1.2% which is in excess of the BRE's minimum value of 1% for a habitable room.

3.111 In terms of the 20 bedrooms, 7 would have an ADF value of 0.7% or above, which the Applicant considers to be acceptable in the urban context of the site. Of the other 13 bedrooms, if the balconies at Sovereign Court are removed from the calculations then 7 of these would have an ADF of at least 1%, and 2 would have an ADF of at least 0.7%. This leaves 4 bedrooms which would have restricted access to daylight due to their location in relation to structural features in the elevation of Sovereign Court (such as their location behind recessed balconies).

3.112 Whilst it is considered, by comparison, that the proposed scheme will reduce availability of daylight to neighbouring properties at Sovereign Court, it is acknowledged that any redevelopment of the application site is likely to result in a larger building than that on site at present. The site is now surrounded to both the east and west with very large buildings of similar heights to the current proposal. The comparison is magnified because there is an open car parking area within the site fronting Beadon Road. It is unusual for a town centre site to contain a substantial area of unbuilt land, and the absence of any building on this part of the site at present means that any comparison between the existing and proposed situation is likely to produce exaggerated results. Similarly, Officers note that Sovereign Court has been constructed up to the back edge of the footpath on Beadon Road, with many north facing habitable room windows in a tall elevation containing balconies, which further restrict the access of daylight and impact on the technical assessment.

3.113 The Applicant refers to the fact that the BRE Guidance accepts, in an urban situation, that a 'mirror' approach to an existing building may be used as the baseline condition for assessing future daylight impacts, instead of an existing underdeveloped site. The guidance states:

'In cases where an existing building has windows that are unusually close to the site boundary and taking more than their fair share of light...the VSC targets could be set to those for a 'mirror image' building of the same height and size, an equal distance away on the other side of the boundary'.

3.114 The Applicants have therefore also modelled a 'mirror' development to Sovereign Court on the Triangle site, although in their model they have taken the 'mirror' to be the existing development plus an additional 20% impact in line with the BRE's general method for calculating acceptable levels of harm. Officers do not give significant weight to the results submitted in relation to the impact of a mirror development. However, given the size and positioning of the Sovereign Court development, it may be appropriate to consider that a large building which mirrors that of Sovereign Court may be acceptable in principle.

3.115 Although the proposal would result in reduction of light reaching some windows in Sovereign Court, there are improvements to the levels of light reaching other windows that would have been impacted by the appeal scheme. In particular, the setting back of the southern end of the building by 4.5m restores light levels for the southern units of Sovereign Court.

3.116 On balance, Officers recognise that an impact on daylight does remain, but that this is to be expected in the context of this cluster of large town centre buildings. While the degree of concern over daylight levels from the appeal scheme has not been entirely overcome, Officers are of the view that the current proposal represents a better response to the site's context and constraints.

3.117 As such it is considered that, on balance, the scheme complies with the aims of with DMLP policies DM A9 and DM G1.

Sunlight

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

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

3.120 Where a window does not meet the first criteria, retaining at least 25% total APSH with 5% in the winter months but the percentage reduction is less than 20% it will experience a negligible impact, as the area receiving reduced levels of sunlight is comparatively small when considering the baseline sunlight levels.

Glenthorne Road properties (26-38 Glenthorne Road) and properties to the north

3.121 All south-facing windows have been analysed. None of the habitable rooms in in these properties would experience more than a 20% loss in APSH and all properties would therefore be fully compliant with the relevant guidance.

Sovereign Court

3.122 Most windows within Sovereign Court which could be affected by the proposed development face in a northerly direction, so are not relevant for assessment. Some units have southeast and northwest facing secondary windows giving an aspect in another direction, however the amount of sunlight that could be received by these rooms would be limited in the existing situation, given the obstruction of the building lines on either side of the windows. It is therefore considered that the amount of sunlight to these already north-facing units would not be further restricted by the proposed development.

Outlook

3.123 SPD Housing Policy 8 states that 'The proximity of a new building or an extension to an existing building can have an overbearing and dominating effect

detrimental to the enjoyment by adjoining residential occupiers of their properties' and prescribes a method for assessment of outlook:

'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. 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'.

3.124 The distance and orientation of the nearest residential neighbours, and the fact that the development would be surrounded on two sides by existing commercial buildings, makes the above assessment for outlook irrelevant in this case. The upper floors of the development may be visible from some gardens and (at a very oblique angle) windows of residential properties in Overstone Road, Hammersmith Grove and Southerton Road, but the distance of the building from these properties would mean there would not be an overbearing impact on these properties, which could not be said to experience loss of outlook.

3.125 There would of course be a far greater impact on the Sovereign Court flats compared to the existing situation, albeit that even if the Triangle site remained undeveloped, these flats would still face towards a relatively large building. In this urban context, it is considered not unreasonable for the flats facing towards a busy main road to face on to development of a similar height directly opposite. The impact on outlook would be reduced somewhat due to the design of the proposed building, which steps back from the street frontage opposite the proposed Sovereign Court development. Officers consider that the impact on outlook would not be unacceptable.

Privacy

3.126 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.

3.127 The only windows/terraces which would be within 18m of residential windows would be those facing Sovereign Court (when this development is complete). The lower floors of the proposed building at the Triangle site are approximately 17m away from the front elevation of the Sovereign Court development. However, Officers consider that this would not be an atypical separation distance to maintain between buildings facing one another across a main road. Flats within this part of Sovereign Court would be purchased in the knowledge that they face on to a public realm and a busy town centre street, which would have a lesser degree of privacy. Also, the proposed windows facing Sovereign Court would serve an office use rather than another residential use, and would thus be potentially less intrusive in terms of privacy/overlooking. In this respect it is considered that the windows and terraces at the proposed development would not have an unreasonable impact on privacy to neighbouring properties.

Noise and disturbance

3.128 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. Policy 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. Policy DM G1 sets out that new development should respect the principles of good neighbourliness. Development Management Local Plan 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. Policy DM H10 relates to light pollution. SPD Amenity Policy 25 states that outdoor uses will need to be assessed in regard to the frequency and times of use, and the noise level likely to be emitted from activities. SPD Amenity Policy 18 refers to noise and vibration and requires a survey and report for residential developments proposed near existing noise sources, and for developments that have the potential to increase existing noise or vibration levels. SPD Amenity Policy 24 also sets out the need to protect residential and other noise sensitive amenity.

3.129 The site is located in the town centre, close to busy main roads, exposed underground rail lines and commercial activity, and is thus in an area with a high level of background noise. The site itself already provides a significant office building, however, the redevelopment would provide almost 15,000 sqm of additional office space with the resulting increase in staff, as well as new plant. Large areas of roof would also become external amenity space for office workers.

3.130 A Noise Control Strategy has been submitted with the application. This has undertaken a noise assessment of the existing background noise, which at the time of recording were affected by construction noise. The report contains an outline of measures which could be adopted to control noise from new plant in particular, and concludes that noise from new mechanical plant is capable of achieving compliance with the Council's noise standards (i.e. ensuring that the noise is at least 10dB below background noise). Conditions are suggested to ensure that all mechanical plant is adequately sound insulated and fitted with anti-vibration devices, to ensure that plant complies with these noise standards in the daytime and at night (condition Nos.13 and 35).

3.131 In terms of other sources of noise, servicing and deliveries would take place from the off-street service area at ground floor level which would be enclosed beneath the upper floors of the building in comparison with the existing open service and parking area. Significant noise from this enclosed area is thus expected to be minimised. As outlined in the Highways section above, the development is expected to involve an increase of 32 delivery and servicing vehicle trips in and out of the site a day. A Delivery and Service Management Plan (condition No.66) would ensure that the times for servicing and deliveries are restricted to reasonable daytime hours. Due to the proposed servicing within the building and the suggested condition it is expected that there would not be significant further noise disturbance associated with servicing and deliveries to the proposed development.

3.132 Large roof terraces are proposed at 5th, 7th and 11th floors, which would be close to the proposed residential properties at Sovereign Court (approximately 17m at the closest points). These would also run around the northern elevation of the building, although the separation to residential properties to the north is much greater (30-50m distance and also at a greater height than the two-three storey residential properties to

the north). If the building was proposed to be in residential use, Officers would have serious concerns about the potential for noise from the use of these roof terraces. As an office building, however, it is considered that the terraces would be used predominantly in the daytime, and would be likely to attract individual office workers or small groups instead of large gatherings of people causing significant noise. A condition (No.18) will ensure that the use of the terraces is restricted to certain hours, and that no loudspeaker announcements or amplified music are played outside. For these reasons, no objection is raised to the presence of the roof terraces in this proposal.

3.133 It is also acknowledged that eating/drinking establishments can often have potential for noise and disturbance, especially where they are sizeable and have external seating areas. An area for external public seating in association with the commercial (potential café/restaurant) use on the ground floor is indicatively proposed on the drawings. Conditions (Nos.36 and 37) would restrict the hours of use of the tables and chairs, requiring them to be removed in the evenings, and also restrictions on the hours of opening of the commercial uses (e.g. midnight would be consistent with other town centre uses). In the daytime, though, it is considered that noise from the use of the commercial unit and any external seating areas in the indicated location would be absorbed within the background noise levels of this busy town centre location.

Construction works

3.134 The disruption of construction works and the noise and disturbance to nearby residents and businesses is acknowledged to be a key local concern, particularly given the number of other large construction sites in the near vicinity. Whilst it would be unreasonable to refuse planning permission for a development scheme based on the temporary impact of construction works, the Council will take steps to ensure that disruption and noise/disturbance are minimised as far as possible. A demolition and construction logistics plan, a demolition and construction management plan, and an Air Quality Dust Management Plan are required to be submitted and agreed as part of planning conditions (3, 4 and 65) for planning approval, and these documents would be required to take into account the impacts and logistics of any existing nearby construction sites. The developer has indicated that they would require their contractors to adhere to the Considerate Constructors Scheme.

Light pollution

3.135 The redevelopment would result in a greater number and larger windows within the scheme compared to the existing, and the building would be taller. As the proposed building would be in office use on the upper floors, however, it is considered that measures should be put in place to mitigate against any unacceptable increase in light pollution, which can include switching off lights at night. A scheme addressing the mitigation of light pollution is subject to a condition (No.38) in order to mitigate light spillage from all floor levels of the proposed building towards neighbouring residential properties, including and a scheme for the control of the operation of internal lighting (during periods of limited or non-occupation). As such it is recommended that no objections are raised in this regard.

3.136 For the reasons given above, it is considered that the development, subject to suitably worded conditions, would not give rise to unacceptable harm from noise and disturbance to neighbouring occupiers and that the proposal therefore complies in these respects with the relevant sections of policies DM G1, DM H9, DM H10 and DM H11 of

the Development Management Local Plan, London Plan 7.15, Core Strategy Policy CC4, and SPD Amenity policies 18, 24 and 25.

SUSTAINABILITY

Carbon reduction

3.137 Core Strategy policy CC1 requires developments to make the fullest contribution possible to the mitigation of and adaptation to climate change. Policy DM H2 of the Development Management Local Plan is concerned with promoting sustainable design and construction and 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.

3.138 An Energy Strategy has been submitted with the application. This outlines the energy efficiency and low/zero carbon measures to be implemented as part of the redevelopment of the site in order to reduce energy use and minimise CO₂ emissions. A range of energy efficiency measures are planned including high levels of insulation, improved air permeability performance, efficient plant and equipment such as heating systems, energy efficient lighting including controls such as daylight sensors to minimise lighting use in communal areas and use of heat recovery on the ventilation system.

3.139 In line with the Mayor of London's energy hierarchy the feasibility of using decentralised energy on site has been assessed. The use of a Combined Heat and Power system has been considered but is not proposed as it is considered not to be an efficient system for the site which has relatively low heat demands. However, the development would be provided with a means to connect to a future heating network should this become possible in the future.

3.140 In terms of renewable energy generation, solar PV panels are to be installed on the roof, which will further reduce CO₂ emissions. Overall, then, the proposed measures and PV are calculated to reduce associated CO₂ emissions by 31% compared to the 2013 Building Regulations. This falls short of the required 35% improvement. The developer proposes to make up the shortfall with a payment in lieu. Therefore a payment of an estimated £46,800 to the Council would be required and will be incorporated into the S106 agreement. The funds will be used by the Council to implement low carbon measures in the borough to offset the required amount of CO₂. A condition (No.22) requires the submission of a revised Energy Strategy to ensure that this reflects the detailed design of the building as it proceeds.

Sustainable Design & Construction

3.141 A Sustainability Statement has been submitted with the planning application which outlines the sustainable design and construction measures to be integrated on the site. In addition to the carbon reduction measures outlined in the Energy Strategy, a range of other sustainability measures are planned such as water efficiency measures to reduce water use, use of building materials with low environmental impacts where possible and sustainable timber products, sustainable waste practices and recycling will

be promoted by providing separate waste storage facilities, green roofs are planned which will help improve biodiversity on the site and the development will be constructed in line with the requirements of the Considerate Constructors Scheme which will help minimise environmental impacts of the construction phase. The Statement confirms that that the proposed development is targeting a BREEAM 'Very Good' rating with the aspiration to achieve 'Excellent'. This meets the Council's policies on sustainable design and construction. A condition (No.23) requires the submission of a revised Sustainability Statement to ensure that this reflects the detailed design of the building as it proceeds. This also requires the implementation of the measures as approved and the submission of the post construction BREEAM assessment.

Flood Risk

3.142 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.

3.143 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.

3.145 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'. This is supported by Policy DM H3 of the DMLP 2013.

3.146 The site is in the EA's Flood Zone 3 and a Flood Risk Assessment (FRA) has been submitted as required. The proposals include a basement, although this would be primarily used for the gym, plant, cycle parking and storage.

3.147 The site is protected by flood defences such as local river walls and the Thames Barrier. If the flood defences failed, the site is not expected to be affected by rapid inundation of flood waters. The site is in an area where there could be increased potential for elevated groundwater. In terms of surface water flooding, the Council's Surface Water Management Plan does not identify the site as being in a flooding hotspot, although flood water could pond in the highways around the site in the event of an intense storm.

3.148 Finished floor levels are set at a level above the level expected to be impacted. The FRA recommends 'appropriate drainage' measures to be integrated suggesting localised drainage channels and raised pedestrian crossing at the service yard entrance to act as a barrier adjacent to Beadon Road. These measures would help protect against possible surface water flooding on the site and are to be considered at detailed design stage.

3.149 Given the potential for sewer flooding and the fact that there are two basement levels where there will be water using facilities, non-return valves should be installed (condition No.30). The FRA includes some information on basement construction as it seems very likely that the basement will be deep enough to intercept

perched groundwater in the gravel layer below the site. The FRA states that it is expected that any perched groundwater would be able to flow around the new double basement and there would not be any significant changes to level or flows. The Applicant has stated that the basement will be constructed using either sheet piling or secant piling works in conjunction with an internal reinforced concrete retaining wall. Waterproofing shall be provided via a combination of a proprietary waterproof tanking membrane and waterproof concrete to form two lines of defence to water egress. The groundwater flood risk is considered to be low and the proposed basement construction methods will manage and minimise flood risks. A condition (No.30) requires that the development is implemented in accordance with the flood mitigation measures set out in the submitted Flood Risk Assessment along with supplementary information provided since the submission of the application. In line with the Applicant's proposals, a further condition (No.20) requires the submission of details of access to an area of refuge at first floor level or above from lower floors of the building, in order to ensure a safe refuge within the building from the lower floors in the event of flooding at ground floor level or below.

3.150 The Flood Risk Assessment includes a Drainage Strategy. This states that the aim is to limit final discharge of surface water from the site to a rate that is equivalent to three times the greenfield rate. The proposal is to direct surface water run-off into an underground attenuation tank for controlled release into Thames Water's combined sewer system. In addition other SuDS measures will be assessed at the detailed design stage, including soft landscaping, rainwater harvesting and a living roof.

3.151 The proposal would exceed the Council's Development Plan requirements which sets a minimum surface water attenuation improvement of 50%. The final level of attenuation would be established when the detailed design of the system is finalised. Details of the maintenance of the SuDS, including frequency of inspections and works if required, who will be carrying out the maintenance, how details of maintenance work will be recorded and stored for possible future inspection by the Council will all also be required by condition (No.19).

3.152 Thames Water has no objections to the application regarding water or sewerage infrastructure. They have recommended a condition (No.21) relating to a piling method statement to prevent and minimise damage to subsurface sewerage and infrastructure.

3.153 Subject to the conditions recommended above no objection would be raised under policy DM H3 or London Plan policy 5.13 on sustainable drainage or flooding grounds.

Contamination

3.154 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and policies DM H7 and DM H11 of the DMLP state 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 and 15 relate to contamination. SPD Amenity Policy 16 sets out the common submission requirements for planning conditions relating to contamination and SPD Amenity Policy 17 deals with sustainable remediation.

3.155 A Preliminary Environmental Risk Assessment has been submitted as part of this application. Potentially contaminative land uses, past or present, are understood to occur at, or near to this site. A more detailed site investigation scheme 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 (Nos.24-29) to this effect are proposed, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan.

Air Quality

3.156 The entire borough was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants, Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).

3.157 Policy 7.14 of The London Plan seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings and also to minimise exposure to poor air quality. Policy CC4 of the Core Strategy explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives. Policy DM H8 of the DMLP requires an air quality assessment and mitigation measures where appropriate. This is supported by SPD Amenity Policies 20 and 21.

3.158 An Air Quality Assessment has been submitted with the application. This assesses the development's potential impacts on local air quality and also considers the issue of exposure to pollution for businesses and residents. The assessment takes account of the potential temporary impacts during the demolition and construction phase and the operational impacts caused by increase in traffic flows and emissions from the plant on the site. The air quality assessment indicates that the general sources of air pollution (construction activities, road traffic and space heating) emission arising from the proposed development would be during the construction phases and on completion of the development the assessment predicts the development to have an insignificant effect on air quality, and that the development would be 'air quality neutral'. Overall in terms of air quality, Officers consider that the development could meet policy requirements. Further details are required by condition to ensure acceptable implementation of the development in this regard, including an Air Quality Dust Management Plan (condition No.65), details of Ultra Low Nox Gas fired boilers (condition No.64) and the submission of a Low Emission Strategy (condition No.62).

Wind

3.159 Regard has been given to Policy 7.6 of The London Plan. The likely effects of the development on the site and local wind environment have been assessed in a Wind Desktop Assessment submitted by the Applicant. A qualitative assessment has been undertaken, using modelling of the existing and proposed site and meteorological data. Wind environment is defined as the wind flow experienced by people and the subsequent influence it has on their activities. It is concerned primarily with wind characteristics at pedestrian level. The assessment is based on the height and massing

of the proposal and has considered the cumulative effect of some other developments. The effects of the proposed development were assessed against the existing scenario.

3.160 The results of the assessment for pedestrian safety and pedestrian comfort of the existing site and its immediate surroundings indicate that the effect on wind conditions is likely to be negligible in most cases, but there are some instances where conditions would sometimes feel windier, particularly to the south western corner of the site. These instances are likely to be infrequent, but a quantitative assessment is recommended to fully understand these impacts, and mitigation measures may be required as a result of further assessment. Further assessment is therefore required by condition (No.44), including the design of any such mitigation measures.

Community Infrastructure Levy

3.161 This development would be subject to a London wide community infrastructure levy. The Mayor's 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. This contributes 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 and is chargeable in this case at £50 per sq.m uplift in floorspace (GIA).

3.162 It is estimated that the proposed development would generate a Mayoral CIL contribution of approximately £1,226,273.09.

3.163 Additionally, the Council collecting its own CIL, and this development would be liable, charged at £80 per sqm of uplifted floorspace in office and retail use. The estimated charge would be £1,682,824.00.

Planning obligations

3.164 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.

3.165 The Council is obliged to assess planning proposals against the policies and standards contained within the development plans for the area and to consider any other material planning considerations. In some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations.

3.166 The Applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items (i.e. items which are not on the CIL r123 list):

- A contribution of £110,000 towards the Mayor of London's cycle hire scheme.
- A contribution of £25,000 towards the proposed Cycle Superhighway 9 scheme at the junction of Hammersmith Grove and Beadon Road.
- A contribution of £11,200 towards the additional maintenance of street trees in Hammersmith Grove and Beadon Road.
- A contribution of £20,000 for planting new street trees in Hammersmith Grove.
- Support for employment and training including a contribution of £75,000.

- Payments of £3,000 per travel plan at years 1, 3 and 5 to fund the review of each of the development's travel plans (as required to be submitted by condition Nos.60 and 61).
- A carbon off-set payment of £46,800 (or a different figure in line with the revised Energy Strategy to be submitted in accordance with condition No.22).
- The provision and management of a publicly accessible gallery to be provided on site.
- The provision and management of publicly accessible open space around the building within the site.

4.0 CONCLUSION and RECOMMENDATION

4.1 Officers consider that the proposed redevelopment of this prominent town centre site would bring regeneration benefits and provide high quality office space which would fit well with the regeneration of this area and would significantly increase the employment capacity of this site. This new scheme would bring significant benefits over the appeal scheme. These include the setback building line on Hammersmith Grove and also at its southern end which address the bulk and impact of the building and would allow the retention of mature street trees adjacent to the site. The revised scheme would also facilitate improved areas of public realm around the building, particularly at the southern end, and the setback at this end would also improve access of daylight to some units at Sovereign Court opposite. Whilst it is acknowledged that the development would still impact upon daylight to other parts of Sovereign Court, it is considered that on balance this could be acceptable given the site's immediate urban context which has seen other large redevelopments on adjacent sites constructed in recent years.

4.2 The office and related uses support the Council's policies for town centres, and the impacts on traffic and energy sustainability are considered to be acceptable. The use of the site primarily as high quality offices is acceptable in the context of the existing use of the site and its location in Hammersmith Town Centre with excellent public transport facilities. The proposed development would achieve a sustainable development, whilst optimising the use of previously developed land. The proposal would be of a high standard of design. It is considered that the building would enhance the appearance of the area and have an acceptable impact upon nearby conservation areas. The proposed loss of a Building of Merit is considered to be justified in this instance.

4.3 There would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network. Off-street parking and servicing would be provided and the development is considered not to have the potential for contributing significantly towards pressure on on-street parking due to the high accessibility to public transport, subject to satisfactory measures to discourage the use of the private car which would be contained in a Travel Plan. Improvements would be made to the highway at the development site as part of the proposal. Adequate provision for servicing and the storage and collection of refuse and recyclables would be provided.

4.4 The development would provide level access, lifts to all levels, suitable circulation space and dedicated parking spaces for wheelchair users.

4.5 The application proposes a number of measures to reduce CO₂. The proposal would seek to achieve a 'very good' BREEAM rating and the implementation of

sustainable design and construction measures would be a condition of the approval. A Sustainable Drainage Strategy would be required by condition.

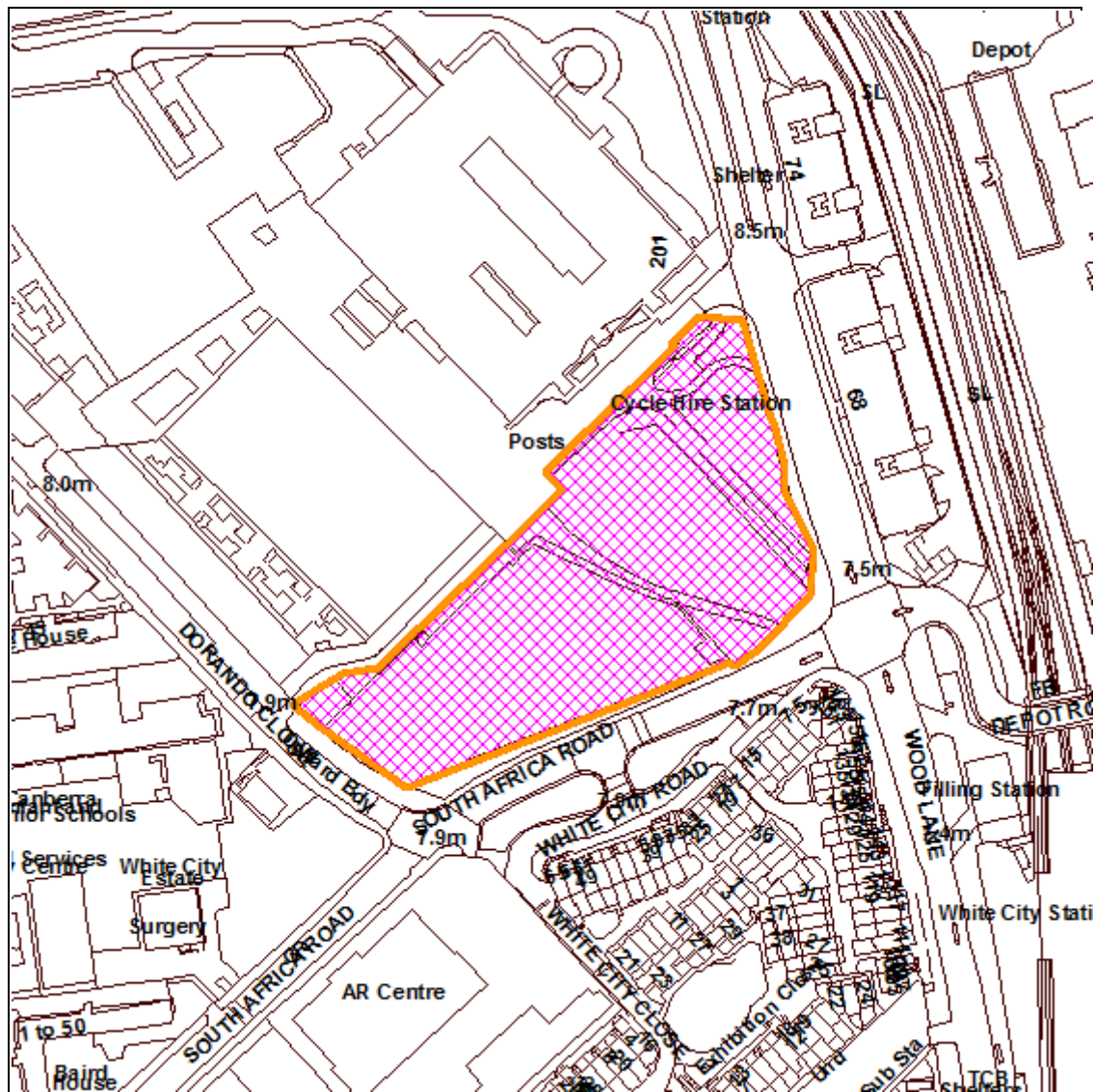
4.6 The impact of the proposed development upon neighbouring occupiers is considered to be acceptable. Measures would be secured by condition to minimise noise and disturbance to nearby occupiers from the operation of the proposed development.

4.7 The application is therefore recommended for approval, subject to conditions, the completion of a legal agreement and no contrary direction from the Mayor of London.

Ward: College Park And Old Oak

Site Address:

The Gateway Site White City Place 201 Wood Lane London W12



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For identification purposes only - do not scale.

Reg. No:
2016/04452/COMB

Case Officer:
Jacques Du Plessis

Date Valid:
05.10.2016

Conservation Area:

Committee Date:
07.11.2017

Applicant:

Whitewood Gateway GP Ltd
C/o Agent

Description:

Demolition of existing car park and temporary public open space to facilitate comprehensive phased redevelopment of the site, to erect: three buildings to provide a total of up to 106,585sqm (GIA) of Office (Class B1); 962sqm (GIA) Retail (Class A1), and up to 2,745sqm (GIA) of Restaurant (Class A3) floorspace; hard and soft landscaping works, and alterations to existing vehicular/pedestrian routes/ access and associated works. Planning Permission is sought in detail for the erection of a building of between 6 and 23 storeys (including plant) with a maximum height of 109.40m AOD, with 1 basement level, comprising 63,181 sqm (GIA) Office (Class B1); 904sqm (GIA) Retail (Class A1), and; 1,298 sqm (GIA) Restaurant (Class A3); hard and soft landscaping areas, and; alterations to existing vehicular/pedestrian routes/ access and associated works. Planning Permission (with all matters to be reserved) is sought for the erection of a building of between 4 and 12 storeys (including plant) with a maximum height of 60.50m AOD, with 1 basement level, and a building of 3 and 4 storeys with a maximum height of 30.00m AOD, comprising combined floor areas of up to 36,862 sqm (GIA) Office (Class B1) and up to 1,281 sqm (GIA) Restaurant (Class A3); hard and soft landscaping areas, and; alterations to existing vehicular/pedestrian routes/ access and associated works.

Drg Nos: 00-07-001-P1; 00-07-010-P1; 00-07-020-P4; 00-07-100-P5;00-07-200-P4; 00-07-201-P3; 00-07-202-P4; 00-07-203-P3;00-07-204-P1; 00-07-205-P3; 01-07-099-P3; 01-07-100-P3;01-07-101-P3; 01-07-103-P3; 01-07-105-P3; 01-07-106-P4;01-07-107-P4; 01-07-110-P4; 01-07-111-P4; 01-07-112-P4;01-07-115-P4; 01-07-116-P4; 01-07-117-P4; 01-07-121-P4;01-07-122-P4; 01-07-123-P4; 01-07-200-P3; 01-07-201-P4;01-07-202-P3; 01-07-203-P3; 01-07-300-P3; 01-07-301-P3;01-07-302-P3; 01-07-500-P2; 01-07-501-P2; 01-07-502-P3;01-07-503-P2; 01-07-504-P1; 01-07-505-P1; 01-07-510-P1;01-07-511-P1-02-07-099-P1; 02-07-100-P2; 02-07-101-P1;02-07-104-P1; 02-07-105-P1; 02-07-108-P1; 02-07-109-P1;02-07-111-P1; 02-07-112-P1; 02-07-200-P1; 02-07-201-P1;02-07-202-P1; 02-07-203-P1; 02-07-300-P1; 02-07-301-P1;03-07-100-P3; 03-07-101-P3; 03-07-103-P3; 03-07-104-P3;03-07-300-P3; 04-07-002-P1; 04-07-003-P3; 04-07-004-P3;04-07-005-P2; 04-07-006-P2; 04-07-010-P3; 04-07-011-P3;04-07-012-P3; 04-07-013-P3; 04-07-014-P3; 04-07-015-P3;04-07-016-P3; 04-07-017-P3; 04-07-018-P3; 04-07-019-P3;04-07-020-P3;Parameters Report (July 2017, Allies and Morrison);Design Codes Rev 5 (Allies and Morrison);Environmental Statement Volume 1, (Various consultants);Environmental Statement Volume 2,Environment Statement Volume 3 (Supporting Documents).

Application Type:

Combined Full and Outline Application

Officer Recommendation:

- 1) Subject to there being no contrary direction from the Mayor for London that the Committee resolve that the Director for Regeneration, Planning and Housing Services be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;

- 2) To authorise the Director for Regeneration, Planning and Housing Services after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

Conditions:

Timing (Detailed Phase)

- 1) The detailed element of the development hereby approved (Phase 1) shall not commence later than the expiration of 5 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).

Reserved Matters Details

- 2) The outline phase of the development, as defined by the application hereby approved, shall not commence (excluding Ground and Enabling Works) until all details of the proposed access, appearance, landscaping, layout and scale of development have been submitted to and approved in writing by the Council.

In order that the Council may be satisfied as to the details of the proposal, in order to comply with the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

Time Limit (Reserved Matters)

- 3) Application for approval of the reserved matters stated in condition 2 shall be made not later than 5 years after the date of this planning permission.

Condition required to be imposed by Section 92(2)(a) of the Town and Country Planning Act 1990.

- 4) The outline element of the development shall be begun within 5 years of the date of this permission or following the expiration of 2 years from the final approval of reserved matters, whichever is the later.

Condition required to be imposed by Section 92(2)(a) of the Town and Country Planning Act 1990.

Design Codes and Parameters

- 5) All reserved matters applications shall include a statement to demonstrate how the reserved matters have been prepared in accordance with the principles and parameter plans set out in the Parameters Report prepared by Gerald Eve (dated July 2017) and the Mandatory Design Codes prepared by Allies and Morrison Architects (Rev 5, October 2017) or other such versions that are subsequently agreed in writing with the Local Planning Authority.

To ensure that the development is constructed in accordance with the Design Guidelines on which this decision is based and to be consistent with the principles of good masterplanning, in accordance with policies 7.1, 7.2, 7.3, 7.47.5, 7.6, 7.7, 7.8, 7.9, 7.18, 7.19 and 7.21 of the London Plan (2016) , policies A, BE1, WCOA and WCOA1 of the Core Strategy and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

Drawings

- 6) The planning permission relating to the detailed components of the development hereby permitted (ie: those parts that are not to be subject to reserved matters) shall not be constructed unless in accordance with the approved drawings marked.

00-07-001-P1; 00-07-010-P1; 00-07-020-P4; 00-07-100-P5; 00-07-200-P4; 00-07-201-P3; 00-07-202-P4; 00-07-203-P3; 00-07-204-P1; 00-07-205-P3; 01-07-099-P3; 01-07-100-P3; 01-07-101-P3; 01-07-103-P3; 01-07-105-P3; 01-07-106-P4; 01-07-107-P4; 01-07-110-P4; 01-07-111-P4; 01-07-112-P4; 01-07-115-P4; 01-07-116-P4; 01-07-117-P4; 01-07-121-P4; 01-07-122-P4; 01-07-123-P4; 01-07-200-P3; 01-07-201-P4; 01-07-202-P3; 01-07-203-P3; 01-07-300-P3; 01-07-301-P3; 01-07-302-P3; 01-07-500-P2; 01-07-501-P2; 01-07-502-P3; 01-07-503-P2; 01-07-504-P1; 01-07-505-P1; 01-07-510-P1; 01-07-511-P1-02-07-099-P1; 02-07-100-P2; 02-07-101-P1; 02-07-104-P1; 02-07-105-P1; 02-07-108-P1; 02-07-109-P1; 02-07-111-P1; 02-07-112-P1; 02-07-200-P1; 02-07-201-P1; 02-07-202-P1; 02-07-203-P1; 02-07-300-P1; 02-07-301-P1; 03-07-100-P3; 03-07-101-P3; 03-07-103-P3; 03-07-104-P3; 03-07-300-P3; 04-07-002-P1; 04-07-003-P3; 04-07-004-P3; 04-07-005-P2; 04-07-006-P2; 04-07-010-P3; 04-07-011-P3; 04-07-012-P3; 04-07-013-P3; 04-07-014-P3; 04-07-015-P3; 04-07-016-P3; 04-07-017-P3; 04-07-018-P3; 04-07-019-P3; 04-07-020-P3; Parameters Report (July 2017, Allies and Morrison); Design Codes Rev 5 (Allies and Morrison); Environmental Statement Volume 1, (Various consultants); Environmental Statement Volume 2, Environment Statement Volume 3 (Supporting Documents).

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 Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Phasing of Development

- 7) No works shall take place until a plan showing the location of all Phases and the programme of phasing, including any sub-phases of development has been submitted to and approved by the Local Planning Authority. The development of each phase shall be carried out in accordance with the approved plan for that phase, unless otherwise agreed in writing by the local planning authority.

To assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

Ground and Enabling Works

- 8) Details of any ground and/or enabling works within the relevant Plot shall be submitted to the local planning authority and approved in writing, prior to the commencement of any ground or enabling works (any such works approved under this condition 8 are referred to in other conditions as "Ground and Enabling Works"). The enabling works shall proceed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Each set of works approved under this condition 8 for each Plot shall constitute a separate phase of the development authorised by this planning permission for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended)

To ensure that the development accords with the provisions and assessment of the approved Environmental Statement and to ensure that the development is carried out in a satisfactory manner in accordance with policies BE1 and CC4 of the Core Strategy 2011.

Gross External Floorspace

- 9) The total gross external floorspace (GEA) areas of the development comprising the land uses hereby approved shall not exceed the following:
- (a) An overall gross maximum floor space of all the development, including parking, servicing, energy centre and plant and storage that shall not exceed 110,292 sq m GEA; and
 - (b) Overall gross maximum floor space (excluding car park and energy centre) by land use, notwithstanding the provisions of the Town and Country Planning (Use Classes Order 1987) (as amended) or (General Permitted development) Order 1995 (as amended) or any subsequent act, shall not exceed the following:
 - Business (B1): 106,585 sq m GEA
 - Retail/Café/Restaurant (A1): 962 sq m GEA
 - Restaurant (A3): 2,745 sq m GEA
 - (c) or such breakdown by Plot of the overall gross maximum floor space specified in (a) and (b) above as may be submitted to and approved by the Local Planning Authority

To ensure the development carried out does not exceed the cumulative maximum floor space, in accordance with the approved plans and to ensure a suitable mix and distribution of land uses within the development and to ensure the quantum of floor space keeps within the Parameters assessed pursuant to the EIA in relation to the development, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of the London Plan (2015), policies BE1, WCOA, WCOA 1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policies DM G1, DM G2, DM G3, DM G6, DM G7, DM H9, DM D1, DM D2, DM C3, DM B1, DM B2 and DM B3 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

Class B1 (office)

- 10) The Class B1 (office) use hereby permitted shall be used only and for no other purpose including any other purpose within Class B1 in accordance with the Town and Country Planning (Use Classes Order) 1987 (as amended), or any subsequent Order, 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 approved new office accommodation to residential purposes 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 and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies BE1 and T1 of the Hammersmith and Fulham Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D2, DM A9 and DM J1 of the DM Local Plan (July 2013).

Temporary land uses

- 11) Details of any temporary land uses or structures including sales/marketing suites within the site shall be submitted to and approved in writing by the Local Planning Authority prior to implementing works for any temporary uses or structures. Any interim structures, uses and buildings shall be implemented in accordance with the approved details, for a specified time period set out in the details and shall be discontinued/removed once the temporary period has been expired.

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

Retail amalgamation

- 12) Notwithstanding the details on the approved drawings the layouts of the ground level retail (Class A1) and restaurant (Class A3) uses shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of development. The development shall be carried out in accordance with the approved details and shall not be amalgamated to create larger units within the development.

To safeguard the amenities of occupiers of neighbouring residential properties in terms of noise, disturbance, car parking and traffic from noise generating uses, in accordance with Policy CC4 of the Hammersmith and Fulham Core Strategy (2011) and policies DM C6, DM H9, DM H11 and DM J2 of the Development Management Local Plan (July 2013).

Construction Management / Logistics Plan

- 13) The development hereby permitted shall not commence (excluding Ground and Enabling Works) until a Construction Management Plan and a Construction Logistics Plan have been submitted to and approved in writing by the Local Planning Authority. These shall include details of the proposed control measures and monitoring for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of construction vehicles, any vehicle holding areas and access arrangements, delivery locations on the site, details of a Low Emission Vehicle Strategy, 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 Construction Management Plan and Construction 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, policies CC1, CC4 and T1 of the Hammersmith and Fulham 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 (July 2013) and SPD Amenity Policy 26 of the Planning Guidance Supplementary Planning Document (July 2013).

Hoardings

- 14) No development shall commence until a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Local Planning Authority, and the temporary fencing and/or enclosure has been erected in accordance with the approved details. The temporary fencing and/or enclosure shall thereafter be retained for the duration of the demolition and building works in accordance with the approved details. 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 and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Contamination Condition 1 - Preliminary Risk Assessment Report

- 15) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and

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

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

Contamination Condition 2 - Site Investigation Scheme

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

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

Contamination Condition 3 - Quantitative Risk Assessment Report

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

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

Contamination Condition 4 - Remediation Method Statement

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

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

Contamination Condition 5 - Verification Report

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

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

and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

Contamination Condition 6 - Onward Long-Term Monitoring Methodology Report

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

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

Archaeology

- 21) Prior to the commencement of each development phase hereby permitted, a Written Scheme of Investigation (WSI) related to that phase shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out only in accordance with the agreed WSI which shall include the statement of significance and research objectives, and include:
- (i) A programme and methodology of site investigation and recording to be carried out and the nomination of a competent person(s) or organisation to undertake the agreed works; and
 - (ii) If heritage assets of archaeological interest are identified by the evaluation under Part (i), then before starting Advanced Works the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
 - (iii) No works to that relevant phase shall take place other than in accordance with the Written Scheme of Investigation approved under Part (ii).
 - (iv) Occupation shall not occur until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (ii), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured. A programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Heritage assets of archaeological interest may survive on the site. The local planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF, Policy 7.8 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policy DM G7 of the Development Management Local Plan (2013) and SPD Design policies 60, 61 and 62 of the Planning Guidance Supplementary Planning Document (2013).

Piling Method Statement (Thames Water)

- 22) No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policies 5.14 and 5.15 of the London Plan, policy CC2 of the Hammersmith and Fulham Core Strategy (2011) and policy DM H4 of the Development Management Local Plan (July 2013). The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

- 23) Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand. Thames Water recommend the following informative be attached to this 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.

Flood Risk Assessment

- 24) The Flood Risk Assessment shall be implemented in accordance with the approved details, and thereafter all approved measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

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

DRAINAGE

Sustainable Drainage Strategy (SuDS)

- 25) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) a revised Sustainable Drainage Strategy (SuDS), which details how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures, shall be submitted to and approved in writing by the Local Planning Authority. Information shall include details on the design, location and attenuation capabilities of the proposed sustainable drainage measures such as permeable surfaces, including green roofs. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, with the aim of achieving greenfield rates for final discharges. Where feasible, rainwater harvesting should also be integrated to collect rainwater for re-use in the site. The Strategy shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

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; Policy CC2 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM H3 of the Development Management Local Plan (2013).

Revised Drainage Strategy (Thames Water)

- 26) Prior to the commencement of each development phase hereby permitted a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved in writing by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Condition required by Thames Water, to ensure that sufficient drainage capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policy 5.13 of the London Plan (2016).

Rainwater Harvesting

- 27) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of rainwater harvesting and grey water recycling systems shall be submitted to and approved in writing by the local planning authority.

To improve sustainability and reduce flood risk by reducing potable water demands and water run-off rates in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan, Policy CC1 and CC2 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM H3 of the Development Management Local Plan (July 2013). These details are required prior to construction work commencing in

order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

Green Roofs

- 28) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works), details of all green roofs, including the identification of further opportunities for green roofs, including details of types of green roofs and a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be occupied until the scheme has been carried out in accordance with the approved details, and shall thereafter be permanently retained in this form.

To ensure the provision of green 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 and Policy DM E4 of the Hammersmith and Fulham Development Management Local Plan (2013).

Sustainability

- 29) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) revised BREEAM assessments shall be submitted to and approved in writing by the Local Planning Authority to confirm the sustainable design and construction measures to be integrated and the associated BREEAM ratings for the offices and retail spaces with the aim of achieving the outstanding and excellent ratings where possible.

Within 6 months of occupation of any use or occupation of each development phase hereby permitted, a BREEAM (2014) certificate confirming that sustainability performance (outstanding and excellent ratings) had been achieved as proposed shall be submitted to and approved in writing by the Local Planning Authority.

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 and Policy CC1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H1 and DM H2 of the Development Management Local Plan (July 2013) and SPD Sustainability Policy 25 and 26 of the Planning Guidance Supplementary Planning Document (July 2013).

Updated Energy Strategy

- 30) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) a revised Energy Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The revised strategy shall include details of energy efficiency and low/zero carbon technologies and confirm that CO₂ emissions will be reduced in line with the London Plan 35% reduction target. No part of the development shall be used or occupied until it has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan, Policy CC1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM H1 of the Development Management Local Plan (July 2013) and SPD Sustainability Policies 29, 30 and 31 of the Planning Guidance Supplementary Planning Document (July 2013).

AIR QUALITY

Mechanical Ventilation - Air Quality

- 31) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) 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 and air extract locations at roof level and the design details and locations of windows on all floors for Class B1 use in the Gateway East Building to demonstrate that they avoid areas of NO2 or PM exceedance e.g. Wood Lane (A219). 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 (2015) and Policy DM H8 of the Development Management Local Plan (2013).

Air Quality Dust Management Plan - Air Quality

- 32) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) an Air Quality Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Council. The AQDMP must be site specific and include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive 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 AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) of the Major's SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road and off-road construction traffic, Ultra Low Emission Vehicle Strategy (ULEVS) e.g. use of Ultra Low Emission Vehicles such as Electric, Hybrid (Electric-Petrol); Non-Road Mobile Machinery (NRMM). Details of all the NRMM that will be used on the development site will be required and the NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM must be registered on the NRMM

register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM10 should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

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

Low Emissions Strategy - Air Quality

- 33) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) 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 and off-site transport during Demolition, Construction and Operational phases e.g. use of Ultra Low Emission Vehicles such as Electric, Hybrid (Electric-Petrol), 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) 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. 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 (2015), Core Strategy 2011 Policy CC4 and Policy DM H8 of the Development Management Local Plan (2013).

CHP & Gas Boiler Compliance with Emission Standards - Air Quality

- 34) Prior to the operation of the CHP units and the Ultra-Low NO_x Gas fired boilers for each development phase, 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 40mg/Nm⁻³ (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 NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. 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 (2015), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

Emergency Diesel Generator Emissions Standards - Air Quality

- 35) Prior to the operation within each development phase hereby approved the diesel generator units' details for that phase that demonstrate all the diesel fuelled generators and their abatement technologies installed comply with a minimum NOx emissions standard of 150mg/Nm³ (at 5% O₂) must be submitted and approved in writing by the Local Planning Authority. During the operation of the generators there must be no persistent visible emission. Where any combustion plant does not meet the relevant standard it should not be operated without the fitting of suitable NOx abatement equipment or technology. Evidence of installation shall be required where secondary abatement is required to meet the NOx Emission standard 190mg/Nm³. The submitted details must include the results of NOx emissions testing of the diesel fuelled generator units by an accredited laboratory and where secondary abatement is used to meet that NOx emissions standard of 190mg/Nm³ it is met within 5 minutes of the generator commencing operation. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year. To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2015), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

NOISE

External Sound Levels

- 36) Prior to commencement 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.

Odour Abatement Equipment

- 37) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details shall be submitted to and approved in writing by the Local Planning Authority 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. No part of the building shall be used or occupied until the implementation of the approved details, which shall thereafter be permanently retained in this form.

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 DM H11 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

Anti- vibration mounts

- 38) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works), 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.

Cleaning Schedule

- 39) Prior to the use or occupation of the retail units in the relevant phase of development details of a suitable cleaning schedule and/or maintenance contract for the extract system and any odour control system have been submitted to and approved in writing by the Local Planning Authority. All cleaning and/or maintenance shall be carried out in accordance with the approved details.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by smell, steam and other effluent, in accordance with Policy DM H11 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

No music / Amplified sound

- 40) No music nor amplified sound (including voices) emitted from the development (including roof terraces) hereby permitted shall be at a volume that would have a detrimental impact on the amenity of any residential/noise sensitive premises.

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 Hammersmith and Fulham Development Management Local Plan (July 2013).

Outside seating

- 41) The use of grade level open seating area(s) hereby approved shall not commence until details of all furniture, including tables and chairs and method of delineating the extent of the seating area in each case, have been submitted to and approved in writing by the Local Planning Authority. The open seating area(s) shall be arranged and managed only in accordance with the approved details.

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

Terraces

- 42) The terraces hereby permitted shall not be used or accessed between the hours of 22:00 on one day and 08:00 on the following day and not at any time on Sundays or Bank Holidays, other than in the case of emergency.

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 Hammersmith and Fulham Development Management Local Plan (July 2013).

HIGHWAYS

Blue Badge Parking

- 43) Prior to the first occupation of each development phase hereby permitted a minimum of 7 blue badge parking spaces (GWE Phase provides 3, GWC Phase 3 and GWW Phase 1) of the total number of 54 parking spaces shall be provided in accordance with the approved details. These accessible parking spaces shall be permanently retained for the life of the development for use by disabled staff and visitors.

To ensure the satisfactory provision and retention of disabled car parking facilities, in accordance with policy 6.13 and 7.2 of the London Plan and policies DM J2 and DM J4 of the Hammersmith and Fulham Development Management Local Plan (July 2013) and SPD Transport Policy 10 of the Planning Guidance Supplementary Planning Document (July 2013).

A1-A3 Operating Hours

- 44) No customers shall be on the premises in connection with the operations of the ground level retail (Class A1) or restaurant (Class A3) uses hereby approved between the hours of midnight and 0730 the following day

In order that noise and disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are sufficiently similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residential occupiers, in accordance with policies H9 and H11 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

- 45) Electric vehicle charging point
Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of the installation of electric vehicle charging points within the car parking area, including location and type, shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points should comprise at least 11 of the total number of 54 car parking spaces and shall be active electric vehicle charging points; the remaining number of the total number of car parking spaces provided on site shall be passive. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the development. The use of the electric vehicle charging points will be regularly monitored via the Travel Plan and if required the further 20% passive provision will be made available.

To encourage sustainable travel in accordance with policies 5.8, 6.13 and 7.2 of the London Plan, policies CC1 and T1 of the Hammersmith and Fulham Core Strategy (2011), policy DM J2 of the Development Management Local Plan (July 2013) and SPD Transport Policies 3 and 5 of the Planning Guidance Supplementary Planning Document (July 2013).

Cycle Parking

- 46) No part of the relevant phase of development hereby approved shall be occupied or used prior to the provision of the cycle storage arrangements, as indicated on the approved drawings and set out within the submitted Transport Assessment, to serve the development have been fully provided and made available to visitors and staff and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy 6.9, 6.13 and Table 6.3 of the London Plan, policy T1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM J5 of the Development Management Local Plan (July 2013).

Vehicular parking

- 47) The vehicular parking provided on the site must remain ancillary to the use of the building and shall be available at all times throughout the life of the building for the sole use of the occupiers thereof and their visitors.

To ensure an appropriate level of car parking is achieved for the development and that management arrangements are in place to control its allocation and use in accordance with Policies 5.2, 5.18, 5.19, 5.21, 6.3, 7.14 and 7.15 of the London Plan, policies CC1, CC4 and T1 of the Hammersmith and Fulham Core Strategy (2011), policies DM H1, DM H2, DM H5, DM H7, DM H8, DM H9, DM H10, DM H11, DM J1 and DM J6 of the Development Management Local Plan (July 2013) and SPD Transport Policies of the Planning Guidance Supplementary Planning Document (July 2013).

Car & Cycle Parking Management Plan

- 48) No part of the relevant phase of development hereby approved shall be occupied or used until a Car & Cycle Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in accordance with the Car & Cycle Parking Management Plan as approved and shall thereafter be permanently retained in this form.

To ensure an appropriate level, mix and location of car and cycle parking is achieved for the development and that management arrangements are in place to control its allocation and use in accordance with Policies 5.2, 5.18, 5.19, 5.21, 6.3, 7.14 and 7.15 of the London Plan, policies CC1, CC4 and T1 of the Hammersmith and Fulham Core Strategy (2011), policies DM H1, DM H2, DM H5, DM H7, DM H8, DM H9, DM H10, DM H11, DM J1 and DM J6 of the Development Management Local Plan (July 2013) and SPD Transport Policies of the Planning Guidance Supplementary Planning Document (July 2013).

Delivery and Servicing Management Plan

- 49) No part of the relevant phase of development hereby approved shall be occupied until a Delivery and Servicing Management Plan is submitted to and approved in writing by the Local Planning Authority. Details shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, operations of the loading bay as identified on the approved drawings, 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 be permanently retained in this form.

To ensure that servicing and deliveries are carried out without any significant impact on the flow of traffic and the local highway network and to prevent harm to the amenities of surrounding occupiers by reason of noise and disturbance, in accordance with policy 6.11 of the London Plan and policies DM J1, DM H9 and DM H11 of the Hammersmith and Fulham Development Management Local Plan (July 2013), and SPD Transport Policy 34 of the Planning Guidance Supplementary Planning Document (July 2013).

Waste Management Strategy

- 50) No part of the relevant phase of development hereby approved shall be used or occupied until a Waste Management Strategy has been submitted and approved in writing by the Local Planning Authority. Details shall include how recycling will

be maximised and be incorporated into the facilities of the development. All approved storage arrangements shall be provided in accordance with the approved details and shall be permanently retained thereafter in accordance with the approved details and shall thereafter be permanently retained in this form.

In order to protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with policy 5.3 of the London Plan and policy DM H5 of Hammersmith and Fulham Development Management Local Plan (July 2013) and SPD Sustainability Policy 3 of the Planning Guidance Supplementary Planning Document (July 2013).

Refuse

- 51) No part of the relevant phase of development shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawings and shall include provision for the storage of recyclable materials. All the refuse/recycling generated by the development hereby approved shall be stored within the approved areas and shall be permanently retained thereafter in accordance with the approved details.

To ensure the satisfactory provision of refuse storage and recycling and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with policy 5.17 and 6.11 of the London Plan, Policy CC3 of the Core Strategy (2011), policy DM H5 of the Hammersmith and Fulham Development Management Local Plan (July 2013) and SPD Sustainability Policy 3 of the Planning Guidance Supplementary Planning Document (July 2013).

External Doors

- 52) All external entrance doors facing the public highway in the office use hereby approved shall be designed and installed so that they do not encroach onto the public highway, and shall thereafter be permanently 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 (July 2013).

DESIGN

- 53) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) the following details shall be submitted to and approved in writing by the Local Planning Authority:
- (a) Large scale (1:10/1:20) details of the proposed new facade(s) including typical details of the fenestration elevations including cladding systems, glazing, retail frontages, entrances, soffits, balustrades, hand rails, canopies and junctions between building elements. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.
 - (b) Particulars and samples (where appropriate) of the materials to be used on all external faces of the buildings including external ground and upper level surfaces such as roof terraces. A façade mock-up panel of a typical section of the proposed cladding system (scale 1:1) shall be erected on site and inspected by Local Planning Authority officers.

(c) Details of the appearance of the loading bay and service entrance including loading bay doors and cycle entrance doors.

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan (2016), Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Design Policy 44 of the Planning Guidance Supplementary Planning Document (July 2013).

1:20 Details

- 54) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of each of the approved buildings shall be submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed cladding, fenestration (including framing and glazing details), balustrades (including roof terraces), shop front and entrances and roof top plant and plant screening. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

A1/A3 1:20 Details

- 55) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) detailed drawings in plan, section and elevation at a scale of no less than 1:20 of the frontages for the Class A1/Class A3 units, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

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

Townscape and Visual Impact Assessment (TVIA)

- 56) Prior to the commencement of the Gateway Central Phase (GWC) hereby permitted (excluding Ground and Enabling Works) a revised Townscape and Visual Impact Assessment (TVIA) shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall assess Views 04, 09, 10, 12 and 13 as illustrated in the Environmental Statement Volume II (Townscape and Visual Impact and Built Heritage Assessment).

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan (2016), Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Design Policy 44 of the Planning Guidance Supplementary Planning Document (July 2013).

Townscape and Visual Impact Assessment (TVIA)

- 57) Prior to the commencement of the Gateway West Phase (GWC) hereby permitted (excluding Ground and Enabling Works) a revised Townscape and Visual Impact Assessment (TVIA) shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall assess Views 09, 11 and 12 as illustrated in the Environmental Statement Volume II (Townscape and Visual Impact and Built Heritage Assessment) submitted.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan (2016), Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Design Policy 44 of the Planning Guidance Supplementary Planning Document (July 2013).

- 58) Details of the appearance of the loading bay and service entrance including loading bay doors and cycle entrance doors. The loading bay and cycle entrance doors shall have visually high quality, aesthetic design that is well integrated into the street level elevations of the buildings

Obscured Glass

- 59) The window glass at ground level in the development, including the shop fronts, shall not be mirrored, painted or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy 7.6 of The London Plan, policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Solar glare

- 60) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) an updated solar glare study shall be submitted to and approved in writing by the Local Planning Authority. All development pursuant to this permission shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy 7.6 of The London Plan, policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

No roller shutters

- 61) No roller shutters shall be installed on any shopfront, commercial entrance or display facade hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policy DM G4 and DM C1 of the Development Management Local Plan (2013) and Planning Guidance Supplementary Planning Document (July 2013).

No advertisements

- 62) No advertisements shall be displayed on or within any elevation of the buildings, forecourt or public spaces of the development hereby approved without details of the advertisements having first been submitted to and approved in writing by the Local Planning Authority.

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 Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G8 of the Development Management Local Plan (July 2013).

Signage Strategy

- 63) Prior to the occupation of the retail units within the relevant phase of development a Signage Strategy for the retail units within that phase shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details.

To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with Policies BE1 and CC4 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G8 of the Development Management Local Plan (July 2013).

Urban Greening Strategy

- 64) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) an Urban Greening Strategy to include horizontal and vertical faces of the buildings and all open spaces in between shall be submitted to and approved in writing by the Local Planning Authority. The details shall include green walls and not be limited to tree planting, green roofs and soft landscaping. The works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To improve biodiversity and contribute to the adaptation to, and reduction of, the effects of climate change in accordance with Policy 5.10 of the London Plan. These details are required prior to construction work commencing in order that

any changes to satisfy this condition are incorporated into the development design process to contribute to urban greening before the design is too advanced to make changes.

GWE Top Floors (1:20 Details)

- 65) Notwithstanding the details shown on the approved drawings, the development shall not commence (excluding Ground and Enabling works) until detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of the top floors of each element of the GWE building have been submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed cladding and fenestration to ensure appropriate outward views and plant screening. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

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

Roof enclosures

- 66) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of any enclosure(s) to be fitted to roof mounted equipment shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied until any enclosure(s) have been constructed in accordance with the approved details, and the enclosure(s) shall thereafter be permanently retained in this form.

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

No plant, water tanks

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

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

No Aerials

- 68) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of any aerials and satellite dishes shall be submitted and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no additional aerials,

antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with in accordance with policies 7.6 and 7.8 of the London Plan, policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Window Cleaning Equipment

- 69) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of the proposed window cleaning equipment shall be submitted and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. No part of the development shall be used or occupied until the equipment has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

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

Window cleaning gantries

- 70) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of enclosures to garage window cleaning gantries, cradles and other similar equipment shall be submitted to and approved in writing by the Local Planning Authority. At all times when not being used for cleaning or maintenance the window cleaning gantries, cradles and other similar equipment shall be garaged within the enclosure(s) shown on the approved drawings.

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

Changes to the external appearance of the new buildings

- 71) 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.

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 Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and G7 of the Development Management Local Plan (July 2013).

Secure by Design

- 72) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) a statement of how 'Secure by Design' requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to: site wide public realm CCTV and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, basement security measures and means to secure the site throughout construction in accordance with BS8300:2009. No part of the development shall be used or occupied until these measures have been implemented in accordance with the approved details, and the measures shall thereafter be permanently retained in this form.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy 7.3 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (July 2013).

Lighting

- 73) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of any proposed external artificial lighting, including security lights shall be submitted to and approved in writing by the Local Planning Authority and no occupation of the relevant phase of development shall take place until the lighting has been installed for that phase 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 (or relevant guidance) to ensure that any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. No part of the development shall be used or occupied until any external lighting provided has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the amenity of occupiers of the development site / surrounding premises and natural habitat is not adversely affected by lighting, and to ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 5.11, 7.1, 7.3, 7.6 and 7.13 of the London Plan (2016), Policies BE1 and CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM E1, DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Design Policy 44 of the Planning Guidance Supplementary Planning Document (July 2013).

Lights off

- 74) Prior to the occupation of each development phase hereby permitted, a scheme for the control and operation of the proposed lighting within the office buildings,

during periods of limited or non-occupation, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented prior to the occupation of the relevant phase and operated only in accordance with the approved details.

In order to ensure that the building does not cause excessive light pollution and in order to conserve energy when they are not occupied, in accordance with policy DM H10 of the Hammersmith and Fulham Development Management Local Plan (July 2013) and SPD Sustainability Policy 25 of the Planning Guidance Supplementary Planning Document (July 2013).

Wind Mitigation

- 75) The development shall not commence (excluding works of site clearance), until details of the proposed wind mitigation measures to the roof terrace areas indicated on the approved drawings and identified in the submitted Wind Engineering Assessment (January 2017) have been submitted to and approved in writing by the Local Planning Authority. No part of the relevant part of the development shall be used or occupied until these mitigation measures have been installed in full accordance with the approved details. With exception to those shown on approved drawings, no part of the remainder of the flat roof areas provided by the development hereby permitted 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 and the mitigation measures approved 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 BE1 of the Hammersmith and Fulham, Policy DM H9, DM A9 and DM G1 of the Development Management Local Plan (July 2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (July 2013).

LANDSCAPING

Soft and Hard Landscaping

- 76) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) details of the proposed soft and hard landscaping of all areas external to the buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, including pedestrian surfaces, materials, kerb details, external steps and seating that ensure a safe and convenient environment for blind and partially sighted people. The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in accordance with the Equality Act 2010, Policies 3.1, 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) Policies DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Sustainability policies 14-24 of the Planning Guidance Supplementary Planning Document (July 2013).

Replacement Trees, shrubs etc

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

To ensure a satisfactory external appearance in terms of the provision of tree and shrub planting, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), policies DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Sustainability policies 14-24 of the Planning Guidance Supplementary Planning Document (July 2013).

Landscape Management Plan

- 78) Prior to the commencement of the landscaping works associated with the relevant phase of the development hereby approved a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all of the landscaped areas. This shall include details of management responsibilities and maintenance schedules for all landscape areas. The landscape management plan shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the development provides an attractive natural and visual environment in accordance with Policies 7.1 and 7.6 of the London Plan, Policies BE1 and OS1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Sustainability policies 14-24 of the Planning Guidance Supplementary Planning Document (July 2013).

Protection of Existing Trees

- 79) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) all the trees in the proximity of the development that are to be retained, have been protected from damage in accordance with BS5837:2012 during both the demolition and construction works.

To ensure that trees on site are retained and to prevent harm during the course of construction, in accordance with policy BE1 of the Hammersmith and Fulham

Core Strategy (2011) and policy DM E4 of the Development Management Local Plan (July 2013).

ACCESS

Access Management Plan

- 80) Prior to the occupation of each development phase hereby permitted an Inclusive Access Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in accordance with the Inclusive Access Management Plan as approved and thereafter be permanently retained in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy 7.2 of the London Plan and policy DM B2 of the Hammersmith and Fulham Development Management Local Plan (July 2013) and the Planning Guidance Supplementary Planning Document (July 2013).

Level Threshold

- 81) The ground floor entrance doors to the buildings and integral lift/stair cores 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 level access.

In order to ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (July 2013) and SPD Design Policy 1, 2 and 25 of the Planning Guidance Supplementary Planning Document (July 2013).

Pass doors - mobility disabilities

- 82) The pass doors shown adjacent to or near to the main entrances to the building on the drawings hereby approved shall remain unlocked and available for use at all times when the adjacent revolving doors are unlocked.

In order to ensure that people with mobility disabilities are not discriminated against, in accordance with Policy 3.1 and 7.2 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (July 2013).

Lifts

- 83) No part of the relevant phase of development hereby approved shall be used or occupied until details of fire rated lifts in each of the buildings, including details of the loading lifts to the basement levels is submitted and approved in writing by the Local Planning Authority. All the lifts shall have enhanced lift repair services to ensure no wheelchair occupiers are trapped if a lift breaks down. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policies 3.8 and 7.2 of the London Plan, policy BE1 of the Hammersmith and Fulham Core Strategy (2011), policies DM A4, DM A9, DM G1, DM J2 and DM J4 of Development Management Local Plan (July 2013) and SPD Design Policies 1, 2, 3, 4, 6, 7, 8, 9 and 10, SPD Transport Policies 9, 10, 22, 23 and 31 of the Planning Guidance Supplementary Planning Document (July 2013).

Finished floor levels

- 84) Prior to the commencement of each development phase hereby permitted (excluding Ground and Enabling Works) a site survey and survey of highway and other land at the perimeter of the site shall be carried out and details must be submitted to and approved in writing by the Local Planning Authority indicating the proposed finished floor levels at basement and ground floor levels in relation to the existing Ordnance Datum levels of the adjoining streets and open spaces. The development shall be carried out in accordance with the approved survey unless otherwise agreed in writing by the local planning authority.

To ensure continuity between the level of existing streets and the finished floor levels in the proposed building and to ensure a satisfactory treatment at ground level, in accordance with Policy 3.1 and 7.2 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (July 2013) and SPD Design Policy 1, 2 and 25 of the Planning Guidance Supplementary Planning Document (July 2013). These details are required prior to commencement in order that a record is made of the conditions prior to changes caused by the development and that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.

Existing water supply

- 85) Development should not be commenced until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand. Policy DM2.1 of the Local Plan.

Airwaves Interference Study

- 86) The development shall not commence (save for demolition and site clearance) until the following details have been submitted to and approved in writing by the Local Planning Authority:
- (i) The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and
 - (ii) The implementation of a Scheme of Mitigation Works for the purpose of ensuring nil detriment during the [Demolition Works and Construction Works] identified by the Base-Line Study. Such a Scheme of Mitigation Works shall be first submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

To ensure that the existing airwaves reception is not adversely affected by the proposed development, in accordance with Policy 7.13 of the London Plan (2016), Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G2 of the Development Management Local Plan (2013).

TV Interference

- 87) The development hereby permitted shall not commence until details of the methods proposed to identify any television interference caused by the proposed works on each Stage, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the measures proposed to ensure that television interference which might be identified, is remediated in a satisfactory manner. The approved remediation measures shall be implemented for each Stage immediately that any television interference is identified.
- 88) To ensure that the existing TV reception is not adversely affected by the proposed development, in accordance with Policies 7.7 and 7.13 of the London Plan (2016), Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G2 of the Development Management Local Plan (2013).

That the applicant be informed as follows:

- 1) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Waters Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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.

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.

- 2) The applicant should contact the Environmental Quality team via e-mail to Environmental.Quality@lbhf.gov.uk or by phone on 0208 753 1081 as soon as possible to discuss the steps necessary to fulfil the contaminated land conditions.
- 3) Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.
- 4) At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
- 5) Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Supplementary Planning Guidance issued by the GLA 2014 for The Control of Dust and Emissions from Construction and Demolition.
- 6) No waste materials should be burnt on site of the development hereby approved.
- 7) Best Practicable Means (BPM) should be used, including low vibration methods and silenced equipment and machinery, in accordance with the Approved Codes of Practice of BS5228:2009 for noise and vibration control on construction and open sites.

Justification for Approving the Application:

- 1) Land Use: The principle of a comprehensive office led mixed use redevelopment of the site including retail and restaurant is considered to be acceptable and in accordance with national, strategic and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations. The proposed development would contribute to the regeneration of the area by providing areas of new public realm, improving linkages, movement through and connections within the area.

The proposed development would contain appropriate land uses that are compatible with the White City Opportunity Area which is well served and accessible by public transport. The proposed development is therefore considered acceptable, on balance, and in accordance with policies 2.13, 2.15, 3.3, 3.4 of the London Plan (2015) and Strategic Policies WCOA, WCOA1, A, B, C and H1 of the Core Strategy (2011) and White City Opportunity Area Planning Framework (2013).

- 2) Design and Conservation: Development of this site provides an opportunity for significant enhancement and regeneration of the area. The proposal for taller buildings complies with Core Strategy Policy BE1 in that it respects the existing townscape context, demonstrates tangible urban design benefits and is consistent with the Council's wider regeneration objectives, and in doing so is sensitive to the setting of heritage assets. The development would connect the site with the surrounding townscape and provide a new network of high quality spaces and public realm. The proposed built form has a massing which responds to the proposed spaces and surrounding townscape at its edges.

The elevations of the detailed element have an architectural character which provides interest across the frontages. The relationship between the built form and public realm would assist in the creation of a sense of place. While less than substantial harm has been identified to The Wood Lane Conservation Area, this is acceptable and outweighed by the public benefits that the scheme delivers as identified. It is considered that this is compliant with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF, Hammersmith and Fulham Core Strategy (2011) Policies BE1 and HTC, Hammersmith and Fulham Development Management Local Plan (2013) Policies DM G1, DM G2 and DM G7, Draft Policies DC1, DC2 and DC3, and London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6 and 7.8.

- 3) Transport: There would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions would secure satisfactory provision of cycle and refuse storage, a construction logistics and management Plan while a Travel Plan is secured by legal agreement. Satisfactory provision would be made for blue badge car parking and cycle parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is very good, and is well served by public transport. External impacts of the development would be controlled by conditions and section 106 provisions. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development therefore accords with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan, Policy T1 and CC3 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM J1, DM J2, DM J4 and DM J5 of the Hammersmith and Fulham Development Management Local Plan (July 2013).
- 4) Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant impact of noise/disturbance and overlooking, no unacceptable 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 proposed development therefore accords with London Plan Policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7 and 7.14, Policies H3 and CC4 of the Hammersmith and Fulham Core Strategy (2011), and Policies DM G1, DM A3, DM A4, DM A9, DM H9, DM H10, DM H11 and DM E2 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

- 5) **Safety and Access:** A condition would ensure the development would provide a safe and secure environment for all users in accordance with London Plan Policy 7.3 and Policy DM G1 of the Development Management Local Plan (2013). The development would provide level access, a lift to all levels, suitable circulation space and dedicated parking spaces for wheelchair users. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people and an Inclusive Accessibility Management Plan is provided for approval. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policy 7.2 of the London Plan, Policies DM A4 and DM G1 of the Hammersmith and Fulham Development Management Local Plan (July 2013) and SPD Design Policies 1, 2 and 8 of the Planning Guidance Supplementary Planning Document (July 2013).
- 6) **Sustainability and Energy:** The proposed development has been designed to meet the highest standards of sustainable design and construction. The application proposes a number of measures to reduce CO2 emissions to exceed London Plan targets, a revised Energy Strategy is secured by condition to ensure the highest levels of savings. The proposal would achieve a 'excellent' BREEAM rating and delivering this is secured by condition. The proposal would incorporate green roofs and a revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The proposed development therefore accords 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, Policies CC1, CC2, H3, and FRA 1 of the Hammersmith and Fulham Core Strategy (2011), and Policies DM E4, DM H1, DM H2, DM H8 of the Hammersmith and Fulham Development Management Local Plan (July 2013).
- 7) **Flood Risk:** Flood Risk: The site is located in Flood Zone 1 (low risk). A Flood Risk Assessment (FRA) has been submitted which advises standard construction practices in order to ensure the risk of flooding at the site remains low, however further assessment is required that is considered acceptable to be submitted and approved by condition. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 5.11, 5.13, 5.14 of the London Plan, Policies CC1 and CC2 of the Core Strategy (2011) and Policy DM H3 of the Hammersmith and Fulham Development Management Local Plan (July 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, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM H7 and H11 of the of the Hammersmith and Fulham Development Management Local Plan (July 2013).
- 9) **Archaeology:** A condition will secure the implementation of a programme of archaeological work by way of a watching brief throughout relevant construction times. The proposed development therefore accords with Policy 7.8 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G7 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

- 10) Microclimate: The development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings. A condition is secured to provide additional mitigation measures to the roof top terrace area. The proposal is considered to comply with Policies 5.3, 7.6 and 7.7 of the London Plan and Policy DM G2 of the Hammersmith and Fulham Development Management Local Plan (2013).
- 11) Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. Contributions relating to the provision of economic development initiatives, including local training and employment opportunities and procurement are secured. The proposed development would therefore mitigate external impacts and would accord with Policy 8.2 of the London Plan and Policy CF1 of the Hammersmith and Fulham Core Strategy (2011).

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

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

Application form received: 4th October 2016
Drawing Nos: see above

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

Consultation Comments:

Comments from:

Transport For London - Land Use Planning Team
Thames Water - Development Control
Historic England London Region
Department For Communities And Local Government
Department For Communities And Local Government
Natural England

Dated:

30.11.16
17.11.16
01.11.16
06.12.16
06.12.16
07.11.16

Neighbour Comments:

Letters from:

Dated:

NAG	12.12.16
16 Gravesend Road London W12 0SZ	31.12.16
Transport And Technical Services Town Hall Extension	18.10.17

OFFICER REPORT

1.0 SITE AND SURROUNDINGS

- 1.1 The Application Site (the site) is land known as the Gateway Site (1.28 Ha) located within the southern part of White City Place (WCP), formerly known as BBC Media Village. WCP is undergoing a programme of development to improve this part of the White City Opportunity Area, within which the application site is located. The Gateway scheme presents the next stage in the regeneration of the former BBC Media Village to become the new WCP.
- 1.2 The site comprises two parcels of land consisting of a disused car park and a temporary undesignated landscaped area. The car park is located to the south of Mediaworks (previously known as Media Centre) and the landscaped open area lies south of Westworks (previously known as White City One) building.
- 1.3 White City Place is bounded to the north by Westway, to the east by Wood Lane, to the south by South Africa Road and to the west by Dorando Close. The White City Estate lies to the west and the Wood Lane estate to the south. The Woodlands and Imperial College developments lie to the north of the Westway and the Imperial College/former Dairy Crest development site lies to the east of Wood Lane.
- 1.4 The site interfaces with the Broadcasting Centre, which is retained by the BBC, Media Centre (Mediaworks) and White City One (Westworks), which are currently undergoing refurbishment from the developer consortium led by Stanhope. here are two pedestrian access points on Dorando Close and one pedestrian access point on Wood Lane.
- 1.5 Hammersmith Park lies 310m south-west of the Site. Loftus Road, Queens Park Rangers Football Club ground (18,439 seat capacity) is located approximately 410m south-west of the Site. A number of schools and places of worship can be found within close proximity of the Site and St. Hammersmith Hospital is situated approximately 680m to the north-west of the Site across the A40.

Designations

- 1.6 The site is located within the White City Opportunity Area (WCOA) as designated in the Core Strategy (2011). The site is located in Flood Zone 1 and lies adjacent to the Wood Lane Conservation Area. There are no listed buildings or buildings of merit on the site.

Transport

- 1.7 Vehicular access to the site is currently provided via two established entrances, one on Wood Lane and another on Dorando Close which previously served BBC Media Village. These entrances currently provide vehicular access to White City Place for service and emergency vehicles.
- 1.8 The site has very strong transport links and enjoys a Public Transport Accessibility Level (PTAL) of between 4 to 5 (Good to Very Good). The site is within a five-minute walk to White City Underground Station and Wood Lane Underground Station. White City Station and Wood Lane Station serves the Central Line and the Hammersmith and City and Circle Lines respectively. There are also several bus routes which serve Wood Lane, while Shepherds Bush Overground Station, although a bit further afield, provides additional public transport options.

2.0 PLANNING HISTORY

- 2.1 White City Place has extensive historic planning records relating to the former BBC Media Village development. The following is relevant planning history in relation to the applicant's refurbishment of the existing White City Place buildings:
- 2.2 June 2016 (2016/00420/FUL): Planning Permission granted for the change of use of White City One (Westworks) to Business, Restaurants, Cafes and Shops.
- 2.3 June 2016 (2015/05922/FUL): Planning Permission granted to extend White City One (Westworks) and allow change of use of parts of the ground floor to provide flexible A1/A3/D2 floorspace plus Use Class B1 (Business) floorspace and a kiosk at first floor podium level within the internal courtyard.
- 2.4 September 2016 (2016/01591/FUL): Planning Permission granted for the installation of new public realm works to parts of White City Place, comprising hard and soft landscaping works, provision of street furniture, signage, street lighting, removal of existing trees and new tree planting.
- 2.5 February 2017 (2016/05320/FUL): Planning Permission granted for the change of use from Use Class B1 (Business) to hybrid educational/office uses, comprising teaching and studio space, fabrication workshops, offices, computer labs and associated works (sui generis).
- 2.6 Planning history relevant to the site are as follows:
- 2.7 August 2016 (2016/02524/SCOEIA): EIA Scoping Opinion issued for a proposed Office-led mixed use development with associated landscaping.
- 2.8 February 2017 (2016/05465/FUL): Planning Permission granted for the relocation of car park boundary hoarding and provision of new temporary landscaping works to the eastern side of the existing car park.

3.0 CURRENT APPLICATION

3.1 Planning Permission is sought for the removal of the disused car park and temporary public open space to erect three buildings to provide the following;

- Up to 106,585m² of Office space (Class B1);
- Up to 2,745m² of restaurant/cafe space (Class A3);
- 962sqm (GIA) Retail (Class A1);
- Up to 1,094 cycle parking spaces;
- 54 car parking spaces (7 Blue-badge spaces) and,
- A total of 3,627m² of open space.

3.2 This proposal will deliver three buildings known as Gateway East (GWE) which forms the detailed component and Gateway Central (GWC) together with Gateway West (GWW) which forms the outline component of the application.

3.3 The Gateway scheme is the development of the southern part of the former BBC Media Village site, that is in the process to become White City Place, a new employment hub with offices aimed at creative businesses with retail uses at ground level.

3.4 The overall design objective for White City Gateway is to complete and complement the former BBC Media Village development and public realm. The design rationale is for a non-corporate appearance and expression of the development to appeal to the creative industry including small and start-up businesses. Floor plans and elevations are designed to provide flexibility and a variety of networking spaces, both internally and externally. High quality external public spaces are considered to be essential to facilitate networking and aim to provide amenity, retail offer and event opportunities as well as improved links between the White City Estate, Wood Lane and its transport hubs and to the wider White City regeneration area.

Hybrid Application

3.5 The current application has been submitted in hybrid form, whereby detailed permission is sought for some elements of the scheme and outline permission sought for the remaining elements. The applicants have advised that this approach has been taken as it enables full planning permission to be secured for the masterplan and the buildings where there is certainty in respect of the operational requirements and detailed design, but leaving detailed appearance to be considered at the subsequent reserved matters stage for the buildings where this is not the case. Further reserved matters applications will therefore need to be submitted for the outline elements of the scheme and conditions will be attached to any permission requiring these to be submitted within a prescribed time period.

Post Submission Amendments

3.6 The following design changes have taken place throughout the planning application process. All of the changes relate only to Gateway East (GWE), no changes have been made to Gateway Central (GWC)):

Building Massing:

- The plan of the GWE north tower component has been extended eastwards by one 6m structural bay;
- One structural bay has been removed from the southern end of the GWE building and has been added to the Arrival Square, whose width at the western end has increased from 15.5m to 21.5m, measuring from the building face to the kerb on South Africa Road.

Façade design:

- The colour of the principal facing terracotta to the central tower of GWE has changed from white to green, to the same as the podium.
- The facade of the GWE south tower has been extended upwards to create a loggia screen to the roof terrace on level 11. This creates a more distinct roof line for the south tower and better differentiation from the central and north towers.
- The architectural plant screens at the top of the central and north towers of GWE have been further recessed.
- The terracotta-clad corner columns have been taken down to the ground level. The concrete lintel, which was previously continuous between the northwest and southwest corners of the building, has been broken up and subordinated to the terracotta frame.
- The white terracotta on the GWE north tower has been taken across to the entire north facade, and the tower has been grounded at both ends similar to the west facade.
- In relation to the GWE Wood Lane façade, the white terracotta banding at every other floor has been removed, and vertical checks introduced along Wood Lane which correspond to the three tower segments above and the paired columns on the ground floor. The rhythm of the fenestration has also been adjusted. The detailing of the screen has also been revised at both the base and the ends. At the base, the screen now drops down in front of the concrete lintel. At the ends, the screen now projects beyond the glazing behind.

Balconies:

- Three double-height, dual-aspect, recessed balconies have been introduced to the northwest corner of GWE up to a height that corresponds to the top of the podium.

Landscaping:

- The landscape design of Arrival Square has also been revised to include two parallel rows of trees with seating and dwell space underneath their canopies. The paving layout has also been adjusted.
- The New Garden area have been extended in width from 9.5m to 11.5m between building facades on all floors.

Submitted Documents

3.7 The applicant has submitted the following in support of the application and revised proposals:

- Application forms, CIL forms and Certificate;
- Design and Access Statement prepared by Allies and Morrison;

- Parameters Report, prepared by Allies and Morrison;
- Red line site location plan, prepared by Allies and Morrison;
- Architect's drawings, prepared by Allies and Morrison;
- Schedule of drawings, prepared by Allies and Morrison;
- Retail Impact Assessment, prepared by RPS;
- Energy and Sustainable Design Statement, prepared by Sweco;
- Transport Assessment, prepared by Vectos;
- Construction Management Plan, prepared by Lend Lease;
- Basement Structural Methodology Report, prepared by AKT;
- Statement of Community Involvement, prepared by George Cochrane;
- Environmental Statement Volume 1, prepared by various consultants;
- Environmental Statement Volume 2 (Townscape Visual Impact and Built Heritage Assessment), prepared by AVR London and Tavernor Consultancy;
- Environment Statement Volume 3 (Supporting Documents), prepared by various consultants; and
- Environment Statement Non-Technical Summary, prepared by AECOM.
- Planning Statement

4.0 PUBLICITY AND CONSULTATIONS

Residents

- 4.1 The application was advertised in the local press and on-site notices that referred to the application's potential effect on the character of the adjoining Conservation Area. In addition, 213 local addresses were sent written notice of the application. Three representations have been received from neighbours raising the following concerns;

Technical Consultations

- 4.2 Technical consultations were undertaken for both the original submission and the revised scheme. The comments received for the revised 22 storey scheme under consideration are summarised below:

Greater London Authority (GLA) Stage I

- 4.3 The application is referable to the Mayor of London under Category 1C of the Mayor of London Order 2008, 'Development which is more than 30 metres high and is outside the City of London'.
- 4.4 In addition to the comments made by TfL above, the Mayor's Stage I response made the following comments on the originally submitted proposal, no further comments were provided following the revised development.
- 4.5 Land Use: The proposed development of the site for office-led development within the White city opportunity Area is supported.
- 4.6 Design: Some concerns are raised with the design, notably the bulk and massing of 'Gateway East', in particular the relationship with White City Close / Wood Lane Conservation Area.
- 4.7 Inclusive Access: The scheme complies with London Plan policy 7.2.

4.8 Climate Change: The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan.

4.9 Transport: A delivery and service plan and construction logistics plan should be secured by condition. A Travel Plan should be secured by condition / section 106 agreement. Contributions will be sought towards mitigating the impact upon local busses, and delivery of step-free access at White City station.

It is noted that the principle of the development is supported by the GLA. Substantial design changes have taken place during the course of the application and is considered acceptable on balance with the proposed public benefits. Issues relating to climate change and transport can be dealt with via Section 106 and conditions.]

Transport for London

4.10 Car/Cycle Parking: TfL considers the level of parking to be appropriate and welcomes the commitment to providing electric vehicle charging points (20% active, 20% passive) and disabled design parking spaces. TfL welcomes the proposal for long-stay cycle parking but recommend that at least 5% of spaces are capable of storing larger, 'non-standard' cycles such as those used as mobility aids.

4.11 Modal Split, Trip Generation, Distribution: TfL contends that most people will leave and arrive at the site from Wood Lane and therefore the applicant needs to consider the capacity of current crossings and junctions abutting the site for these modes, and suggest improvements accordingly.

4.12 Highway Impact: There appears to be no guidance on what the developer envisages for improving the travelling environment in the busy surrounds to the site, nor what it intends to contribute towards tackling impacts of added vehicular traffic and equally, other modal trips. TfL is not satisfied that the bus routes that serve the site will be able to accommodate the demand generated by this development, which the TA estimates as well over 200 trips in the peak hour. This would fill the entire capacity of route 95. Experience strongly suggests passengers will overwhelmingly use Wood Lane bus routes, even to access Wood Lane Station, which is over 400m distant. It advises that there is insufficient spare capacity to meet demand, particularly in light of cumulative development. Thus a contribution of £475,000 (in line with what was requested from the major recent Imperial College development) is considered reasonable. This would fund a return journey and together with other contributions could fund more comprehensive capacity enhancements such as double-decking route 95.

4.13 Public Realm, Walking, Cycling: TfL is seeking details illustrating what changes and improvements the applicant envisages for the area surrounding the site. There should be more in depth treatment of improving the attractiveness and level of service of the surrounding footways and crossing points. Cycle links other than Wood Lane should have been considered because it is the network that is important – how cyclists get to and from this site from many different locations (see earlier comments on Trip distribution). South Africa Road, for example, should have been in scope.

- 4.14 Servicing and Construction: The applicant has indicated with autotracking where a lorry up to 10m in length can successfully manoeuvre within the car park and exit to access the “service access (receiving) area”, and then exit in a forward gear. A framework Delivery and Servicing Plan (DSP) has been supplied which acceptably covers TfL’s strategic objectives; a detailed plan should be secured by condition for submission and approval prior to the implementation of the development. TfL reminds the applicant to include safety measures to minimise the conflict between construction vehicles and /staff/visitors in order to ensure their safety during the construction phase.
- 4.15 Travel planning: TfL has assessed the submitted Travel Plan using the ATTrBuTE tool and regrettably it has narrowly failed. The document should be updated to include targets linking directly to each objective and ensure that targets are set for three and five years after occupation.
- 4.16 Community Infrastructure Levy: In accordance with London Plan policy 8.3, ‘Community Infrastructure Levy’, the Mayor commenced CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed developments are within the London Borough of Hammersmith and Fulham where the Mayoral charge is £50 per square metre Gross Internal Area (GIA). Further details can be found at: <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

Thames Water

- 4.17 Thames Water requests that a condition be attached to any approval seeking the submission of a drainage strategy, a piling method statement and existing water supply infrastructure

Department for Communities and Local Government

- 4.18 Reviewed the application and have stated they have no comments to make.

Historic England

- 4.19 Recommended that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. Historic England confirmed that it is not necessary for them to be consulted again on this application.

Natural England

- 4.20 Has no comments to make on this application

5.0 ENVIRONMENTAL STATEMENT

- 5.1 The application is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project’s likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision. The Local Planning Authority must take the Environmental Statement into consideration in reaching its decision as well as comments made by the consultation bodies and any representations from members of the public about environmental issues.

5.2 Representations made by anybody required by the EIA Regulations to be invited to make representations and any representations duly made by any other person about the environmental effects of the development also forms part of the environmental information before your Committee.

5.3 Following the submission of the planning application, the Applicant has undertaken detailed consultation with the Council and other consultees, and a number of revisions have been made to the scheme (resulting in the 'Proposed Development').

Consultant Review

5.4 The Council's opinion has also been informed by an expert review conducted on behalf of the Council by environmental consultants White Young Green (WYG). In order to comply with the consultation requirement pursuant to Regulation 13(4), in respect of the Applicant, a draft of the consultant's review report was sent to the Applicant for comment on 15 July 2016, and the Applicant's response confirmed that there were no subsequent comments.

5.5 Feedback from the WYG review of the July 2016 ES requested that a schedule of mitigation measures, including responsibility and implementation and effectiveness, proposed during both the enabling and construction works and once the Proposed Development is completed and occupied was prepared and included in the revised ES. The April 2017 ES (Volumes I, II and III) replaces the July 2016 ES in its entirety and the Non-Technical Summary (NTS) dated April 2017 presents a summary of the revised ES, which is submitted in support of the amended application.

5.6 WYG's revised review, dated September 2017, of the revised ES focussed on topics previously omissions identified as being either 'critical' or 'desirable' improvements to the ES main text. WYG's concluded that these issues have now been addressed to their satisfaction, however, they still consider that all effects within the Townscape assessment being beneficial is potentially questionable.

Summary and Conclusions

5.7 The majority of technical subjects covered within the ES are not anticipated to give rise to significantly adverse cumulative construction effects, as long as standard mitigation measures (such as appropriate traffic management measures and construction routing; and maintenance of site hoardings and compliance with the mitigation measures detailed within a Construction Environmental Management Plan (CEMP)) are adhered to.

5.8 The EIA has identified that, once completed and occupied the Proposed Development will have a beneficial residual effects on employment in Greater London; wind microclimate (relating to thoroughfares and entrances); the water environment and townscape. The effects of the Proposed Development once completed and occupied, with regard to daylight, solar glare, wind microclimate (amenity areas) and socio-economics (open space) are anticipated to result in adverse residual effects. However, overall, the Proposed Development will provide a landmark high quality building which will contribute significantly to the strategic regeneration of the commercial environment within White City Place and, by extension, London as a whole. The content of the ES has been summarised throughout this report.

5.9 The Environmental Statement is available on the first floor of the Town Hall Extension, King Street, London, W6 9JU along with the application, drawings, relevant policy documents and the representations received in respect of the application. Additional Copies of the Non-Technical Summary are available free of charge and copies of the full ES can be purchased from: Gerald Eve, 72 Welbeck Street, London, 1G 0AY.

6.0 PLANNING CONSIDERATIONS

Policy Framework

- 6.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 6.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).
- 6.3 In this instance the statutory development plan comprises the following the London Plan (2016), the Hammersmith and Fulham Core Strategy (2011) (the Core Strategy) and the Hammersmith & Fulham Development Management Local Plan (2013) (DMLP). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.
- 6.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.
- 6.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 6.6 The NPPF is aimed at safeguarding the environment while meeting the need for sustainable growth. It advises that the planning system should:
- a) plan for prosperity by using the planning system to build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - b) plan for people (a social role) - use the planning system to promote strong, vibrant and healthy communities, by providing an increased supply of housing to meet the needs of present and future generations; and by creating a good quality built environment, with accessible local services that reflect the community's needs and supports its health and well-being; and
 - c) plan for places (an environmental role) - use the planning system to protect and enhance our natural, built and historic environment, to use natural

resources prudently and to mitigate and adapt to climate change, including moving to a low-carbon economy. The NPPF also underlines the need for councils to work closely with communities and businesses and actively seek opportunities for sustainable growth to rebuild the economy; helping to deliver the homes, jobs, and infrastructure needed for a growing population whilst protecting the environment.

- 6.7 The NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Proposed Local Plan

- 6.8 The Council submitted, on 28 February 2017, the Proposed Submission Local Plan and supporting documents to the Secretary of State for Communities and Local Government. The Proposed Submission Local Plan was subject to examination in public between 13 and 22 June 2017. In light of the fact that an independent examination has just concluded it is considered the Proposed Submission Local Plan should be given limited weight in considering and determining this application.

ASSESSMENT

- 6.9 The main planning issues raised by the submitted development proposal that should be considered are;
- Land Use Assessment
 - Design, Townscape, Heritage and Tall Buildings
 - Townscape View and Heritage Impacts
 - Highways Implications and Parking
 - Accessibility
 - Amenity Impacts (Daylight and Sunlight; Noise and Vibration; Light Pollution; Microclimate)
 - Environmental Considerations (Sustainability and Energy; Water Resources, Drainage and Flood Risk; Ecology, Trees, Landscaping and Public Realm; Land Contamination; Air Quality; Archaeology)
 - Crime Prevention

LAND USE ASSESSMENT

- 6.10 Strategic Policy WCOA of the Core Strategy states that 'White City East (WCOA1) should be redeveloped for a mix of housing, employment and community uses, establishing a creative industries hub, primary school, major leisure facilities, and a local centre with supporting uses (e.g. local shopping, restaurants and community facilities)'. The policy further states that 'the overall

aim is to regenerate the area 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'.

- 6.11 The White City Opportunity Area also includes an expectation of the creation of some 10,000 new jobs. The Core Strategy strategic policy for the White City Opportunity Area includes the reference to the creation of around 10,000 new jobs and seeks to create an environment where people will not only want to live, but also "work, shop and spend their leisure time". The mix of uses proposed are, therefore, required in order to meet this overarching policy for White City.

Retail (A1) / Restaurant Uses (A3)

- 6.12 Some 962sqm of Class A1 and 2,745sqm of Class A3 retail uses are to be introduced to the site in the form of the ground floor units that form the base of the buildings within the landscaped public realm.
- 6.13 The Site is located in the White City Opportunity Area. The primary land use in the area is retail located at the Westfield Shopping Centre as well as established destination centres such as Shepherd's Bush Market and Shepherd's Bush Green. The site immediately north of the application site, White City Place is set to become an important commercial centre in the area. The area west of the site is predominantly residential with a mix of leisure, community and health facilities as well as some local shops.
- 6.14 The site within the White City Opportunity Area is a suitable location for retail uses and in particular the proposal would provide for small occupiers. Given the permeability to be introduced to the site and the access to Wood Lane and South Africa Road, the units would likely add to the activity of the site not just from the office workers but also by attracting footfall from the shopping frontage at Wood Lane and Westfield Shopping Centre. This activation of the space and the relatively small provision within the context of the overall quantum of uses is considered to be both beneficial to the proposed layout and the opportunity area generally. As such officers consider the scale of retail use within the site appropriate in this instance.

Offices

- 6.15 Business/Office (B1): The proposals provide capacity for the provision of up to 106, 585 sqm GEA of Class B1 use floorspace spread across GWE, GWC and GWW. Class B1 uses include business and light industrial uses. The council's Core Strategy and the draft White City Opportunity Area SPD indicate that the priority for development in this area should be to maximise the provision of jobs in a high mix of employment generating activities. The Proposed Development would generate an estimated employment capacity of 8,716 net additional jobs.
- 6.16 The relevant policies for the consideration of the office space include: NPPF, Core Strategy Policy WCOA, Strategic Site Policy WCOA1, Strategic Policy B, Policy LE1, London Plan Policy 4.2 and DM LP Policy B1. Officers note that there are established office uses within the Opportunity Area and the proposed office floorspace provision within the development would be compatible with the area.

- 6.17 In conclusion, officers do not see any merit in further impact analysis being undertaken as the proposed uses are considered to be consistent with the supported land uses that are identified in the relevant site-specific policies in the Core Strategy and policy guidance in the WCOAPF.

Affordable Workspace and Community Engagement Hub

- 6.18 A total of 10,000 sq.ft of office space will be provided at a discount rent to be delivered in one of the three proposed Gateway buildings. The applicant will provide this space to Huckletree or an equivalent workspace provider for a 10-year term.
- 6.19 The facility will be a permanent location for incubator, events and workshop programme for start-ups and SMEs based in west London. The facility will provide a minimum of 180 desks. Up to 50 memberships (at any one time) will be free of charge for a period of six months to eligible start-ups. All the remaining desks (a minimum of 130 memberships) will be offered to the local business and residential community at a discount of 25% to the market rent at Huckletree's White City MediaWorks space or equivalent.
- 6.20 Up to 50 local parents with young children will also have full access to the community breakout and events space between 09:00 and 13:00 Monday to Friday, free of charge. For all three categories, the eligibility criteria will be developed and agreed jointly between The Provider, Whitewood (Stanhope) and LBHF.
- 6.21 A commitment to an early delivery of the affordable workspace would be looked upon favourably. However, the applicant has requested a more flexible approach given uncertainties in the current market and officers therefore accept the suggested delivery on completion of 60% of the total office floorspace.

Summary - Land Use Assessment

- 6.22 It is considered that the proposed provision of office floorspace would contribute to the overall mix of uses within the site, which is consistent with the requirements of the WCOA policies and would be in accordance with the Core Strategy Policies with regard to employment generation in the area (eg Strategic Policy B seeks substantial office based development in the WCOA). The provision of affordable workspace is supported and is supported by the recently published Industrian Strategy (2017).

DESIGN, TOWNSCAPE, HERITAGE AND TALL BUILDINGS

Policy Context

- 6.23 The proposals have been assessed against London Plan (March 2015) policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.12 and the White City Opportunity Area Planning Framework; policies BE1, WCOA, WCOA1 of the Core Strategy (October 2011); and policies DM E1, DM E2, E4, DM G1, DM G2 and DM G7 of the Development Management Local Plan (July 2013). The proposals have also been assessed against the Planning Guidance SPD which contains Design Guidelines for Shopfronts and Conservation Areas and in particular against SPD

Design Policies 22, 24, 25, 30, 31, 37, 41, 45, 46, 47 and 49. Consideration has also been given to the following design and conservation based supporting documents:

- Wood Lane Conservation Area Character Profile
- Shepherds Bush Conservation Area Character Profile
- The English Heritage / CABE guidance on Tall Buildings

- 6.24 National, regional and local planning policies have been considered when assessing the design, heritage and tall buildings aspects of the development proposals.
- 6.25 **Paragraph 56 of the NPPF** states that 'great importance is attached to the design of the built environment'. **Paragraph 58** states that 'planning decisions should aim to ensure that developments will 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 as a result of good architecture and appropriate landscaping'.
- 6.26 **Paragraph 60 of the NPPF** states 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness'. Paragraph 63 adds that great weight should be given to outstanding or innovative designs which help raise the design more generally in the area.
- 6.27 **London Plan Policy 7.1** 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 7.2** requires all new development in London to achieve the highest standards of accessible and inclusive design. **London Plan Policy 7.3** seeks to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security, without being overbearing or intimidating.
- 6.28 **London Plan Policy 7.4** states that 'Buildings, streets and open spaces should provide a high quality design response that: a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, b) contributes to a positive relationship between the urban structure and natural landscape features, c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings, d) allows existing buildings and structures that make a

positive contribution to the character of a place to influence the future character of the area, and e) is informed by the surrounding historic environment.'

- 6.29 **London Plan Policy 7.5** promotes public realm and requires the provision of high quality public realm that is comprehensible at a human scale.
- 6.30 **London Plan Policy 7.6** addresses architecture and states that buildings should be of the highest architectural quality which 'is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality'
- 6.31 **Policy BE1 of the Core Strategy** states that 'Development 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. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.
- 6.32 With regard to tall buildings **Policy BE1** states that 'Development within the Borough which includes tall buildings which are significantly higher than the generally prevailing height of buildings in the surrounding area, particularly where they have a disruptive and harmful impact on the skyline, will generally be resisted, unless it is demonstrated as part of an urban design strategy that there are townscape benefits and that there is also consistency with the council's wider regeneration objectives'. The Borough considers that tall buildings may be appropriate 'In part of White City Opportunity Area to be identified in a Supplementary Planning Document (SPD), and in master planning which is consistent with the SPD'.
- 6.33 **Policy DM G1 (Design of New Build), DM G2 (Tall Buildings) and DM G7 (Heritage and Conservation) of the DMLP** have also been considered in the officers assessment of the proposals. These policies relate to new build development, which is expected to be of a high standard, and tall buildings, noting that they have the potential to impact upon heritage assets including listed buildings and conservation areas. Paragraph 4.121 of the Development Management Local Plan sets out that the policy aims to ensure that tall buildings do not harm the built heritage and townscape character, but are properly located, contribute in a positive manner to enhance a sense of place and area an integral part of the long terms spatial vision for the borough. The specific policy guidelines in the OAPF underline the general design policies within the DM Local Plan.
- 6.34 **Policy DM G2 of the DMLP 'Tall Buildings'** sets out criteria for the assessment of tall building proposals in areas that have been identified in the core strategy as appropriate for tall buildings. These include that tall buildings should have an acceptable relationship to the surrounding townscape and context, an

acceptable impact on the skyline and locally important views, and have an acceptable impact on the setting of heritage assets. Tall buildings, which are defined as those that are “significantly higher than the general prevailing height of the surrounding townscape should be of the highest architectural quality and contribute positively to the public realm.

- 6.34 **Draft Local Plan Policy DC1** requires all development within the borough including the regeneration areas to create a high quality urban environment that respects and enhances the townscape context and heritage assets. This should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places.
- 6.35 **Draft Local Plan Policy DC2** states that ‘new 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’.
- 6.36 **Draft Policy DC3** refers to tall buildings. Tall buildings, which are significantly higher than the general prevailing height of the surrounding townscape and which have a disruptive and harmful impact on the skyline, will be resisted by the Council. However tall buildings may be appropriate in Hammersmith Town Centre.
- 6.37 In terms of guidance on tall buildings, **the joint national guidance produced by Historic England and CABE** states that and in the right place tall buildings can make a positive contribution to the identity of areas and the skyline generally, and that they can be excellent works of architecture in their own right. The guidance goes on to say that they can serve as beacons of regeneration.
- 6.38 This is a significant piece of redevelopment which due to its scale will be visible from various locations in the surrounding townscape. The acceptability of the proposed tall building then needs to be judged on the impact that it would have on views from the surrounding townscape and in particular the impact on the setting of the surrounding heritage assets. A series of visual studies have been prepared in order to assess the impact. A detailed analysis of these is carried out in the Townscape Assessment.
- 6.39 **WCOAPF Design Guidance:**The WCOAPF gives the following advice on the design of the indicative White City masterplan area. The WCOAPF provides strategic objectives and general design guidance that needs to be considered when assessing applications in the Opportunity Area. It identifies 3 principle design objectives. Firstly it seeks to create new areas of public open space. Secondly, to maximise connectivity, and third, to create high quality urban design that responds to its context.

DESIGN

Overview

- 6.40 The successful integration of the site with its surroundings is key to any development on this site. The design of the Gateway Buildings would need to be

of high quality with new spaces and connections as necessary elements to any successful development. The proposal is described in further detail below.

Height and Massing

- 6.41 The Gateway scheme comprises 3 buildings arranged to continue the established open spaces and routes of the former BBC Media Village buildings and to strengthen the existing east-west connection through the site.
- 6.42 The western-most Gateway West (GWW) would have 4-5 storeys and would follow the small-scale massing and form of Garden House to the north that forms an edge to the commercial, western part of the regeneration area. It is designed to moderate between the contrasting scales and townscape characters either side.
- 6.43 Gateway Central's (GWC) massing is configured to provide a hinge between the line of South Africa Road and the sharp angled junction with White City Gateway's central spine that owes its orientation to the historic planform of the Great Stadium opened on site for the Olympics in 1908. GWC would also hinge between the smaller residential scale to the south and the larger commercial scales of White City Gateway by increasing from the 4-storey edge in South Africa Road in 2x 4-storey steps into the site reaching a maximum of 12 storeys with the 4-storey top element exceeding the established height threshold of the existing Media Village buildings.
- 6.44 The planform of Gateway East (GWE) would follow the edges of the surrounding routes and streets, however, it would give way to the "Arrival Square" at the southern end of the central route through White City Gateway facing South Africa Road. This would provide both breathing space to the housing estate on the southern side of South Africa Road and an amenity space for White City Place. GWE would reach 23 storeys via a 6-storey podium building that would be amalgamated with the tower in its south-western and north-western elevations where the tower elements would come to the ground. The tower elements would be staggered in height with 11, 17 and 23 storeys plus the addition of full height parapet walls to all roofs. The tower elements introduce a landmark to the site in its most activated and prominent location at the interface of Wood Lane and South Africa Road.
- 6.45 The open spaces between the 3 plots and the Media Village buildings would complete White City Place's network of squares and routes, each with different functions and qualities that would be reflected by the proposed ground floor uses facing those squares and routes.
- 6.46 A large part of the open space concept for White City Place exists already, with the exception of the expressed Arrival Square on the junction of South Africa Road and Wood Lane and the central route (South Avenue) through the application site that currently runs diagonally and is lined with spaces for local amenity and temporary events. This direct route to the junction was preferred to be retained by officers in the negotiations of the scheme as it would directly address Wood Lane rather than ending randomly in front of the housing estate at White City Close. However, the applicants did not consider the resulting available footprint for GWE to be efficient. Subsequently, the Arrival Square's shape, size

and design was adjusted to create a link between the central route and the junction with Wood Lane as well as to maintain a more respectful distance between the tallest elements of the Gateway scheme and the housing estate.

- 6.47 The Arrival Square would mark the main entrance into the site from the direction of the major transport hubs in Wood Lane. It would provide an important visual buffer between the White City Close housing estate to the south of South Africa Road and the development as well as an amenity space for the users of White City Place with tree planting and dwell spaces. The active frontages lining the square would be as transparent as possible to guide views from the junction and the square into South Avenue and vice versa.

Detailed Design

Gateway East (GWE)

- 6.48 GWE lies on the corner of Wood Lane and South Africa Road in a set back position to create the Arrival Square. The building would consist of 4 elements - 3 vertically stacked tower elements arranged on a podium building that is formed to correspond to the existing edge of Wood Lane and White City Place's system of internal routes and squares. Its height would broadly correspond to the heights of the existing Media Village buildings on the northern part of the site. The 3 tower elements would vary in height and width to visually break up the massing, and align with the internal central route while stepping back from Wood Lane to reduce the visual impact on the street space of Wood Lane.
- 6.49 At ground level, all elevations, except for the vehicle and cycle entrances in part of the northern elevation, would be activated by fully glazed retail frontages behind a row of columns that would ground the podium building. Projecting canopies are proposed to address wind turbulences that could otherwise affect the public realm around the building. The office entrance would be emphasised by a large recess behind the columns on the south-eastern corner of the building that would be prominently visible from Wood Lane and the Arrival Square. All external soffits would be prominent features from pedestrian's viewing points and their design would require a high quality design that would be considered under the conditions.
- 6.50 The façade cladding system is largely uniform for all parts of the building, with local differences in colour finishes and detailing to visually articulate the individual building elements and their tops in particular in the local and longer views of the development. The cladding system is based on an aluminium rainscreen with regular openings which on the outside would be faced with terracotta baguettes of green, white or grey colours. The white colour draws on the marble-clad buildings of the historic White City while the green colour would add contrast, warmth and non-corporate expression. The terracotta baguettes would be arranged as grilles to accentuate the podium roof terrace screen, the top of the tallest tower element and reduce the size of openings in the podium building.
- 6.51 Accessible roof terraces are proposed on the roofs of the podium and of the lowest tower element. The roof of the tallest element would be used for a PV panel array. Green roofs are in 2 locations over plant rooms located on the roof terraces. A condition has been attached to request details of green roofs

including the identification of further opportunities for green roofs on external surfaces. This should include the area of the PV panel installation which can be placed on a green roof with benefits to the efficiency of the PV panels.

- 6.52 Visual interest and relationship with the public realm would be created by lifting up the façade systems at ground level, by opening up the cladding system at the north-eastern corner facing Wood Lane, by creating 9 oriel windows facing the South Avenue as well as 3 double-height balconies facing the Central Square. The detailed cladding design of these tower tops - including potential amendments to ensure an animated appearance and adequate outlook for the communal space and adequate screening to the louvres can be requested by condition.

Outline Phase Design

Gateway Central (GWC)

- 6.53 The detailed massing is arranged to respond in layers to the heights and planes of the adjacent proposed buildings to achieve an integrated appearance into its White City Place context. GWC's 4-storey base would be the closest part of the Gateway development to the White City Close housing estate and broadly reflect its height. While there would be deep step-backs for the middle and top layer on the building's south-eastern end that would provide a respectful distance to the housing estate, the step-backs at the western end of GWC would be greatly reduced in order to achieve more economical floor plates. The proposed design codes addressing the stacking of the base, middle and top at the western end of the building could potentially result in very small step-backs at the western end of the southern elevation and no step-backs in the western elevation. Officers consider that a more sensitive approach with further limitations within the design codes would be appropriate, and a condition requesting further details and view assessments has been attached.
- 6.54 The illustrative scheme proposes a façade design that relates to the cladding system of GWE with a differentiation of façade features and finishes to accentuate the individual building elements as demonstrated in the design of GWE. It is however proposed to vary the panel materials and finishes with warmer textures and tones to better relate to the close context with the housing estate, and to reduce light spillage in this context. This is considered to be an acceptable approach to the external appearance and sufficiently covered by the proposed design codes.

Gateway West (GWW)

- 6.55 The smallest building of the Gateway development has been designed as continuation of Garden House with 3 storeys and a 4th floor roof pavilion set into the site that moderates with the larger scale GWC and GWE. It would provide an appropriate enclosure for Dorando Close and frame the entrance into Cross Street which should signal the important east-west link with a visual interesting and activated design. It is suggested that the façade treatment would complement the Garden Building with brick cladding and a similar fenestration pattern while the roof pavilion would relate to the larger Gateway developments.

This is considered to be an acceptable approach to the external appearance and sufficiently covered by the proposed design codes.

TOWNSCAPE VIEWS AND HERITAGE IMPACTS

Heritage Assets - Policy Context

6.56 **The Planning (Listed Buildings and Conservation Areas) Act 1990** sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.

6.57 It is key to the assessment of this application that the decision making process is based on the understanding of specific duties in relation to the listed buildings and conservation areas required by the relevant legislation, particularly the Section 16, 66 and 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the requirements set out in the NPPF.

6.58 **Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990** requires that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.59 **Section 72 of the above Act** states in relation to conservation areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. '

6.60 **Paragraph 132 of the NPPF** states that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

6.61 **Paragraph 133 of the NPPF** states that: 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and

- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.'

6.62 **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. '

6.63 These paragraphs make a clear distinction between the approach to be taken in decision-making where the proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.

6.64 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 133 and 134, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving the heritage asset and/or its setting.

6.65 **The Planning Practice Guidance** which accompanies the NPPF reinforce that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.

6.66 Officers agreed areas for assessment and detailed viewpoint locations with the applicants. The applicant's statement submitted with the application seeks to identify the significance of surrounding heritage assets as well as assets which may be impacted on by the proposed development.

6.67 In the first instance, the assessment to be made is whether the development within the setting of a heritage asset will cause harm to that asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 133 and 134 of the NPPF as appropriate.

6.68 **London Plan Policy 7.8** requires that development respects affected heritage assets by being sympathetic to their form, scale, materials and architectural detail.

6.69 **Policy BE1 of the Core Strategy** states that 'Development 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. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.

- 6.70 **Policy DM G1 of the DMLP** seeks to ensure that new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting and requires that all proposals must be designed to respect the historical context and townscape setting of the site, and its sense of place.
- 6.71 **Policy DM G7 of the DMLP** states that the Council will 'aim to protect, restore or and enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument'.
- 6.72 **Design Policies 1, 48 and 49 of the Supplementary Planning Document 2013 (SPD)** are also relevant. Policy 48 states that new buildings must be carefully designed to maintain or enhance the contribution of the setting to the significance of the conservation area. Policy 49 states that development should not adversely affect key views within, into or out of a conservation area.

Heritage Assets

- 6.73 The White City Gateway site lies adjacent to Wood Lane Conservation Area and to the south of Old Oak and Wormholt Conservation Area. The latter is separated from the site by the wide corridor of the raised Westway (A40) or too far away to the west, therefore the proposed development would have a low impact on the views of or from the conservation area.
- 6.74 The Wood Lane Conservation Area is centred around the grade II listed BBC Television Centre in order to protect the setting of the landmark from any insensitive development nearby. Between the Television Centre and White City Gateway lies the Local Authority housing development White City Close, built in the 1970s and designed as a cohesive, small-scale residential enclave with a variety of private and communal external spaces. This development has no statutory or local heritage designation.
- 6.75 On the opposite side of Wood Lane lies the locally listed White City Underground Station, built in 1947. The area beyond to the north and east is of mixed character and part of the White City Regeneration Area.
- 6.76 The proposed White City Gateway development would have an indirect impact on the character and appearance of Wood Lane Conservation area around Wood Lane and South Africa Road, and potentially would indirectly impact on the identified listed building and Building of Merit within the conservation area.

Impact on Heritage Asset

- 6.77 As summarised above the NPPF, as reflected in local policy, requires local authorities to conserve heritage assets in a manner appropriate to their significance. The more important the asset, the greater the weight that should be given to its conservation. National Policy does not preclude development of heritage assets or development which may affect them or their setting, but aims to put in place the requirement for a considered analysis of when and where this may be acceptable.

- 6.78 The conservation areas, both within and surrounding the site, would be impacted upon both directly and indirectly. For those heritage assets surrounding the site, this is assessed in more detail in the Townscape Assessment in terms of the impact on views. Those heritage assets further from the site would be subject to low or no impacts resulting from the proposed development.
- 6.79 The Site is adjacent to the Wood Lane Conservation Area and is also 190m south-east of the Old Oak and Wormholt Conservation Area. Further to this, the Ingersoll and Armingier Conservation Area lies 620m south-west of the Site.

Townscape and Visual Impact - Policy Framework

- 6.80 **Policy DM G1 of the DMLP** seeks to ensure that new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting and requires that all proposals must be designed to respect the historical context and townscape setting of the site, and its sense of place;
- 6.81 **Policy DM G6 of the DMLP** 'Views and landmarks of local importance' states that: 'Views afforded by the open nature of the boroughs riverfront are important in determining the character of each stretch of the riverside. Many heritage assets are located along the river, and it is important that their setting and relationship with the river is preserved or enhanced. The Council will refuse consent where Proposed Development in these views would lead to substantial harm to the significance of a designated heritage asset and townscape generally, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm caused.' These views include The Mall Conservation Area.
- 6.82 **Policy DM G7 of the DMLP** states that the Council will 'aim to protect, restore or and enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument'.

Views - Townscape Assessment

- 6.83 To assess the impact of the proposed development, the Environmental Statement includes a Townscape and Visual Impact and Built Heritage Assessment which assesses a total of 13 viewpoints from an agreed selection of locations around the site. For the purpose of this report, only the views from within Hammersmith and Fulham that are considered to be sensitive will be evaluated in terms of the appearance of the new development, its impact on the local townscape and on the setting of conservation areas and listed buildings.

Views 01 + 02

- 6.84 These views show the proposed development as it is approached from the south along Wood Lane. GWE would appear in the context of or screened by other towers currently being built or approved near the Television Centre site, on the Imperial West site and on the former Dairy Crest site. The townscape that is

visible in these views beyond Shepherd's Bush Common is considered to be of low sensitivity and the cluster of larger and taller development in the distance including on the application site would manifest the presence of the emerging White City within the wider townscape and add visual interest.

Views 03 + 04

- 6.85 Emerging from Wood Lane tube station or standing on the bridge over the railway lines a little further north, the Gateway development would be seen in close context with the Television Centre. The greatest visual impact would be on the 1990s northern extension and therefore is only significant in that the Television Centre is currently not seen in close context with other significant development. This is in the process of changing as parts of the regeneration area are being developed, and the proposed visual accentuation of GWE's building elements helps to define the building in distant views, add visual interest and contributes to an appropriate contrast with the Television Centre's extension. GWC would come into view when moving north from the tube station, and it will be important that the stepped massing and definition of the envelope is clearly visible to protect the setting of the Television Centre.

View 05, 06 + 07

- 6.86 These views demonstrate the landmark character of GWE as it addresses the access points into White City Gateway from Wood Lane. The podium building would appropriately define the junction with South Africa Road and reflect the emerging scale of Wood Lane, and thereby contribute to the townscape character on the edge of Wood Lane Conservation Area. The recessed positions and clear stepping of the tower elements would help to reduce the visual impact on the existing townscape, in particular on the housing estate at White City Close. The composition of the individual elements and the openness of the ground floor and north-eastern building corner add visual interest to the townscape and street scene.

View 08

- 6.87 The proposed buildings would largely be concealed from views by foreground trees. Glimpses of the development would be visible through leafless trees in context with other emerging large developments in the regeneration area.

View 09, 10 +12

- 6.88 These views demonstrate the local impact of the development on White City Estate to the east and White City Close to the south. In all 3 views, but particularly in view 09, the stepping of the proposed 2 larger buildings behind the existing Garden Building and the proposed GWW on White City Gateway would be clearly perceivable and contribute to the understanding of a new emerging neighbourhood beyond the estate. The relationship between GWC' layers in the western elevation and at the south-western corner remains unresolved in these views that represent the outline scheme with the applied maximised massing parameters. A condition can be attached to any permission requesting that a revised Townscape Views Assessment be submitted for approval.

View 11

- 6.89 The view confirms that the massing of GWW would sit comfortably within its context and provide adequate enclosure to the street space of Dorando Close.

View 13

- 6.90 The view south from North Avenue, the open space between the existing buildings Mediaworks and Westworks would lead to the offset route of South Avenue across Central Square. The north elevations of GWE and GWC would be partially exposed but the focus on the public realm with landscaping and animated ground level elevations and activities would help to detract from the scale of these elevations. Further detailing in the west elevation of GWE facing the square and South Avenue is proposed in form of balconies and oriel windows that visually relate to the scale of the open spaces and break down the perceived massing when viewed from the ground. Similar façade features should be considered in the forthcoming design development of the northern, square facing elevation of GWC that would be prominent in this view.

Long distance views

- 6.91 The assessment of the views identified in the White City OAPF demonstrates that the taller elements of the proposed development would be visible above the general townscape threshold. However, they would be seen in context with the emerging tall buildings within the north-eastern areas of the regeneration area, and therefore clearly legible as new part of the city. The visual impact therefore is not considered to harm the character of the residential and open spaces that are visible in those views.

Design Review Panel

- 6.92 The scheme was presented to the Council's Design Review Panel in December 2016. The panel commented on the relationship of the building elements to each other and their detailed design, and on the quality of the public realm. The overall design concept was found to be acceptable and detailed recommendations have subsequently been addressed by the applicants. The panel was concerned about the lack of human scale and identity within the proposed routes and spaces around the site and recommended that the design of the spaces between buildings and their associated roles needs more development. Further details to address these comments have been requested by condition.

Summary – Design, Townscape, Heritage and Tall Buildings

- 6.93 None of the assessed local townscape views would affect the listed Television Centre or the Building of Merit of the White City Underground Station and therefore no harm on local heritage has been identified in accordance with the National Planning Policy Framework. The proposed development would be seen on the edge of Wood Lane Conservation Area the character and appearance of which is emerging. The Wood Lane edge is considered to be appropriately addressed.

- 6.94 The completed development would deliver high quality buildings conceived as an integral part of the White City OAPF, which would enhance London's skyline in general and the character of the local area specifically. Upon completion and occupation, the development would have an effect on built heritage in a limited number of views only and would vary between neutral and minor to major beneficial effects. There would be no adverse effects on views. The development is not anticipated to result in any likely significant adverse effects on townscape or heritage either; therefore, mitigation is not required.
- 6.95 Development of this site provides an opportunity for significant enhancement of the area. The proposal for the taller building complies with Core Strategy Policy BE1 in that it respects the existing townscape context, demonstrates tangible urban design benefits and is consistent with the Council's wider regeneration objectives, and in doing so is sensitive to the setting of heritage assets. Furthermore, it complies with draft Policy DC3 - Tall Buildings in demonstrating that it has addressed and met the criteria listed in this policy.
- 6.96 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design.
- 6.97 As such officers have considered the proposed development against the development plan and consider that the proposals would be in accordance with Core Strategy Policies BE1 and HTC, DMLP Policies DM G1, DM G2 and DM G7, Draft Policies DC1, DC2 and DC3, London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6 and 7.8 and the NPPF.

HIGHWAYS IMPLICATIONS AND PARKING

- 6.98 **The NPPF** requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
- 6.99 **London Plan Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.12 and 6.13** 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.
- 6.100 **Core Strategy Policy T1** supports The London Plan, **Policy CC3** requires sustainable waste management. **DMLP Policy DM J1** states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. **DMLP Policies DM J2** set out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. **DMLP Policy J4** requires at least one blue badge parking space for hotel, retail and leisure customers and one

employee or business visitor bay for employment uses. **DMLP Policy J5** seeks to increase opportunities for cycling and walking.

- 6.101 **Emerging Draft Local Plan Policy T2** relates to transport assessments and travel plans and states ‘All development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network.’
- 6.102 **Emerging Draft Local Plan Policies T3, T4, T5 and T7** relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction and demolition logistics.
- 6.103 The Site is well connected to all modes of travel including public transport options, vehicle access and pedestrian and cycle network facilities. A range of public transport facilities are available within a short walk, including bus, underground and rail services. The Site also enjoys good accessibility by walking and cycling, and is located within close distance of a range of everyday amenities.
- 6.104 During peak times the pedestrian and road networks carry high volumes of people and traffic serviced by frequent bus services, underground and national rail services. Once operational, the majority of people traveling to the Proposed Development are anticipated to travel via underground, rail and bus with the remainder travelling by walking and vehicle respectively.
- 6.105 The assessment undertaken, as part of the applicant’s ES, based on the proposed construction and operational related road traffic did not identify any likely significant effects. The effect of enabling and construction related road traffic was determined to be of negligible significance. Officers have considered the ES conclusions and are of the view, no specific S106 mitigation measures are required during the construction phase. However, to facilitate non-private car use officers consider S106 contributions should be made to transport improvements in the area including enhancements to Wood Lane to aid pedestrians and cyclists.
- 6.106 Through the implementation of the Construction Traffic Management Plan and Environmental Management Plan secured by planning conditions residual impacts during the construction stage will be will be mitigated thereby avoiding damaging impacts during the construction phase.

Car Parking

- 6.107 Car lifts will provide access to each of the basement car parks beneath Gateway East and Central with two lifts servicing Gateway East and one lift serving Gateway Central. A total of 54 car parking spaces are proposed for the Gateway Development, 30 spaces at basement level below Gateway East and 24 spaces below Gateway Central. These car parking spaces will only be available for use by the commercial element of the scheme and will be reserved for those with the greatest need. This level of on site parking is considered to satisfy planning policy.

- 6.108 There will also be priority spaces allocated for car pooling which will be arranged through the Framework Travel Plan.
- 6.109 A condition is secured to ensure the London Plan requirement for 20% active and 20% passive electric charging points will be delivered.

Cycle Parking

- 6.110 Cycle parking will be provided within the scheme, proposed to be located within the public realm and basement. A total of 1,020 long term cycle parking spaces are proposed across the Gateway Development. Within Gateway East a total of 670 spaces will be provided at basement mezzanine level to serve employees of Gateway East. These spaces will be accessed via a dedicated cycle only ramp from ground level. A further 320 cycle parking spaces will be provided at basement mezzanine level beneath Gateway Central to serve employees of Gateway Central and West buildings. A dedicated cycle access ramp will be provided from ground level.
- 6.111 It is proposed to provide a total of 146 short term cycle parking spaces (i.e. 73 Sheffield stands) across the site to serve both retail and commercial short-term needs. Short stay cycle parking is located at the Site entrance to encourage cyclists to dismount within the development curtilage. This level of provision is considered to satisfy planning policy.

Electric Vehicles

- 6.112 Electric vehicle charging points are to be provided in accordance with the standards set out in the Further Alterations to the London Plan. A total of 20% of parking spaces in both the Gateway East (6 spaces) and Gateway Central (5 spaces) car parks are designated as electric vehicle charging point spaces.

Blue Badge

- 6.113 Parking spaces for blue badge holders are to be provided in accordance with the standards set out in the Further Alterations to the London Plan. A total of 10% of parking spaces in both the Gateway East (3 spaces) and Gateway Central (4 spaces) car parks are designated as blue badge spaces.

Delivery and Servicing

- 6.114 **Core Strategy Policy CC3** seeks to ensure that the Council 'pursue waste management' facilities within new development, notably through means of 'ensuring that all developments proposed suitable waste and recycling storage facilities'. **SPD Transport Policy 34** seeks off-street servicing for all new developments.
- 6.115 Servicing and delivery for the Gateway Development will take place via the existing vehicular accesses in the east and west of the site. The eastern access via Wood Lane will provide servicing access for Gateway East. Service vehicles associated with both the retail and commercial elements of the Gateway East building will enter the site via Wood Lane. The largest service vehicles (those larger than a 7.5 tonne van up to a 10m rigid vehicle) will access the designated

loading bay located at ground level within Gateway East where they will unload, trolley goods to the relevant retail unit of internal goods area for the commercial premises in Gateway East and then exit the site via Wood Lane. Smaller vans up to 7.5t would be able to use the street level area within the large turning head of the eastern access road to unload. Shared surface parking areas will be provided on the northern side of the access road for this purpose. All service vehicles will be able to access and leave the site in forward gear.

- 6.116 The western access via Dorando Close will provide servicing access for Gateway Central and West. Service vehicles associated with both the retail elements of Gateway Central and the commercial elements of Gateway Central and West buildings will enter the site via Dorando Close. The largest service vehicles (those larger than a 7.5 tonne van up to a 10m rigid vehicle) will access the designated loading bay located at ground level within Gateway Central where they will unload, trolley goods to the relevant retail unit or internal goods area for the commercial premises in Gateway Central and then exit the site via Dorando Close. Smaller vans up to 7.5t would be able to use the street level area to unload using the designated loading bays provided on the northern side of the service road before turning at the western end of the access road to leave the site. All service vehicles will be able to access and leave the site in forward gear.

Trip Generation

- 6.117 It can be seen from the tables above that the Gateway development traffic will result in a maximum increase of 4.51% on South Africa Road (Link E) in the AM peak. Wood Lane experiences a maximum increase of 3.70% on Wood Lane to the north of South Africa Road (Link D) in the AM peak. This assessment is based on unfettered demand and takes no account of the package of measures proposed to manage and reduce vehicular trips to and from the Gateway site, including a Travel Plan and Delivery and Servicing Plan which can be secured by condition. It is therefore expected that, with these measures in place, that the highway effects of the development will be lower.

Travel Plan

- 6.118 The developer is committed to implementing a Travel Plan to encourage the use of non-car modes of travel, and ensure the sustainability of the development. A Framework Travel Plan has been prepared, as part of the planning application, included at Appendix H to this TA, to outline the measures the developer will put into place in order to achieve this. This is an updated Framework Travel Plan (April 2017) that responds to the TfL ATTrBuTe assessment of the July 2016 Framework Travel Plan.
- 6.119 The Framework Travel Plan has been prepared in accordance with guidance issued by Transport for London in November 2013. The objectives of the Travel Plan are to ensure that the development does not impact on the safety or amenity of adjacent residents or employees of businesses near the development.
- 6.120 Provision of an acceptable and adequate Travel Plan is secured through the s106 legal agreement. Funding for the Council's review of this Travel Plan at Years 1, 3 and 5 after occupation is also secured.

Summary - Highways Implications and Parking

- 6.121 As such officers consider that traffic impact is not harmful in the planning balance and further the proposal provides a significant number of cycle spaces. The proposal is therefore considered to accord with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan, Policy T1 and CC3 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM J1, DM J2, DM J4 and DM J5 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

ACCESSIBILITY

- 6.122 **Policy 7.2 of the London Plan** requires all new development to achieve the highest standards of accessible and inclusive design.
- 6.123 **Policy DM A4 of the DMLP** states that car parking spaces provided on site should include the needs of blue badge holders. **DMLP Policy DM G1** and **SPD Design Policies 1 and 8** require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings.
- 6.124 **SPD Design Policy 1** states that buildings should be accessible and inclusive to all. It states that drawings submitted for planning approval should show external access features for detailed approval, showing how internal facilities will cater for different users and how barriers to access will be overcome, as well as showing circulation routes and explaining how accessibility will be managed when the development has come into use. **SPD Design Policy 2** refers to entrances into a building and states that any entrances to a building which are above or below street level, or positioned to be street level, should level or the slope should not exceed a gradient of 1 in 20 from the street.
- 6.124 The proposal sees the removal of all car parking spaces within the existing site and the provision of seven disabled parking spaces at basement level. All thresholds are level and all lifts are wheelchair compliant. A number of matters such as landscaping are secured by way of condition and the submitted details would have to accord with adopted policy. 10% of all hotel rooms will be accessible.
- 6.125 An Inclusive Accessibility Management Plan, as requested by the Disability Forum, is secured and this is considered reasonable and necessary to secure appropriate accessibility as these design elements evolve. Officers consider these provisions satisfy the requirements of the above policies and the proposal is acceptable in accessibility terms.

ECONOMIC CONSIDERATIONS

Employment

- 6.126 A key consideration **within the NPPF** is the desire to secure economic growth in order to create jobs and prosperity along with securing the wellbeing of communities.
- 6.127 **London Plan Policy 4.1** relates to London's economy and states the Mayor will work with partners to: promote and enable the continued development of a

strong, sustainable, and increasingly diverse economy across all parts of London, ensuring the availability of sufficient and suitable workspaces in terms of type, size, and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises, including the voluntary and community sectors.”

- 6.128 **Policy 4.12 of the London Plan** and **Core Strategy Policy LE1** both require strategic development proposals to support local employment, skills development and training initiatives.
- 6.129 **Strategic Policy B of the Core Strategy** stipulates Hammersmith Town Centre as the preferred office location within the borough and the Council will encourage major office based development. New visitor accommodation should be directed to the three town centres and employment uses that recognise the existing strengths of the borough, including creative industries are encouraged.
- 6.130 **DMLP Policy DM B3** states the council will seek appropriate employment and training initiatives for local people of all abilities in the construction of major developments and in larger employment generating developments, including visitor accommodation and facilities when these are completed.
- 6.131 **Emerging Draft Local Plan Policies E1 and E2** relate to the provision of a range of employment uses and the retention of land and premises capable of providing accommodation for employment or local services. **Emerging Draft Local Plan Policy E4** relates to Local Employment, Training and Skills Development Initiatives and requires the provision of appropriate employment and training initiatives.
- 6.132 The proposal would increase the quantum of office space on the site whilst delivering a modern, Grade A offer within a high-quality building set within a new public realm. It is considered that the resulting office space would deliver a new high-end provision that further enhances White City as a centre for business within London. As such the office elements would contribute strongly to the local economy, with flexible floorplates to ensure adaptability to a variety of business sizes, that would encourage employment.
- 6.133 The enabling works and construction phase of the Proposed Development would create a net 453 jobs per year. Once completed and occupied, the development would generate an estimated employment capacity of 8,716 net additional jobs. As such, the development (including both detailed and outline components) would have a residual moderate beneficial effect on the Greater London economy.
- 6.134 The retail elements would create further employment opportunities in a mixed and varied way leading to a range of uses.
- 6.135 The employees of the offices would highly likely lead to a beneficial contribution to the day and night time economy, further contributing to the vitality and viability of the area.

Training

- 6.136 To ensure that local people can access employment during construction, the Council is keen to set in place mechanisms that produce tangible benefits to local residents which will be secured in the s106 agreement. It is therefore considered that arising from employment and training initiatives the proposal has the potential to bring significant benefits to the local area. In this regard officers consider that the proposal is not contrary to the development plan as a whole and that there are no material considerations which indicate why planning permission should be withheld.
- 6.137 The proposal is therefore considered to accord with aspirations of the NPPF, Policies 4.1 and 4.12 of the London Plan, Core Strategy Policy LE1 and Strategic Policy B, Policy DM B3 of the DMLP and Draft Local Plan Policies E1, E2 and E4.

AMENITY IMPACTS

Daylight, Sunlight, Overshadowing and Solar Glare

- 6.138 **Policy 7.6 of the London Plan** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind, and microclimate. **Policy 7.7** adds that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation, and telecommunication interference.
- 6.139 There are no policies specifically about daylight, sunlight or overshadowing either within the DMLP or Core Strategy. **Policy DM G1** refers to impact generally and the principles of 'good neighbourliness'. **SPD Housing Policy 8** requires amenity of neighbouring occupiers to be protected.
- 6.140 **The Mayor's Housing SPG** is focused upon residential development, however it does also provide relevant additional commentary and guidance on the London Plan position with regard to sunlight, daylight and overshadowing, in particular with reference to London Plan Policy 7.6. This guidance states that an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties as well as within new developments themselves.
- 6.141 Guidelines should be applied sensitively to higher density development especially in opportunity areas, town centres, large sites and accessible locations where BRE advice suggests considering the use of alternative targets.
- 6.142 This mirrors the advice with the BRE guidance itself, which states that the advice is not a set of rules to be rigidly applied and should be interpreted flexibility and in particular in city centre and urban locations. The BRE guidance is for application to the UK as a whole, the majority of which is not an urban town centre, and as such the guidance is based on an 'ideal' suburban situation

Daylight, Sunlight, Overshadowing and Solar Glare

- 6.143 The applicant's ES assessed the likely significant effects on daylight, sunlight, overshadowing and solar glare as a result of the development.
- 6.144 Light spill was not considered within the assessment as light spill levels drop with distance from source and beyond a set distance (approximately 20m), the light pollution effects become negligible. As there are no residential properties in close proximity to the site (within 20m), with the closest being approximately 50m away, a light pollution assessment was not required.
- 6.145 Upon completion and occupation of the proposed development, with regards to daylight and sunlight, the majority of the surrounding receptors will not experience any harmful impacts when assessed against the BRE. Numbers 1-65 White City Road would experience a reduction in terms of daylight; however, this is due to the existing cleared condition of the site, and it would be unreasonable to expect such high existing daylight levels to be maintained if the site is to be delivered in accordance with the White City OAPF.

Summary - Daylight, Sunlight, Overshadowing and Solar Glare

- 6.146 The overshadowing results indicated some minor effects would arise, however these effects are not considered harmful to existing residential amenities. In respect of solar glare mitigation measures have been incorporated into the design of the development. The façade details of GWW and GWC still to be developed at the detailed design stage would further enhance mitigation.
- 6.147 The impact of the proposal upon daylight and sunlight is considered by officers to be acceptable given the urban location and the pattern of surrounding development. Overall there is comprehensive adherence to the BRE guideline recommendations, with respect of overshadowing impacts. As such, it is considered that there would be no adverse overshadowing impacts of the development.
- 6.148 Therefore, officers consider that the proposal would not result in detrimental impacts in terms of loss of daylight or sunlight nor result in harm from overshadowing within the assessment carried out under BRE guidelines and with reference to the context of the location.

Noise and Vibration

- 6.149 **London Plan Policy 7.15** 'Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes';
- 6.150 **DMLP Policy DM H9** advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity.
- 6.151 No objection is raised by the Council's Noise and Nuisance officers to the proposed development or land uses. The ES submitted with the application

assesses the potential effects of the Proposed Development with respect to noise and vibration in relation to enabling and construction works; operational noise and noise associated with increases in road traffic. Baseline noise surveys were undertaken to determine the existing noise environment around the Site.

- 6.152 During enabling and construction works, best practice measures will be implemented to reduce noise effects associated with the works. Taking these into consideration, noise prediction levels demonstrated that noise would vary during typical periods of high construction activity, resulting in negligible to minor adverse residual effects. However, it should be noted that construction noise predictions are based on a 'worst-case' scenario where, over the course of a working day, all plant would be operational within all areas of the worksite. In reality, it is likely that the worst-case noise levels predicted would only occur for limited periods of time. Enabling and construction works were also considered to result in negligible residual effects in terms of construction vibration and noise from construction road traffic.
- 6.153 Upon completion and operation of the Proposed Development, negligible residual effects have been identified in relation to road traffic noise and building services plant noise. Additionally, noise predictions indicated that suitable internal noise levels could be achieved within the Proposed Development, through the implementation of appropriate glazing.
- 6.154 The retail uses would generate further visitor numbers and conditions restricting the hours of operation are recommended and are considered reasonable. The proposal is therefore considered to accord with Policy 7.15 of the London Plan and Policy DM H9 of the DMLP.

Light Pollution

- 6.155 **DMLP Policy DM H10** seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination.
- 6.156 The existing vacant site will be replaced with the Proposed Development, however a condition requiring a strategy securing how internal lights to be turned off when not required is recommended to improve upon the current situation and mitigate against unnecessary harm to sensitive receptors. Officers do not consider the level of illumination likely to be harmful or out of character. In addition to the above condition, further details are sought for approval of all proposed external illumination and the shopfronts of the retail units in order to secure a positive environment without harmful impacts upon adjacent residents or harm to the character of the area.
- 6.157 As such officers consider that the proposal accords with the requirements of Policy DM H10 of the DMLP.

Microclimate

- 6.158 **London Plan Policy 5.3** Sustainable Design and Construction states that development should meet sustainable design principles including ensuring developments are comfortable and secure for users, including avoiding the creation of adverse local climatic conditions.

- 6.159 **London Plan Policy 7.6** requires that new development does not cause unacceptable harm to the amenity of surrounding land and buildings, including through microclimate impacts and **Policy 7.7** requires that the area surrounding tall buildings is not detrimentally affected in terms of microclimate and wind turbulence.
- 6.160 **DMLP Policy DM G2** states that any proposal involving tall buildings will need to demonstrate that it does not have a detrimental impact on the local environment in terms of microclimate, overshadowing, light spillage, and vehicle movements.
- 6.161 The applicant has submitted a wind engineering assessment which demonstrates the results of wind tunnel testing on a of the proposed development. The pedestrian level wind environment has been quantified in terms of suitability for the current and the proposed uses. The wind tunnel testing of the baseline conditions showed that the wind microclimate within and around the existing Site is largely suitable for a mix of leisure walking and standing during the windiest season.
- 6.162 Wind conditions as a result of the enabling and construction works of the Proposed Development will have a negligible residual effect on the Site and surrounds; however, this assumes the timely implementation of landscaping measures as the construction works progress.
- 6.163 Once the development is completed and operational, higher wind speeds than those observed in the baseline scenario will occur requiring mitigation. Therefore, the inclusion of the landscaping scheme / mitigation measures were tested in relation to the development.
- 6.164 The testing with mitigation measures in place did not give rise to any harmful impacts. As such officers consider that the proposed development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings. The proposal is therefore considered to comply with Policies 5.3, 7.6 and 7.7 of the London Plan and Policy DM G2 of the DMLP.

ENVIRONMENTAL CONSIDERATIONS

Sustainability and Energy

- 6.165 **As required by the NPPF**, the application proposes to incorporate design features in order to reduce on-site carbon emissions through the implementation of energy efficiency and low carbon energy generation technologies. Wider sustainability measures are also planned to help reduce resource use, minimise waste generation and mitigate pollution impacts.
- 6.166 The proposal has been considered against **Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15, and 7.19 of the London Plan and Policies CC1 and CC2 of the Core Strategy** which promote sustainable design, adaption to climate change and carbon emissions reductions, together with **DMLP Policies DM H1 and DM H2**.

- 6.167 **SPD Sustainability Policy 25** requires major planning applications to provide details of how use of resources will be minimised during construction and **Policy 29** requires submission of a detailed energy assessment.
- 6.168 The commitment to delivering these sustainability objectives is considered in detail in the Sustainability Statement and Energy Assessment submitted in support of this application. The proposed development does not include any residential units, so the zero carbon homes target does not apply for this development.
- 6.169 The Energy Assessment shows that a range of energy efficiency measures and low/zero carbon measures are planned for the site which have been calculated to reduce annual CO₂ emissions by 36.9% compared to the Building Regulations 2013 baseline requirements.
- 6.170 The buildings will be constructed to make optimal; use of natural daylight and solar gain, with higher insulation levels and better airtightness to reduce heat loss. energy efficient lighting with occupancy controls etc will be installed to help minimise use of energy; heat recovery will be employed on air handling units to improve efficiency and a building management system will be installed to control energy use. Efficient heating, ventilation and air conditioning systems will be installed.
- 6.171 The site will use a Combined Heat & Power (CHP) unit to generate electricity and use the waste heat generated as part of this process. Onsite renewables will also be included in the form of 210m² of solar PV panels. The Energy Strategy is broadly acceptable and shows that the proposed development would meet the London Plan's CO₂ reduction targets. However, as the designs and proposed measures could change at the detailed design stage and officers recommend that the Energy Strategy is revised and resubmitted pre-commencement to confirm the measures to be integrated and to show that the minimum CO₂ reduction target of 35% is achieved.
- 6.172 In terms of broader sustainability performance, BREEAM Assessments have been carried out for the new buildings and these are assessed to achieve an "Excellent Rating" for offices and "very Good" rating for the retail element in the Gateway East building. For the outline Gateway West and Gateway Central buildings, there is an aspiration to go to a higher level of attainment for the offices at "Outstanding" level, with a minimum performance of "Excellent". Office space will aim for "Very Good". The sustainability measures and levels of performance are acceptable in terms of achieving the requirements of the London and Local Plan in terms of sustainable design and construction. The submission of revised BREEAM assessments is secured by condition to ensure that any changes to design of buildings do not reduce the level of performance below those committed to in the submitted Sustainability Report
- 6.173 Officers therefore consider that the proposed development accords 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, Policies CC1 and CC2 of the Core Strategy, Policies DM H1 and H2 of the DMLP and Sustainability Policy 25 and Policy 29.

Water Resources, Drainage and Flood Risk

- 6.174 **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.
- 6.175 **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.
- 6.176 **Core Strategy Policy CC1** requires that new development is designed to take account of increasing risks of flooding. **Core Strategy Policy CC2** states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water.
- 6.177 **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) where feasible and also the use of water efficient fittings and appliances. **SPD Sustainability Policies 1 and 2.**

Flood Risk

- 6.178 This site is in the Environment Agency's Flood Zone 1. This indicates a low risk to flooding from the Thames. The site has less than a 0.1% chance of flooding from tidal/fluvial sources in any year. Even if flood defences were breached or were overtopped, the site is distant enough from the river to be unaffected by such a flood event. As required, a Flood Risk Assessment (FRA) has been provided with the application. As well as assessing flood risk from the River Thames, other sources of flood risk have also been considered, such as groundwater, surface water and sewers.
- 6.179 The new development does not include any residential units. Overall, the proposed uses are considered to be generally less vulnerable to flooding impacts.
- 6.180 In terms of surface water flood risk, the site is not in a surface water flooding hotspot, although the council's Surface Water Management Plan shows that in an intense storm the may be some low level ponding of water on the site. This can be mitigated through an appropriate surface water management strategy (see separate comments on the SuDS Strategy). The site is in the W12 postcode area, so there is a risk of sewer flooding due to sewers surcharging during storms, however this can be mitigated by installing non-return valves or equivalent devices to protect against this. Groundwater could also be a risk on-site as a basement level is planned. This can be mitigated by structural waterproofing measures.
- 6.181 The Basement Structural Methodology Report shows that a gravity membrane and sump pump system is to be used which will collect any water intercepted by the basement structure and pump away. This is an acceptable method of

managing groundwater without increasing flood risk offsite. The structural waterproofing measures and inclusion of non-return valves will be conditioned.

Sustainable Drainage

- 6.182 The SuDS Strategy is subject to condition requiring the submission of a revised document that reflects further detailed design work on the basis of it not demonstrating clear compliance with the London Plan or Local Plan policies on the management of surface water run-off. However, officers do consider that the fundamental engineering aspects are adequate to deliver a strategy that delivers the required quality of drainage.
- 6.183 Officers consider that there is no justification provided as to why the development cannot provide the required attenuation to meet the greenfield run-off rates and given the stress that the sewer system is already under in this part of the borough which drains into the Counters Creek catchment.
- 6.184 Within the report submitted it is stated that it may be possible to provide areas of permeable paving which can be used for conveyance and treatment of runoff rather than disposal. Further details/plans relating to this should be provided. Reference is also made to potential for bioretention areas or swales. Again, these details should be provided as part of the current design. Given the scale of the development, green roofs would be expected and they should be designed to contribute to the SuDS Strategy.
- 6.185 Subject to the submission of details by way of condition of the drainage and attenuation measures to be implemented officers consider that the proposed development would therefore be acceptable in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan, policy requiring flood risk assessment and development to mitigate flood risk, Policies CC1 and CC2 of the LBHF Core Strategy which requires development to minimise future flood risk and Policy DM H3 of the LBHF DMLP together with SPS Sustainability Policies 1 and 2.

Ecology, Trees, Landscaping and Public Realm

- 6.186 **The NPPF** seeks to ensure the provision of quality open space and landscaping within new developments and states that when determining planning applications authorities should aim to conserve and enhance biodiversity.
- 6.187 **London Plan Policy 5.10** states that 'development proposals should integrate green infrastructure from the beginning of the design process, which could include tree planting; green roofs and walls; and soft landscaping'. **Policy 5.11** supports the provision of green roofs within new development as a way of enhancing habitat diversity within London. **Policy 7.19** seeks the enhancement of London wide biodiversity and states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. **London Plan Policy 7.21** seeks the retention of trees wherever possible, and states that any loss should be replaced and additional trees should be planted where possible.
- 6.188 **Core Strategy Policy OS1** seeks to ensure the provision of quality accessible and inclusive open space and Policy BE1 seeks good quality public realm and

landscaping. The principles set out in these policies are supported by Policy DM A2 of the Development Management Local Plan.

- 6.189 **DMLP Policy DM E4** states that the Council will seek to enhance biodiversity and green infrastructure in the borough by maximising and protecting garden space, soft landscaping, green roofs, and other planting within new development together with seeking to prevent removal of or mutilation of protected trees and seeking retention of existing trees and provision of new trees on development sites.
- 6.190 As one of the major public benefits of the Gateway development the provision of high quality public realm including the provision of links into the neighbourhood is sought. The public spaces would be lined by retail and include spaces for a variety of events that would serve the wider business and residential community in White City and contribute to the placemaking of White City Place. Officers also consider it desirable to achieve spaces and routes with a variety of qualities and purposes to provide both amenity and environmental benefits.
- 6.191 The proposed public realm proposals around the Gateway site are part of the applicant's public realm masterplan principles and comprise the Arrival Square, South Avenue, Cross Street East, Central Square, Cross Street West and the Development Edges along the surrounding roads. In addition, a green space or "public garden" is proposed between GWW and GWC that continues the linear garden spaces between the Media Village Buildings and Garden House/The Lighthouse along Dorando Close down to South Africa Road, thereby breaking up the proposed building line in South Africa Road. The majority of this space would be soft – landscaped and the proposals illustrate a public garden concept of similarly regimented design and use as the existing linear gardens to the north but on a narrower strip of land, and therefore with limited environmental benefits. It would be desirable to maximise the area of the public garden in order to achieve a visually and functionally more effective mitigation of the otherwise densely built up and hard landscaped townscape of White City Place that continues towards its northern edge, incorporating lush three-dimensional urban greening that would spill out into South Africa Road as visual relief.
- 6.192 The Design Codes will ensure that the "public garden" measures a minimum width of 11.5m between GWW and GWC.
- 6.193 The other spaces and routes are hard landscaped to allow for public benches and retail-linked seating areas, complemented by tree planting. The public seating would be combined with a number of individual planters in the centre of South Avenue. Cross Street East, Central Square and Cross Street West would be kept free of soft landscaping in order to allow for servicing access. Here, all surfaces would be flush with pedestrian and vehicle routes differentiated in the paving.
- 6.194 Details of the design of those spaces, routes and their links into the neighbourhood as well as of an urban greening strategy for public realm and for the buildings have been secured by conditions and will be carefully considered with special regard to environmental and public benefits for the wider community they should provide.

6.195 As such the proposal is considered to be in accordance with the NPPF, London Policies 5.11 and 7.19, Core Strategy Policy OS1, DMLP Policies DM E1, DM E3 and DM E4.

Land Contamination

6.196 **National Planning Policy Framework paragraph 121** states planning decisions should ensure that the sites is suitable for its new use taking account of ground conditions and after remediation the land should not be capable of being determined as contaminated land.

6.197 **Policy 5.21 of the London Plan** states the support for the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development.

6.198 **Core Strategy Policy CC4** states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

6.199 **DMLP Policy DM H7** states 'When development is proposed on or near a site that is known to be, or there is good reason to believe may be, contaminated, or where a sensitive use is proposed, an applicant should carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination. Development will not be permitted unless practicable and effective measures are to be taken to treat, contain or control any contamination so as not to:

(i) expose the occupiers of the development and neighbouring land uses including, in the case of housing, the users of gardens to unacceptable risk;

(ii) threaten the structural integrity of any building built, or to be built, on or adjoining the site;

(iii) lead to the contamination of any watercourse, water body or aquifer; and

(iv) cause the contamination of adjoining land or allow such contamination to continue'.

6.200 Any application will be assessed in relation to the suitability of the proposed use for the conditions on that site. Any permission for development will require that the measures to assess and abate any risks to human health or the wider environment agreed with the authority must be completed as the first step in the carrying out of the development.

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

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

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

- 6.203 The ES addresses the effects of the Proposed Development on ground conditions including geology, hydrogeology and ground contamination of the Site and surrounding area. Upon completion and occupation of the Proposed Development, it was determined that there would be negligible residual effects on the health of end users, following the implementation environmental management and design measures, including best practice measures.
- 6.204 The development is considered to be in accordance with relevant national, regional, and local contaminated land policies which seek to manage the development of land to minimise the potential harm of contaminated sites and where appropriate, ensuring that mitigation measures are put in place. The proposed development therefore accords with Policy 5.21 of the London Plan, Policy CC4 of the LBHF Core Strategy and LBHF DMLP Policy DM H7 and officers consider that there are no material considerations which indicate that planning permission should not be granted.

Air Quality

- 6.205 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).
- 6.206 **NPPF Paragraph 124** relates to air quality and it states planning decisions should ensure that any new development in air Quality Management Areas is consistent with the local air quality action plan.
- 6.207 **Policy 7.14 of the London Plan** seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings; not worsen existing poor quality air quality. Where additional negative air quality impacts from a new development are identified, mitigation measures will be required to ameliorate these impacts. This approach is consistent with paragraphs 120 and 124 of the NPPF. Further the Mayor of London's Air Quality Strategy provides a framework of policy which aims to improve air quality in London.
- 6.208 **Core Strategy Policy CC4** explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives.
- 6.209 **DMLP Policy DM H8** states the Council will seek to reduce the potential adverse air quality impacts of new major developments by:

Ventilation and CHP

- Requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government's air quality objective concentration targets;

- Requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives; and
- Requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality.

6.210 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of very poor air quality due to the road traffic emissions from Wood Lane (A219). The development proposal will introduce new receptors into an area of very poor air quality and will have an effect on existing sensitive receptors due to energy plant and transport emissions.

6.211 A condition is secured for a report including detailed information on the proposed mechanical ventilation system with NO_x filtration to be submitted.

6.212 The proposed condition for the CHP and gas boilers seeks to ensure emissions are acceptable and that the mitigation proposed is appropriate. This requires the flue stack height to be at least 5m, details of the CHP and ultra low NO_x boilers to be submitted to demonstrate emissions standards, certificates and test results post installation. This is in conjunction with the Low Emissions Strategy condition that requires mitigation to be demonstrated and implemented to protect sensitive receptors.

Ventilation

6.213 Due to the emissions from transportation sources mitigation will be required in the form of additional ventilation for the proposed Gateway East Office B1 use.

Low Emission Strategy

6.214 A Low Emission strategy for this development site will be required to be submitted by condition in order to demonstrate and secure mitigation measures for vehicle and building emissions. A Travel Plan is secured by way of the s106 agreement to ensure sustainable methods of transport are encouraged.

6.215 Further details will be required to be included in a Low Emission Strategy for the site on how the applicant will actively incentivise the use of electric vehicles as a key way to deliver materials to the site via their procurement policy and processes during the demolition, construction and operational phases of the development. Further detail will also have to include green infrastructure during the operational phase to provide some mitigation from the vehicle traffic emission.

Construction, Demolition and Vehicle Emissions Impacts

6.216 The demolition and construction works have the potential to create dust and air quality issues. These impacts will be assessed in accordance with the Mayor's SPG 'The Control of Dust and Emissions during Construction and Demolition' July 2014.

6.217 The on-road and off-road vehicle emissions from the construction phases of the development will have an impact on local air quality. The Air Quality Dust Management Plan (AQDMP), Construction Logistics Plan (CLP), should include how Ultra Low Emission Vehicles i.e Electric, Hybrid (Electric-Petrol) will be used during the demolition and construction phases to minimise the impact of these vehicle emissions on local air quality. An AQDMP and CLP will be required by condition.

Summary – Air Quality

6.218 Overall the impact of emissions of dust and particulate matter from the proposed works will be managed during the construction processes and is considered to be not significant with respect to potential impacts on health and amenity. Officers consider that subject to the conditions mentioned above the development meets with policy requirements. Officers therefore consider that the proposed development accords with London Plan Policy 7.14, LBHF Core Strategy Policy CC4 and LBHF DMLP Policy DM H8 and that there are no material considerations which indicate that planning permission should not be granted.

Archaeology

6.219 **Paragraph 128 of the NPPF** relates to archaeology and requires developers to submit appropriate desk based assessments where a development site has the potential to include heritage assets with archaeological value.

6.220 **Policy 7.8 of the London Plan** advises that development should incorporate measures that appropriately address the site's archaeology.

6.221 **Core Strategy Policy BE1** advises that new development should respect and enhance the historic environment of the Borough, including archaeological assets.

6.222 **DMLP Policy G7** states the council will aim to protect, restore, or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument.

6.223 Historic England (Greater London Archaeology Advisory Service) has been consulted but has not commented on the proposal. Suitable safeguarding conditions are recommended to secure the evaluation and any subsequent necessary mitigation works proposed as a result of the development.

6.224 A condition is attached requiring a full historic record in line with Historic England's standards prior to any works commencing on the site. Officers therefore consider that the proposed development accords with Policy 7.8 of the London Plan, Strategic Policy BE1 of the LBHF Core Strategy and Policy G7 of the LBHF DMLP.

Crime Prevention

- 6.225 **Policy 7.3 of the London Plan** advises that new development should seek to create safe, secure and appropriately accessible environments.
- 6.226 **Core Strategy Policy BE1** advises that developments throughout the borough should be designed to enhance community safety and minimise the opportunities for crime. **DMLP Policy DM A9** refers to a safe and secure environment whilst **Policy DM G1** requires new development to respect the principles of Secure by Design.
- 6.227 The ground level layout would provide clear sightlines with lighting and open circulation activated by the retail and office uses which would be opened up to the newly permeable space. Such passive surveillance would be complemented by CCTV. Again, the hard and soft landscaping will be subsequently approved by way of condition and additional security matters will be consulted on at that stage. The development will also be required to achieve Secure by Design accreditation by condition.

Section 106 and Community Infrastructure Levy (CIL)

- 6.228 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 would be subject to a London-wide community infrastructure levy. This would 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 Policy 8.3 of The London Plan.
- 6.229 LBHF CIL came into effect on 1 September 2015. This means that CIL liable development proposals approved on or after 1 September will need to pay the borough CIL as well as Mayoral CIL. The LBHF CIL Charging Schedule identifies the type of developments liable to pay Borough CIL. This site is exempt from Borough CIL.
- 6.230 The Community Infrastructure Levy Regulations state that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 6.231 **The National Planning Policy Framework** provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.
- 6.232 **Policy 8.2 of the London Plan** states that: 'When considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. Development proposals should address strategic as well as local priorities in planning obligations. Affordable

housing and other public transport improvements should be given the highest importance'. It goes on to state: 'Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.'

- 6.233 In the context of the above, **Chapter 9 of the Core Strategy** states that 'the council will implement the policies and proposals of the Core Strategy and seek to ensure that the necessary infrastructure is secured to support regeneration by, inter alia, negotiating Section 106 obligations'.
- 6.234 **Emerging Local Plan Policy INFRA1** (Planning Contributions and Infrastructure Planning) states: 'The Council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms:
- 6.235 The application involves the redevelopment of the site to provide a high quality mixed used scheme within the White City Opportunity Area with the introduction of an integrated, improved public realm within the application site that would benefit the wider community in addition to the contribution of the office areas and affordable business space themselves. It is considered that the continued benefit of these elements should be secured by way of planning obligations. The planning obligations set out in the heads of terms are therefore considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the proposed development.
- 6.236 The Section 106 agreement will include triggers requiring the payment of contributions to coincide with development/occupation, in order for the impacts arising from the development to be appropriately mitigated. The Heads of Terms agreed with the applicant specific to the application are detailed and will form the basis of progressing with the preparation of the Section 106 Agreement.

Application Heads of Terms

- 6.237 To mitigate the impact of the development the following heads of terms are secured:
1. WCOAF Payment - £3,372,905
 2. Wood Lane Improvements - £400,000
 3. South Africa Road Pavement Widening - £130,000
 4. TfL Buses Contribution - £475,000
 5. Mayoral CIL - The Scheme will also generate a payment of £5,159,950
 6. Employment and Training Opportunities
 7. Procurement of local business during construction
 8. Travel Plan and Monitoring fees
 9. Provision of a S78 to secure offsite highways works
 10. Public Access 364 days a year to the ground level on site public realm (with provision for emergency/works closures)
 11. Monitoring fees
 12. Affordable Workspace and Community Engagement Hub—(10,000sq ft)

13. GWE Building - top floor communal space be made available 10 days a year outside of normal working hours for local community groups

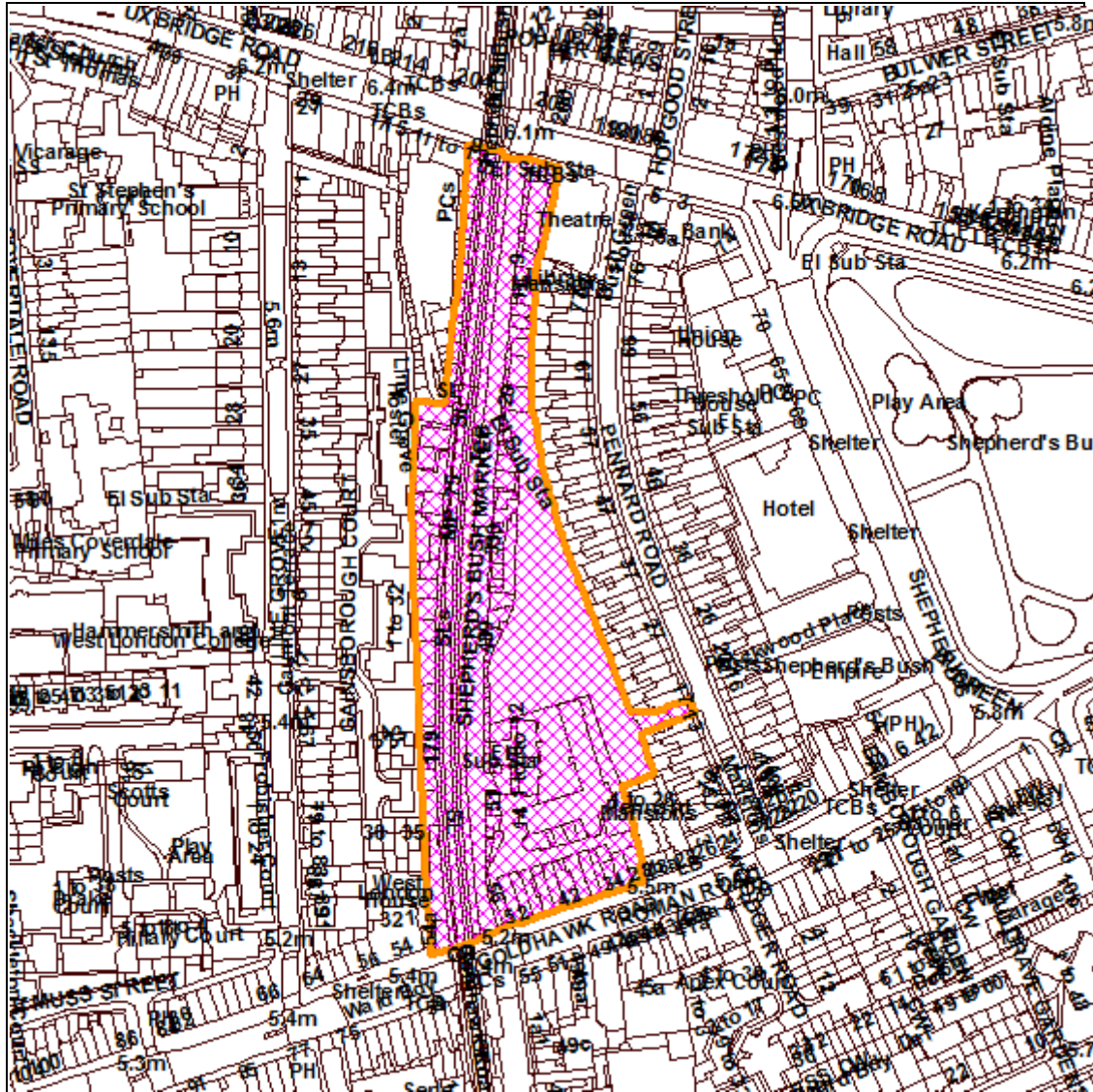
7.0 RECOMMENDATION

- 7.1 The proposal would see the removal of a disused car park and temporary public open space to erect three buildings of four, 11 and 23 storeys to deliver groundfloor retail with Grade A offices above. The reasons set out in this report, officer's consider the mixed use development to have positive impacts on the viability and vitality of the White City Opportunity Area, with substantial public gain with regard to employment opportunities during construction and operation in addition to the benefits realised by the affordable workspace and community engagement offer, the introduction of permeability through the site and high quality public realm.
- 7.2 The proposal would contribute strongly to building a strong, responsive and competitive local economy, with flexible floorplates to ensure adaptability to a variety of business sizes, that would create further employment opportunities in a mixed and varied way leading to a range of uses. The redevelopment and the proposed uses would also contribute by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposed development will achieve an excellent sustainability rating, will exceed London Plan target with regards to CO2 savings and would see the removal of a disused car park from the site with the introduction of 1,020 long term and 146 short term cycle parking spaces therefore minimising waste and pollution, and mitigating and adapting to climate change.
- 7.3 The proposal would not result in detrimental impacts to heritage assets and any minor impacts are considered to be outweighed by the substantial social, economic and environmental public benefits that the proposal would deliver.
- 7.4 Accordingly, it is recommended that the proposed development be granted planning permission subject to the conditions listed and the completion of a s106 agreement securing the heads of terms contained within this report.

Ward: Shepherd's Bush Green

Site Address:

Former Laundry Site Rear Of Nos. 9 - 61 Pennard Road London W12



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For identification purposes only - do not scale.

Reg. No:
2017/03851/FUL

Case Officer:
Sally Prowd

Date Valid:
03.10.2017

Conservation Area:

Committee Date:
07.11.2017

Applicant:

C/O Agent

Description:

Temporary use of the site and existing shipping containers for a period of up to 2 years as a creative affordable workspace centre (Class B1 use) (46 containers), with ancillary Class A3/A4/A5 food and beverage area (8 containers) with outdoor events space, Class D1 community use (7 containers), Class Sui Generis use for associated storage space (7 containers), bicycle storage (4 containers), toilets (2 units) and a fridge unit (1 unit) and the provision of an outdoor events space at ground floor level, hard and soft landscaping; with new pedestrian access route from Goldhawk Road.

Drg Nos:

Application Type:

Full Detailed Planning Application

Officer Recommendation:

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

- 1) The proposed development is permitted for a limited period of two years only from the date of this planning permission.

Reason: To allow the Council to assess the impact of the operation of the use on the amenities of existing residents in accordance with policy BE1 of the Core Strategy (2011) and policies DM H9 and H11 of the Development Management Local Plan (2013).

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

TBC

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) All containers, structures and enclosures shall be taken down and removed from the site within three months after the end date of the planning permission and the site will be restored to the condition it was in prior to the installation of the containers and structures on the site.

Reason: In the interests of visual amenity, 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 use of the premises shall only be permitted during the hours:

- o 09.00 to 20.00 Monday, Tuesday, Wednesday and Sunday and Bank Holidays (with all staff off-site by 20.30); and
- o 09.00 to 22.00 Thursday, Friday and Saturday (with all staff off-site by 22.30).

To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Policies DM H9 and H11 of the Development Management Local Plan.

- 5) No deliveries nor collections/loading nor unloading shall occur at the development hereby approved other than between the hours of 07:30 to 20:00.

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.

- 6) External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals 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.

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.

- 7) The level of amplified sound from the proposed development, measured as a 15 minute LAeq, shall be set at a level such that it is 10dBA below the concurrent background LA90(15min) level when measured or predicted at 1.0m from the facade of the nearest residential premises. The set level shall be controlled by a noise limiter or other device to ensure that the permitted set level is not exceeded.

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.

- 8) Post occupation of the site, noise shall be monitored to ensure it does not exceed the predicted levels as set out in Table 4.3, paragraph 4.2.9 of the approved Noise Impact Assessment report (prepared by Scotch Partners, dated October 2017, revision 08). Any mitigation measures as outlined in the Noise Impact Assessment shall be implemented and thereafter be retained for the period of the development.

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.

- 9) The Pennard Road entrance to the site labelled as 'Emergency & servicing entrance/exit' on approved plan SBM_1014_Rev E shall only be used in emergencies and not for any other purpose associated with the development hereby approved.

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 and to ensure a safe and secure environment, in accordance with policy 7.3 of the London Plan (2016).

- 10) The Goldhawk Road out of hours entrance and exit to the site labelled as 'Goldhawk Road out of hours entrance/exit to proposal' on approved plan SBM_1013_Rev E shall only be used to access and exit the development hereby approved when Shepherds Bush Market is closed.

To ensure that the proposal does not have a detrimental impact on the footfall of the adjacent Shepherds Bush Market and respects the local context and character of the local townscape in accordance with policy BE1 of the Core Strategy (2011).

- 11) The entrance to the development site labelled as 'Emergency entrance/exit' on the approved plan SBM_1013_Rev E shall only be used in emergencies and not by customers or staff using the development hereby approved.

Reason: To ensure that the proposal does not have a detrimental impact on the footfall of the adjacent Shepherds Bush Market and respects the local context and character of the local townscape in accordance with policy BE1 of the Core Strategy (2011).

- 12) The proposed 'Lighting Strategy' as set out in the Design and Access Statement (October 2017) shall be implemented in accordance with the approved plans upon commencement of the development. The approved measures are to be carried out in full and retained for the period of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by lighting in accordance with Policies DM H9 and H11 of the Development Management Local Plan 2013 and to ensure a safe and secure environment, in accordance with policy 7.3 of the London Plan (2016).

- 13) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage, as indicated on the approved drawings. All refuse generated by the development hereby permitted shall be stored within these enclosures. The waste management shall be carried out in accordance with the 'Waste Management Strategy' as set out in the Design and Access Statement (October 2017) and retained for the period of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: 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.

- 14) The proposed sustainability measures as set out in the 'Environmental Strategy' of the Design and Access Statement (October 2017) shall be implemented in

accordance with the strategy upon commencement of the development. The approved measures are to be retained for the period of the development unless otherwise agreed in writing by the Local Planning Authority.

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).

- 15) Prior to use of the development, details shall be submitted to and approved in writing by the Local Planning Authority, of the external sound level emitted from the kitchen extraction /re-circulation 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 retained for the period of the development.

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.

- 16) Prior to first occupation of the development, a Servicing and Delivery plan shall be submitted to and approved in writing by the Local Planning Authority detailing management of deliveries to and throughout the site; emergency access throughout the site; collection of waste and recyclables; times of deliveries and collections; silent reversing methods; location of loading bays; and vehicle movements. The Servicing and Delivery plan shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented for the period of the development.

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.

- 17) Prior to the first occupation of the proposed development, an Operational Management Plan (OMP) shall be submitted to and approved in writing by the Local Planning Authority. The OMP shall include, but is not limited to: operating details; types of events to be held; operating hours; security; cleaning; landscaping maintenance; access arrangements and site management including management of the emergency exits. The OMP shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented for the period of the development.

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 and to ensure a safe and secure environment, in accordance with policy 7.3 of the London Plan (2016).

- 18) The permitted development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. Upon the commencement of the use, the Travel Plan shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented for the period of the development.

Reason: To ensure that the development does not generate an excessive number of car trips which would be contrary to the Council's policies of car restraint set down in Policy T1 of the Core Strategy 2011 and Policy DM J2 of the Development Management Local Plan 2013.

- 19) Prior to the first occupation 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 retained for the period of the development.

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).

- 20) Prior to the first occupation of the development, details of all CCTV cameras and measures linking the CCTV with the Council's town centre CCTV network shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Crime Prevention Design Advisor. The development shall not be opened until the CCTV cameras have been installed in accordance with the approved details. The CCTV cameras shall be retained for the period of the development.

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).

- 21) The development hereby permitted shall not be occupied until details of the cycle parking arrangement for both employees and customers have been submitted to and approved in writing by the Council. The cycle parking spaces shall be installed prior to the use of the premises and retained for the period of the development.

Reason: To promote alternative, sustainable forms of transport, in accordance with policy DM J5 of the Development Management Local Plan 2013 and SPD Transport Policy 12 Planning Guidance Supplementary Planning Document 2013.

- 22) Prior to the first occupation of the development, details of the Sustainable Drainage Systems (SuDS) integrated into the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plans showing where the SuDS are located, area covered by green roofs and soft landscaping and confirmation of the attenuation they provide. This should also include information on the proposed maintenance programme for SuDS features.

The development shall only be carried out in accordance with the details approved and retained for the period of the development.

Reason: To ensure that the proposed development does not have an adverse impact on surface water flooding in accordance with Core Strategy (2011) policy BE1.

- 23) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: To ensure that no acceptable risks are caused to humans, controlled waters of the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Core Strategy (2011) and policies DMH4, DMH6, and DMH7 of the Development Management Policies Local Plan (2013).

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

Reason: To ensure that no acceptable risks are caused to humans, controlled waters of the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Core Strategy (2011) and policies DMH4, DMH6, and DMH7 of the Development Management Policies Local Plan (2013).

- 25) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider

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

Reason: To ensure that no acceptable risks are caused to humans, controlled waters of the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Core Strategy (2011) and policies DMH4, DMH6, and DMH7 of the Development Management Policies Local Plan (2013).

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

Reason: To ensure that no acceptable risks are caused to humans, controlled waters of the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Core Strategy (2011) and policies DMH4, DMH6, and DMH7 of the Development Management Policies Local Plan (2013).

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

Reason: To ensure that no acceptable risks are caused to humans, controlled waters of the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Core Strategy (2011) and policies DMH4, DMH6, and DMH7 of the Development Management Policies Local Plan (2013).

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

Reason: To ensure that no acceptable risks are caused to humans, controlled waters of the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Core Strategy (2011) and policies DMH4, DMH6, and DMH7 of the Development Management Policies Local Plan (2013).

- 29) 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 development hereby approved from Class A3 (Restaurants and cafes) to Class A1 (retail) and Class A5 (hot food takeaways) to Class A1 (retail) will not be permitted under permitted development.

Reason: In granting this permission, the Council has had regard to the circumstances of the case. The use of the A3/A5 containers hereby approved as a different use class 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 and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA and BE1 of the Core Strategy (2011) and policies DM C4, DM C6 of the DM Local Plan (2013).

- 30) No alterations shall be carried out to the external appearance of the development hereby approved, 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. Any such changes shall be carried out in accordance with the approved details.

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).

- 31) No advertisements shall be displayed in or around the site, without details of the advertisements having first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order that any advertisements displayed on the building are assessed in the context of an overall strategy, to ensure a satisfactory external appearance

and to preserve that integrity of the design of the building, in accordance with policy BE1 of the Core Strategy (2011) and policy DM G8 of the Development Management Local Plan (2013).

- 32) Prior to the first occupation of the development hereby approved, detailed drawings in plan, section and elevation at a scale of 1:50 shall be submitted to and approved by the Council. The plans shall show how a container for each of the approved uses (B1, A3, A4, A5, and D1) will typically be fitted out and shall include detailed drawings of the glazing and entrance doors.

Reason: To ensure a satisfactory external appearance and the provision of quality accommodation, in accordance with policy 7.6 of the London Plan (2016), policy BE1 of the Core Strategy (2011) and policies DM G3 and DM G4 of the Development Management Local Plan (2013).

- 33) All approved landscaping shall be retained and regularly maintained for the duration of the development.

Reason: To ensure a satisfactory external appearance in accordance with policies 7.5 of the London Plan (2016), policies BE1 and OS1 of the Core Strategy (2011) and policies DM E3 and DM E4 of the Development Management Local Plan (2013).

Justification for Approving the Application:

- 1) The proposed development would result in the provision of a temporary use which would be compatible with the surrounding uses and the Shepherds Bush Metropolitan Town Centre which is within the White City Opportunity Area. The proposal would be of an acceptable visual appearance and would not harm the setting of the adjacent conservation area. Subject to conditions, it is considered that the proposal would not have a significant impact on the amenity of adjoining occupiers, and there would be no adverse impact on traffic generation. The proposed development is therefore considered to be acceptable and is in accordance with policies 2.15, 4.6, 4.7, 5.17 and 7.6 of the London Plan (2016), policies WCOA, WCOA3, LE1, Strategic Policy C, BE1 of the Core Strategy (2011) and policies DM B1, DM C6, DM D1, DM G1 and DM G7 of the Development Management Local Plan (2013) and the Planning Guidance Supplementary Planning Document (2013).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 2nd October 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:

26, Derinton Road London SW17 8JB	25.10.17
120 Avenue Road London W3 8QG	25.10.17
47 Treelands Crescent Ballina NSW Australia 2478	25.10.17
57 Champlain house London W12 7qn	25.10.17
115 Westoning Road Harlington Dunstable LU5 6PA	26.10.17
Flat A Ground Floor 13 Pennard Road London W12 8DW	26.10.17
113 Cheesemans Terrace London W14 9XH	28.10.17
17/19 Delancey St London NW 1 7 NP	25.10.17
67a Ormiston Grove London W12 0jp	28.10.17
1 Lime Grove London W12 8EE	23.10.17
37b Devonport Road London W12 8NZ	28.10.17
Theatres Trust 22 Charing Cross Road LONDON WC2H 0QL	09.10.17
NAG	25.10.17
60B Mall Road Hammersmith W6 9DG	26.10.17
6 Stamford Brook Avenue London W6 0yd	26.10.17
213 Sullivan Court Broomhouse Lane London SW6 3DN	28.10.17
4 Brazil Mill Court London TW7 6GW	28.10.17
36 Shakespeare Road London W3 6SJ	29.10.17
3 Hugo Road London N19 5EU	29.10.17
4 Loftus Road London W12 7EN	23.10.17
43 Loftus Road London W12 7EH	24.10.17
Lane End, Lynch Hill Park Whitechurch RG28 7NF	25.10.17
11 Ellerslie Road London W12 7BN	25.10.17
9 Alfred Rd Acton W3 6LH	25.10.17
14 hermitage way stanmore ha7 2ay	25.10.17
61 Oaklands Grove London W12 0JE	26.10.17
18 Phoenix Lodge Mansions Brook Green London W6 7BG	26.10.17
19 Woodfield Drive Charlbury, OXON OX7 3SE	26.10.17
3 Tynte Court 65 Mabley Street London E9 5RU	26.10.17
3E Sinclair Road Hammersmith W14 0NS	26.10.17
swan house chiswick mall london w42ps	26.10.17

35 kinghill avenue Northolt ub56lf	27.10.17
4 Hazel House maitland Park Road London NW3 2HB	27.10.17
61 Framfield Rd London W7 1NG	28.10.17
27 Frithville Gardens London w12 7jg	14.10.17
Flat 5 21 sulgrave road London w6	19.10.17
27 Lime Grove London W12 8EE	19.10.17
15 Brading Terrace London W12 8ES	25.10.17
90 Loftus Rd London W12 7EL	22.10.17
53 Canonbury Park North Islington London N1 2JU	25.10.17
24&25 Shepherds Bush Market High Wycombe HP13 7BL	25.10.17
1 Clarendon Cross London W11 4AP	28.10.17
23 May avenue Balby Dn4 9AE	28.10.17
19 Woodstock Road Croydon CR0 1JS	28.10.17
152 Edensor Garden Chiswick London W4 2RF	28.10.17
Flat 3 25 Stanley Crescent London W11 2NA	28.10.17
5Auckland House White city estate London W12 7NL	28.10.17
28 East vale London W37sa	28.10.17
37 Alwyn Avenue Chiswick London W4 4PA	29.10.17
9 Shepherd's Bush Market London W12 8DE	11.10.17
33 Loftus Road London W12 7EH	25.10.17
9 SELAN GARDENS Hayes Ub4 0ea	25.10.17
14 Burnand House Redan Street Hammersmith W14 0LW	25.10.17
20 Fielding St London se173hd	26.10.17
60A Warwick Road London W5 5PX	26.10.17
19 Gunterstone Road London W14 9BP	26.10.17
85 Station Road Northfield B31 3TE	28.10.17
30c Shepherds Bush Road london W6 7PJ	28.10.17
75c Lime Grove London W12 8EE	15.10.17
1 Goodhall Street London NW10 6TT	28.10.17
23 Hood House, Elminington Estate Camberwell SE5 7QN	28.10.17
15 Earls Terrace London London W8 6LP	26.10.17
5 Bustellstrasse MUENCHEN 80638	26.10.17
4 Montgomery Road London w45lz	26.10.17
240Hedge lane London n13 5da	26.10.17
108 Great Portland St London W1W 6PG	28.10.17
23a Findon Road London W129PZ	28.10.17
135 Perryfield Way Richmond TW10 7SN	28.10.17
Flat 3 Lytton House 31 Bulwer Street Shepherds Bush w12 8as	28.10.17
17 Findon Road Hammersmith London W12 9PZ	28.10.17
91 Goldhawk Rd London W12 8DZ	23.10.17
59 Boxmoor House Queensdale crescent London W11 4TJ	25.10.17
Lane End Lynch Hill Park Whitchurch RG28 7NF	25.10.17
73c Godolphin Road London W12 8JN	25.10.17
52a sholebroke avenue Leeds LS7 3HB	25.10.17
7 Sulgrave Road London W6 7RD	26.10.17
18 Abinger Road Bedford Park London W4 1EL	26.10.17
19 Kingsdale Gardens London W114TZ	28.10.17
5 loftus road, London London london W12 7EH	16.10.17
5 loftus road, London London london W12 7EH	16.10.17
32 Mackeson Road Hampstead London NW3 2LT	25.10.17
9 Rylett Road London W12 9NL	25.10.17
9 Rylett Road London W12 9NL	25.10.17

30 Gloucester Place Mews London W1U 8BA	25.10.17
48 church lane Ferndown Bh22 8ts	25.10.17
39 Hollister House 80 Kilburn Park Road London NW6 5DF	26.10.17
52 Hillcrest Road London W3 9RY	26.10.17
26 Ramillies Road London W4 1JN	26.10.17
34A Lime Grove London W128EA	26.10.17
28 St Peters Square London W6 9NW	26.10.17
69 Loftus Rd London NW108QL	26.10.17
49 Benbow Road London W6 0AU	27.10.17
8 Green Lane Hanwell London W7 2PB	28.10.17
9 UPPER CORNICHE SANDGATE CT20 3TB	28.10.17
9 Bolton Gardens London NW105RB	28.10.17
23 james house Appleford Rd London W10 5gf	26.10.17
First Floor Flat 159 Sulgrave Road London w67px	26.10.17
38 Batman Close White City Estate London W12 7Nu	26.10.17
28 Royal Crescent London W11 4SN	26.10.17
6 Shepherd's Bush Place London W12 8LX	26.10.17
45 Whitehall Park Road London W4 3NB	26.10.17
Arch 155 Railway Approach Shepherds Bush Market w12 8df	27.10.17
89 Rusthall Avenue London W4 1BN	27.10.17
34 Gordon Place London London W8 4JE	28.10.17
61 Kelmscott Gardens London W12 9DB	28.10.17
23 Gibson Road High Wycombe HP12 4QW	28.10.17
30 Cubitt Court 100 Park Village East London NW1 3DL	28.10.17
1 Lucas Court Norwich Nr7 0ys	26.10.17
39 Pennard Road London W128DW	11.10.17
87 Sulgrave Ro Hammersmith London W6 7QH	19.10.17
142 sulgrave rd London W6 7pu	19.10.17
34 Pennard Road London W12 8DS	24.10.17
20 Pennard Road London W12 8DS	24.10.17
25 Poplar Grove London W6 7RF	24.10.17
43 Batoum Gardens London W6 7QB	24.10.17
15 Lime Grove London W12 8EE	24.10.17
12 Poplar Grove London W6 7RE	24.10.17
38A Batoum Gardens	24.10.17
58 Batoum Gardens London W6 7QD	24.10.17
113 Sulgrave Road London W6 7QH	24.10.17
83 Sulgrave Road London W6 7QH	24.10.17
48 Pennard Road London W12 8DS	24.10.17
Flat 1 18 Batoum Gardens	24.10.17
11, Weavers Terrace Micklethwaite Road London SW6 1QE	26.10.17
53 Elmbank Way London W7 3DF	26.10.17
71 St Elmo rd London W12 9dz	25.10.17
16 langthorne street london SW66JY	25.10.17
23 Frithville Gardens London W12 7JG	25.10.17
10 McGregor Road London W11 1DE	25.10.17
18 Coniston Road Bolton BL6 5DN	25.10.17
5 hopgood street London W12 7ju	26.10.17
41A Loftus Road London W12 7EH	23.10.17
65 Sulgrave Road London W6 7QH	23.10.17
Hammersmith Town Hall Extension King Street London W6 9JU	24.10.17
89 Gladstone Road Northampton NN5 7EJ	25.10.17

27 Oakworth Road London W10 6DF	25.10.17
Flat 2, 39 Kinnoul Road LONDON W6 8NG	25.10.17
7 Clematis Street London W120QG	25.10.17
2 Charles road west Ealing London W13 0nd	26.10.17
70 St Stephens Ave London W12 8JD	27.10.17
120 Rusthall Avenue Chiswick London W4 1BS	28.10.17
308 Uxbridge Road London London W12 7LJ	21.10.17
14 Ethelden Road London W12 7BG	21.10.17
4 Mervyn Rd Ealing London W13 9UN	25.10.17
84 Carthew Road Hammersmith London W6 0DX	25.10.17
17 Clairville gardens London W7 3HZ	26.10.17
70Brentham Way Ealing W51BE	27.10.17
30 Elliott Thornton Heath CR77QA	28.10.17
Flat 64 Peabody Tower London EC1Y 0RX	28.10.17
ABERAVON ROAD London E3 5AR	28.10.17
26 Boscombe Road London W12 9HP	25.10.17
5 Darnley Terrace London W11 4RL	25.10.17
41 gwendwr rd London W14 9bg	30.10.17
10 gammon terrace Limegrove London W12 8hr	19.10.17
2 Lancaster Road London W111QP	25.10.17
22 Glenferrie Road St. ALbans AL1 4JU	25.10.17
20 coniston court lightwater gu18 5aa	25.10.17
37 Queen Mary's House 1 Holford Way London SW15 5DH	26.10.17
Scott's Road 7, Drake Court London W12 8HG	26.10.17
Apt 2 The Residence 26 Trinity Place Windsor SL4 3AP	26.10.17
17 Nella Road London W6 9PB	26.10.17
170 Railway Arches Shepherd's Bush market London W12 8DF	28.10.17
5 Richford Street London W67HJ	29.10.17
74 Tunis Road London W12 7EY	21.10.17
Flat 2 7 Loftus road London W12 7eh	22.10.17
5 Sulgrave Road London W6 7RD	25.10.17
23 Grosvenor Road Hanwell London W7 1HP	25.10.17
11 Adam Walk Crabtree Lane London SW6 6LE	28.10.17
161a Ashmore Road London W9 3DA	28.10.17
12 Pennard road White City W12 8DS	19.10.17
75 Shepherds Bush Market Shepherd's Bush W12 8DQ	13.10.17
23 wallingford ave London w10 6qa	26.10.17
3 Loftus Road London W12 7eh	21.10.17
2 The Glade Coningham Road London W12 8BX	28.10.17
36 BAvenueirkbeck London W3 6HX	28.10.17
87 Fielding Rd. Chiswick London W4 1DA	28.10.17
120 Avenue Road London W3 8QG	28.10.17
58 Windmill Street, Brill Aylesbury HP18 9TG	28.10.17
31 Filmer Road London SW67JJ	28.10.17
4. Dock Terrace Cobh Co Cork Rep Of Ireland. Cork. P24VX04.	28.10.17

1.0 SITE DESCRIPTION

1.1 The application site is a broadly triangular area of approximately 4,222sqm. It was formerly occupied by the Spring Grove Laundry building which ceased operations in 2009 and the building was demolished shortly after.

1.2 The site was identified under an outline permission (as detailed below) as a temporary market where the existing Shepherds Bush Market traders would move to whilst works to the existing market were carried out. As a result, the site was resurfaced and 74 shipping containers were installed. However, as detailed below, this scheme was not implementable as the Compulsory Purchase Order was quashed and so the containers remain on the vacant site.

1.3 The site is located within the White City Opportunity Area, as identified in the London Plan (2016). The site is designated in the Core Strategy as being within a Strategic Site (White City Opportunity Area 3 [WCOA 3]). It is also located within the Shepherds Bush Town Centre which is designated as a metropolitan centre in the London Plan (2016).

1.4 Although the site itself does not lie within a Conservation Area, the Conningham and Lime Grove Conservation Area lies to the west of the site and Shepherds Bush Conservation Area to the east. Pennard Road mansions (Nos. 1 to 31 consecutively) and Shepherds Bush Theatre are identified on the Council's Register of Buildings of Merit.

1.5 The site is within Flood Risk Zones 2 and 3 and has a public transport accessibility level (PTAL) of 6b (excellent).

1.6 The area immediately surrounding the site comprises the existing Shepherds Bush Market to the west, St Mungo's supported housing accommodation is to the south and Pennard Road to the east. Shepherds Bush Theatre is located to the north of the site on Uxbridge Road.

1.7 Shepherds Bush Market was established in 1914 and occupies a narrow strip from Goldhawk Road to Uxbridge Road with approximately 140 trading businesses comprising a mixture of stalls, shops and railway arches retailing fruit and vegetables, fresh food, fabrics and a range of other goods and services. There are two entrances to the market, one from Uxbridge Road to the north and one from Goldhawk Road at the southern end of the site. The market currently trades 6 days a week (Monday to Saturday) from 9.30am to 6pm. Outside of trading hours and on Sundays, the market is secured by locked gates at both entrances by on-site management.

1.8 Located adjacent to the south of the site is the St Mungo's Broadway day centre which provides health and training services with supported housing accommodation. The building contains 15 hostel rooms and 12no. 1-bed flats across 2no. 3-storey buildings.

1.9 Further south, Goldhawk Road comprises predominantly two storey buildings with retail premises at ground level and residential accommodation above. This includes the A. Cooke's Pie and Mash shop.

1.10 To the north of the site is the Bush Theatre which has recently renovated including the addition of a landscaped area which contains outdoor seating for the restaurant at the ground floor.

1.11 Separated from Shepherds Bush Market by the railway viaduct and occupying a smaller area, a new Shepherds Bush Market is located to the north west of the main market, retailing fruit and vegetables, cooked foods and household goods and furniture.

The Surrounding Area

1.12 The immediate surrounding area is residential in character along Pennard Road to the east and Lime Grove to the west. The Pennard Road properties are characterised by predominantly 2-storey Edwardian terraces, and those along Lime Grove comprise a mix of 2 and 3-storey terraced houses and 3-storey modern build residential blocks. The London College of Fashion and Lime Grove Hostel are also located to the western and eastern sides of Lime Grove respectively.

1.13 The properties along Pennard Road form part of the Shepherds Bush Conservation Area and those along Lime Grove are designated as part of the Coningham and Lime Grove Conservation area. Pennard Road mansions and the former Shepherds Bush Library to the north and south of the site are both identified on the Council's Register of Buildings of Merit.

1.14 Commercial businesses are characteristic of development along Goldhawk and Uxbridge Roads, occupied by a mix of retail, café and restaurant uses.

1.15 Shepherds Bush Market falls within the White City Opportunity Area and a designated Town Centre. The area encompasses three main retail 'anchors' which are the Westfield shopping centre, W12 shopping centre and Shepherds Bush market. Westfield has brought vastly increased footfall to Shepherds Bush and is now the dominant retail feature of the area.

1.16 The site is within a short walking distance of 15 bus routes. The closest tube stations are Goldhawk Road directly to the south of the site and Shepherds Bush Market directly to the north of the site. Both stations serve the Hammersmith and City Line. A short walk to the east is the Shepherds Bush tube and overland rail station, which serves Central Line, and Overground and mainline rail services from Clapham Junction to Milton Keynes.

2.0 RELEVANT PLANNING HISTORY

2.1 Outline planning permission for the site was granted in March 2012 (Ref. 2011/02930/OUT). The area covered by this permission included the application site, as well as Shepherds Bush Market, St Mungo's, Nos. 1-14 Market Lane, land adjoining former Shepherds Bush Library and Nos. 30-52 Goldhawk Road.

2.2 The outline planning permission comprised (Ref. 2011/02930/OUT): "Demolition of existing buildings, the refurbishment and enhancement of the market, and the construction of new buildings ranging from 2-9 storeys in height (plus basement) to provide up to 212 residential units (including 194 flats, 13 mews-style houses and 5 live/work units) (up to 27,977sqm); and up to 14,052sq.m of non-residential floorspace comprising up to 6,000sqm of market/retail floorspace (Class A1), up to 4,000sqm

floorspace of Food and Drink Uses (Classes A3/A5), and up to 4,052sq.m of associated servicing facilities and ancillary uses; including provision of landscaping and amenity/public space; access and parking (up to 85 vehicular spaces), up to 457 cycle parking spaces and associated works."

2.3 Reserved matters approval (for appearance and landscaping) was granted in December 2013 (Ref. 2013/05493/RES).

2.4 A non-material amendment application (Ref. 2014/02356/NMAT) was granted in May 2015, allowing the triggers of conditions to change, to allow for drainage works and the construction of the temporary market to commence on site.

2.5 An application (Ref. 2014/02512/DET) for approval of details for the partial discharge of Condition 7 (Market Management Plan for the Temporary Market and Interim Market only) was submitted in May 2014 and withdrawn in November 2016.

2.6 Reserved matters (appearance and landscaping) application was submitted in March 2015 (Ref. 2015/01462/RES) and withdrawn in November 2016.

2.7 The above applications were withdrawn as a result of the quashing of an intended CPO as detailed in the below timeline:

- i) Shepherds Bush Market Tenants' Association challenged the CPO through a judicial review. Whilst the Inspectorate advised against the CPO, the Secretary of State subsequently overturned this recommendation in February 2015.
- ii) A High Court ruling in August 2015 upheld the Secretary of State's decision, allowing the CPO.
- iii) In March 2016 the Court of Appeal found the CPO unlawful (i.e. overturning the High Court ruling).
- iv) The applicant (Orion) withdrew its application to appeal to the Supreme Court against the decision by the Court of Appeal (in September 2016) and therefore withdrew proposals for redevelopment.

2.8 St Mungo's Day centre - In 1998 planning permission (1998/00985/FUL) was granted for the redevelopment of the site for a mixed-use development comprising the erection of a 2-storey day centre, a 3-storey 15-bed hostel and a 3-storey block of 12 self-contained 1-bedroom flats with 4 off-street parking spaces.

2.9 In May 2017, an application was submitted (2017/01887/FUL) for a temporary mixed-use development (2 years), to provide co-working (office) units, community use units, and a food and beverage court, arranged around a square with communal seating and a raised terrace at first floor. This application was refused at Planning and Development Control Committee (PADCC), in September 2017.

3.0 CURRENT APPLICATION

3.1 This application seeks approval for a mixed-use development of the site for a temporary period of two years. The scheme would provide a mix of co-working (office) units, community use units and a food and beverage court which will be arranged around a square with communal seating. This scheme has been modified in response to

a refusal of a scheme at PADCC in August, and includes the removal of the first floor of containers and provision of additional cycle spaces.

3.2 The proposed units will be located in the 72 shipping containers which were installed on the site before the CPO related to the outline planning permission was quashed (as outlined above). All the containers will be of a single storey.

3.3 The main pedestrian entrance to the site would be from Shepherds Bush Market during the hours of operation of the market. The market can be accessed from either Goldhawk Road to the south and Uxbridge Road to the north. Outside the hours of operation of Shepherds Bush Market, pedestrians would access the site from Goldhawk Road via a new pedestrian route. Servicing of the site would be undertaken via the existing arrangements for Shepherds Bush Market.

3.4 The application seeks permission to use 46 of the containers for B1 (office) use. The applicant has stated that the B1 units will be for co-working and start-up units and that the aim is to provide accommodation for local artists and businesses. One of the containers will be used for the site managers office. The location of the B1 containers within the site is proposed as follows:

- o 19 containers located along the boundary of the site with Pennard Road;
- o 10 containers would be located in the middle of the site adjacent to the communal seating;
- o 7 containers would be located on the boundary with Shepherds Bush Market to the west;
- o 9 containers would be arranged around the community, food and beverage square.
- o 1 container would be located adjacent to the Goldhawk Road access route which would be used by the market manager

3.5 The application proposes 8 of the containers to be used for Food and Beverage (F&B) use. The containers would be arranged around the public square, referred to as the 'community, food and beverage square'.

3.6 The application proposes 7 community use containers (Class D1) which are located around the public square. In addition to this, the applicant has stated that the public square would also be used for community events and workshops such as yoga, children's parties and silent cinemas.

3.7 The plans show that 7 ancillary storage containers are proposed, which will mainly be located within a separate storage area along the Pennard Road Boundary behind gates which will be locked to prevent patrons from entering this area.

3.8 The proposal includes 4 containers for cycle parking (60 cycle spaces) which will be located next to the Goldhawk Road access route. There are 2 toilet blocks which will be located near to the main entrance from Shepherds Bush Market. A fridge unit is also proposed which will be located in the secure storage area.

Application submission

3.9 The applicant has submitted the following documents with the application.

- o Planning Statement prepared by Lichfields dated 02/10/2017;

- o Design and Access Statement prepared by We Like Today and Farrer Huxley Associates dated October 2017;
- o Landscape Statement prepared by Farrer Huxley Associates (Ref. 171002-FHA-693-R-01-P4);
- o Noise Impact Assessment prepared by Scotch & Partners Acoustics (dated October 2017);
- o Transport Statement prepared by Motion dated 29/09/2017;
- o Travel Plan prepared by Motion dated 29/09/2017;
- o Statement of Community Involvement prepared by Portland Communications dated 22/09/2017;
- o Sustainable Urban Drainage Scheme Assessment (Rev C) dated 18/09/2017 prepared by Motion;
- o Draft Operational Management Plan prepared by U+I (the applicant);
- o Preliminary Risk Assessment prepared by Merebrook, dated September 2017
- o Geo Environmental Assessment prepared by Pell Frischmann, dated May 2011;
- o Drawings: SBM_1001_Rev ; SBM_1002_Rev A; SBM_1003_Rev A; SBM_1004_Rev A; SBM_1005; SBM_1010_Rev C; SBM_1012_Rev E; SBM_1013_Rev E; SBM_1013a_Rev E; SBM_1014_Rev E; SBM_1014a_Rev E; SBM_1015_Rev D; SBM_1017_Rev C; SBM_1022; SBM_1023; SBM_1024_Rev A; SBM_2001_Rev A; SBM_2002_Rev A; SBM_2003_Rev A; SBM_2004; SBM_2005; SBM_2005a; SBM_2006; SBM_2010_Rev D; SBM_2011_Rev C; SBM_2012_Rev D; SBM_2013_Rev B; SBM_2014; SBM_2014a; SBM_2015_Rev A; SBM_4002; SBM_4003.

4.0 PUBLICITY AND CONSULTATION

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 applicant.

4.2 Five consultation sessions were held on site to cater to different stakeholder groups. The stakeholder groups were: Shepherds Bush Market Traders Association (SBMTA); Market traders; Councillors; Pennard Road residents and other local residents. The consultation sessions were advertised via letters, press adverts, noticeboards. The pre-application public consultation conducted by the applicant provided the local community with the opportunity to engage with the proposals over a period of four weeks.

Application Publicity and Consultation

4.3 A total of 608 neighbouring addresses were consulted by letter on 5th October 2017. Site notices were displayed around the site on 6th October 2017. Letters were hand delivered to Market Stall holders to ensure they were delivered.

4.4 During the consultation period 120 responses were received, of these 40 were comments in support and 80 were objections.

4.5 The main objections received are categorised below;

- o Limited consultation period;
- o Safety concerns over access to the rear of residential properties;
- o Increase in noise and pollution on surrounding residences;

- o Impacts of lighting on surrounding residences;
- o Potential hygiene impacts;
- o Impacts of additional traffic and lack of on-street parking;
- o Detrimental impacts on trading of the existing market;
- o Visual amenity for residential dwellings;
- o Impacts on the adjoining conservation area;
- o Negative impact on the character of the existing market;
- o Inadequate cycle spaces;
- o Lacks a coherent long term plan for the site;
- o Lack of information regarding deliveries;
- o Increased flood risk to areas at risk of land and water contamination;
- o Potential to allow unsocial activities on site and increase in crime;

4.6 It is noted that many of the objection grounds are not considered to be material planning considerations and as such have not been addressed within the report.

4.7 The comments received in support of the application focused on the activation and revitalisation of the market and the area. They identified the proposal as attracting additional, new and diverse users, supporting surrounding businesses and venues and creating a better community atmosphere.

4.8 Transport for London and the Met Police were not consulted on this application, as their original comments were about the proposed use of the site.

4.9 During the previous application the Metropolitan Police asked for details of the type of events and CCTV. (Officer comment: Condition 17 requires an Operational Management Plan to be submitted, while Condition 20 secures CCTV provision).

4.10 Shepherds Bush Market Tenants Association (SBMTA) has provided a holding response to the application, objecting on grounds of the impact on the conservation area and impacts on residential amenity.

4.11 The Theatres Trust which operates Bush Theatre (located to the north of the site) supports the application. In particular they encouraged the reuse and activation of the site to attract new patronage and support other local businesses and venues in the area.

5.0 PLANNING POLICY FRAMEWORK

5.1 The National Planning Policy Framework (NPPF) was published on 27 March 2012.

NPPF sets out Government planning policies for England and how these are expected to be applied in favour of sustainable development. The NPPF replaces Planning Policy Guidance and Planning Policy Statements and is a material consideration in decisions on planning applications.

5.2 The London Plan was published in July 2016. It sets out the overall strategic plan for London and a fully integrated economic, environmental, transport and social framework for the development of the Capital over the next 20-25 years. It forms part of the development plan for Hammersmith and Fulham.

5.3 The Hammersmith and Fulham Core Strategy (2011) and Development Management Local Plan (2013) make up the Development Plan for the site.

5.4 Other material considerations include the White City Opportunity Area Planning Framework (2013) within which the local centre is identified as one of three main retail 'anchors' and the LBHF Planning Guidance Supplementary Planning Document (2013).

5.5 LBHF submitted its Proposed Submission Local Plan to the Secretary of State in February 2017. In June 2017, a public examination took place and the proposed main modifications to the plan were consulted on until 15th September 2017. Due to its advanced stage of preparation, some weight can be given to the emerging Local Plan and the relevant policies from the emerging plan are considered below, as well as those currently adopted. In the emerging Local Plan, the site is within White City Regeneration Area.

6.0 PLANNING ASSESSMENT

6.1 The key planning considerations relating to this application are:

- o Whether the proposed mix of uses is acceptable in planning terms;
- o Whether the height, siting, layout, landscaping and appearance of the development is acceptable;
- o The impact of the development on the amenity of neighbouring residential properties;
- o The impact of the development on the surrounding road network, parking, provision of cycle parking and highway safety;
- o Whether adequate refuse/recycling storage facilities will be provided and the management of deliveries/servicing;
- o Whether the proposal is acceptable with regards to sustainability and drainage;
- o Whether the proposal would be acceptable in land contamination terms; and
- o Whether the development would increase opportunities for crime.

Principle of the proposed land use

6.1 The proposals include mix of uses across the site, including employment units (co-working studios/offices), community units and an events space supported by food and beverage units.

6.2 The proposals in their broadest sense are supported at a national level. The NPPF promotes economic growth (such as new employment and commercial uses) within existing town centres, in order to enhance their vitality and to create jobs and prosperity. The NPPF also supports development in sustainable locations, such as town centres to reduce the need to travel.

6.3 Similarly, at a regional level the proposals are supported by virtue of London Plan Policy 2.15 (Town Centres), Policy 4.6 (Support for and enhancement of arts, culture, sport and entertainment) and Policy 4.7 (Retail and Town Centre Development). These policies promote the provision of new employment and cultural development that enhances the existing offer of town centres, particularly where they, "address deficiencies in facilities and provide a cultural focus to foster more sustainable local communities." The temporary provision of smaller units will help to nurture and

encourage businesses within the local area without having an adverse impact on the viability of existing town centre uses. The London Plan also encourages development that supports and enhances the competitiveness, quality and diversity of town centre leisure, arts and cultural, other consumer services and public services.

6.4 Core Strategy Strategic Policy WCOA (White City Opportunity Area) sets out an indicative target of 10,000 new jobs for the WCOA area during the plan period. The proposed development would contribute to this target by creating employment opportunities.

6.5 Core Strategy Policy WCOA3 refers to the wider regeneration of the application site and states that the site should be regenerated (along with Shepherds Bush Market) to create a vibrant mixed-use town centre development which includes of small shops, market stalls, leisure uses and offices. The equivalent emerging Local Plan policy WCRA3 states that "the council will continue to support and work with existing traders for the retention and improvement of Shepherds Bush Market to provide a more vibrant mix of town centre uses, retaining accommodation or existing market traders and traders along Goldhawk Road."

6.6 Core Strategy Strategic Policy C (Hierarchy of Town and Local Centres) states that for Shepherds Bush town centre, the priority will be to strengthen the historic town centre by encouraging commercial and leisure based development and uses that will help regenerate town centre functions.

6.7 The development would assist in creating an attractive destination by bringing into active use a redundant site. The proposed uses (B1 office, A3/A4/A4 food and beverage units and D1 community) would contribute to creating vibrancy in the area as well as to its wider regeneration. The office development would be made available for local artists/businesses and would encourage local job creation. The containers would be made available for local pop-up and start-up businesses, boosting the local economy. The community units with outdoor event space and landscaping would contribute to the vibrancy of the area.

6.8 Core Strategy Strategic Policy LE1 (Local Economy and Employment) sets out standards for local economy and employment and requires developments to ensure that accommodation is available for all sizes of business, including flexible space for small and medium sized enterprises and encourage local employment. The development complies with this, because local SMEs within the creative industries are expected to use the shipping containers. The applicants have advised that discussions are ongoing with the Bush Theatre about their potential occupancy and that the applicant is working in collaboration with LBHF Arts and Culture, to help meet the arts strategy for providing a cultural hub.

6.9 Core Strategy Strategic Policy CF1 (Supporting Community Facilities and Services) within the Core Strategy supports community facilities and services and the provision of a community use within the development therefore complies with its premise.

6.10 Core Strategy Strategic Policy OS1 (Improving and Protecting Parks and Open Spaces) seeks to protect and enhance parks and open spaces within the Borough and requires a mix of public and private open space in White City Opportunity Area. The

development proposes an outdoor events space, landscaping, and pedestrian access route through.

6.11 Borough Wide Strategic Policy BE1 (Built Environment) requires development within regeneration areas to create a high quality urban environment that respect local context and character. The proposed office, community, food and beverage uses have been carefully chosen by the applicant (who owns the adjacent Shepherds Bush Market) so that they don't directly compete with the retail offer of Shepherds Bush Market. The main entrance to the proposed development will be through Shepherds Bush Market and this is proposed to increase the footfall through the market from both Goldhawk and Uxbridge Road. The proposal is considered to be complimentary to the market in terms of land uses as it would not result in direct competition and it would therefore respect the local context and character in line with Policy BE1.

6.12 Policy DM D1 (Enhancement of Community services) states that "The temporary use of vacant buildings for community uses, including for performance and creative work is encouraged. The temporary use of the site for a period of two years is considered to be acceptable as it would provide office/co-working accommodation for start-up businesses and would enhance the vitality and viability of the town centre. The site was outlined as the location for the temporary market where traders would have moved to whilst the regeneration works to the market were carried out and so the principle of a temporary land use and the shipping containers was established with the previous consent.

6.13 In considering the issues above, the proposed mix of uses are considered to be acceptable in land use terms and the proposal therefore complies with the relevant national, regional and local planning policies of the Development Plan.

Layout, Design, Heritage impact, Landscaping, and Access

6.14 London Plan Policies 7.1-7.8, Policies EN8 and BE1 of the Core Strategy and Development Management Local Plan Policies DM G1 and DM G3 require high standards of design, compatible with the scale and character of existing surrounding development and which is inclusive and integrates to help regenerate places.

6.15 Development Management Policy DMG1 (Design of a new build) relates to design and states that all proposals must be designed to respect:

- a) the historical context and townscape setting of the site, and its sense of place;
- b) the scale, mass, form and grain of surrounding development;
- c) the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
- d) 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;
- e) the principles of good neighbourliness;
- f) the local landscape context and where appropriate should provide good landscaping and contribute to an improved public realm; and
- g) sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
- h) the principles of accessible and inclusive design; and
- i) the principles of Secured by Design.

Layout

6.16 In terms of layout, the containers which would be used for office/co-working B1 space (62.5% of the total number of containers) would primarily be located on the north, east and west sides of the site forming a secure boundary. The remaining community, food and beverage use containers are located within a square formation at the south-western corner of the site. The containers are arranged to create an enclosed space, as well as creating a secure boundary around the site and acting as an acoustic barrier to noise, particularly to the residential properties along Pennard Road. All containers across the site are single storey.

6.17 Bike storage units and the on-site manager's office will be located near to the main entrance to the adjacent to the St Mungo's building. This has been located here to protect the amenity of residents at St Mungo's, with the on-site manager providing surveillance.

6.18 The layout of the proposals will facilitate easy and convenient pedestrian movement in the area whilst ensuring that the proposals do not have a detrimental impact on the footfall of Shepherds Bush Market. During the hours of operation of the adjacent Shepherds Bush Market, pedestrian access will be through the existing entrances from Shepherds Bush Market to increase the footfall. Outside of Shepherds Bush Market opening hours, pedestrians would access the site via a new pedestrian route from Goldhawk Road via the existing lane adjacent to St Mungo's centre. Lighting would be installed in the lane which has been designed to add security whilst not being detrimental to the amenity of adjoining occupiers. An Operational Management Plan to detail how this route is managed and secured has been conditioned (Condition 17).

6.19 The emergency exit/entrance into Shepherds Bush Market at the north end of the site, will not be used by customers or staff so that the proposal does not result in pedestrians by-passing the middle stretch of Shepherds Bush market. Condition 11 is recommended to ensure that this entrance is only used in emergencies and the operational management plan will provide details on how this entrance/exit will be controlled.

6.20 Similarly, the Pennard Road entrance will only be an emergency entrance/exit and will not be used by service vehicles in order to protect the amenity of the Pennard Road dwellings. Condition 9 ensures this access point is for emergency use only.

Design and Heritage

6.21 The layout, scale and massing of the proposed development is considered to be acceptable and would respect the context, form and grain of the surrounding residential streets and neighbouring Shepherds Bush Market in accordance with Policy DM G1. The temporary proposals are considered to enhance the appearance of the site and the vacant shipping containers and would introduce hard and soft landscaping into the urban site.

6.22 The existing containers comprise dark green, metal shipping containers with a roller shutter to the front for access. The submitted drawings show that glazing would be inserted into the containers to make them suitable for office and community uses. The glazing would only be on the front of each container due to the proposed layout of the containers.

6.23 No details have been submitted on the detailed layout or appearance of the glazing/shutters and so condition 32 has been added requiring details of the typical layout and appearance of a container for each of the proposed uses. These details would have to be demonstrated beyond any doubt that the containers will only be used for the approved purposes and for no other use, in particular residential. No details have been submitted for any external alterations to the containers which may be required such as the installation of air-conditioning units. Condition 30 has therefore been added which states that no external alterations (other than those shown on the plans) shall take place without planning permission being obtained first.

6.24 Policy DM G7 (Heritage and Conservation) states that the council will aim to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas. The site is not located within in a conservation area but is adjacent to the Shepherds Bush conservation area which starts from Pennard Road. The Pennard Road frontages are considered to be the significant part of the Shepherds Bush Conservation Area, not the rear of the properties. The removal of the upper level containers and the consequent siting of all containers at ground floor level, serves to lessen the visual impact of the containers. As the site is located at the back of Pennard Road, it is considered by officers that the proposal does not harm the setting of the Conservation Area.

6.25 In conclusion, the proposed temporary development is considered to be acceptable in terms of design and in compliance with the relevant policies and the development is considered to be compatible with the scale of the existing surrounding development. The proposal is for single storey containers and as such it is further considered that there will be no harmful impact to surrounding Conservation areas.

Landscaping

6.26 The applicant has submitted a landscaping statement with the application which provides details on the landscaping. The landscaping is proposed to break up and soften the feel of the existing hard landscape and to complement the shipping containers with soft landscape and furniture. Planters and seating are proposed to define the spaces and create meeting points as well as opportunities for socialising or community event space. On top of the containers adjacent to East boundary, it is proposed to use a number of raised planters with planting to mitigate possible noise and lighting impact to existing residents on Pennard Road. The principle of the landscaping is considered acceptable and provides a suitable softening to the harsh edges of the shipping containers.

Access

6.27 The developer is mindful to ensure that the existing market benefits from the increase in footfall that the scheme would provide, but that this increase doesn't result in conditions that could impact on the ability of the traders to trade. No objections on this basis have been received from traders. The main entrance/exit to the proposed development will be through an entrance from the existing market during the market opening hours (9:00am - 6:00pm). Once the market closes, pedestrians would use the route from Goldhawk Road beside St Mungo's Broadway centre to access the site. All other entrances/exits to the site will only be used for emergency access and this is secured by conditions.

6.28 All access points to the site are level or have a gradient not beyond 1:12 metres for wheelchair access. The layout of the site has been planned so that all of the uses (i.e. co-working, food and beverage and community containers) are located at ground floor so that wheelchair and pushchair users can access all of the proposed uses at ground floor level. The containers in the public square have an internal perimeter ramped and raised decking that allows level access to each of these units.

Impact of the development on the amenity of neighbouring residential properties

6.29 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, overshadowing, wind and microclimate. Policy DM G1 refers to impact generally and the principles of 'good neighbourliness'. Housing Policy 8 in the LBHF planning guidance SPD requires amenity of neighbouring occupiers to be protected. Policy DM C6 also seeks to ensure that the late night economy does not cause unacceptable harm to residential amenity.

6.30 The proposal is located adjacent to residential properties on the western side of Pennard Road. The co-working/office containers will be positioned up against the boundary wall of the Pennard Road back gardens. The nearest food and beverage and community uses within the square are located approximately 14m away from the back garden walls of Pennard Road and approximately 20m from the rear elevations of the houses.

6.31 The containers are all single storey to reduce any potential visual impacts, and the roofs of containers on the eastern boundary will have raised planters to further reduce any noise or light spillage to residential properties. All the containers will have green roofing, through either artificial grass or planters to improve visual amenity across the site.

Daylight and sunlight

6.32 The proposed development will not have an unacceptable impact in terms of daylight or sunlight on the Pennard Road residential properties. The nearest containers to Pennard Road are single storey and are the same height as the existing boundary wall between the properties. Housing Policy 8 of the SPG (Protection of amenities) provides guidance on the assessing the impact that new development has on the amenities of neighbouring occupiers. It states that on sites that adjoin residential properties that have rear gardens of less than 9 metres in length (which is the case for the Pennard Road properties), the development should not extend beyond a line of 45° when taken from the ground floor of the boundary. The containers would be at the highest 2.591m and would be well under the 45° line when measured from the ground floor of the boundary and the height would therefore have no impact on daylight and sunlight to the Pennard Road properties.

Outlook

6.33 SPD Housing Policy 7 states that 'The outlook from any rear window of a habitable room in the main part of the building should not be significantly worsened as a result of any proposed extension built at a level higher than the level of the floor containing the affected window'. The outlook of the ground floor windows would not be adversely

affected by the development due to the existing high boundary wall and containers. The containers have been in situ on the site for a significant period of time and the proposals are considered to enhance the appearance of the containers. Furthermore, greening and planting of the top of each container will enhance the outlook for residents.

Overlooking

6.34 SPD Housing Policy 8 states that generally a roof terrace is unacceptable if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking.

6.35 The containers would not result in any overlooking to the Pennard Road properties as there is an existing boundary wall/hoarding between the containers and the back gardens which is at the same height as the containers.

Noise

6.36 Policy DM H9 and emerging Policy CC11 outline measures to control noise impacts of development; these include a requirement that, where necessary, a Noise Assessment is carried out to provide details of noise levels on the site. In terms of residential amenity and potential impacts on surrounding residents, there will be some noise from plant, equipment and customers' voices, as well as potential cooking smells.

6.37 The application is accompanied by a Noise Impact Assessment report which details the results of a noise survey as well as an assessment of the likely impact of noise from mechanical plant and customers' voices. The existing acoustic environment is composed of noise from passing tube trains on the nearby viaduct and noise from vehicles on the local road network. The noise surveys have gathered data on the east and west sides of the site, allowing maximum and minimum noise levels to be determined and to ensure that the environment next to the residential premises on Pennard Road is suitably captured. Noise levels are relatively steady between 7am and 11pm, before dropping noticeable overnight. The noise surveys have allowed noise emission limits to be calculated in compliance with noise criterion, and to enable an assessment of the likely impact of patron-generated noise to be determined.

Plant noise

6.38 Kitchen extract plant is proposed for five containers on the western side of the site, away from the residential properties. The lowest noise levels during the periods of operation between 9am and 11pm have been established, allowing a noise emission limit to be set in accordance with LBHF criterion. Full details of the plant to be installed have not yet been determined but, given the small-scale of the extraction equipment that will be required and the distance to residents, it is considered that compliance with the criteria can be achieved. Condition 15 is recommended which requires details of the plant noise.

Customer noise and opening hours

6.39 The report has made a prediction of the likely noise levels generated by customers using the site. Predicted noise levels for customer-generated noise were derived through measurements taken at three existing street food markets in London. A

maximum level of 73 dB (LAeq,1min) was measured during these surveys and this level has been used to make predictions at the application site. However, the report acknowledges that customer noise is inherently unpredictable and that there is no agreed assessment methodology for noise of this type. The assessment predicts that noise levels at residents' properties during peak times, generated by customers could be between around 3 to 5 dB above background dB level (LA90) in the back garden of the residential properties or 10 dB above at the nearest residential window. This suggests that, in between passing tube trains, customer noise may be more audible to residents, albeit not at high levels. In assessing this, officers have taken account of the location of the application site within designated town centre and within an Opportunity Area. Such an area is identified in the London Plan as an area of significant growth and change. Further, the primary source of the noise is the food court which is sited away from residential boundaries and is an activity compatible with a town centre location. On balance given the source of the noise, its location within a town centre and an identified regeneration area officers do not consider the increase in background noise to be such that constitutes demonstrable harm. A noise monitoring condition is recommended which requires the noise levels to be at the acceptable levels suggested in the report and for mitigation to be implemented should the noise increase beyond that level.

6.40 The proposed opening hours are:

- o 09.00-20.00 Monday, Tuesday, Wednesday, Sunday and Bank Holidays (with all staff off-site by 20.30), and
- o 09.00-22.00 Thursday, Friday and Saturday, with the first floor containers closing at 20.00 (with all staff off-site by 22.30).

6.41 The opening hours are considered to be acceptable for this location are in within the range set out in policy DM C6 which should ensure that there is no adverse impact on neighbouring residents. The containers and additional landscaping will assist with noise attenuation on site. The opening hours shall be secured by conditions.

6.42 Condition 18 is recommended which requires the application to submit details of an Operational Management Plan (OMP) for the site which will include details such as security, opening hours and access etc. as well as details of events management.

Odours

6.43 Policies DM H9 and H11 of the Development Management Local Plan seek to protect the amenity of occupiers of the development site and surrounding premises in terms of cooking odour.

6.44 Five out of the eight A3/A4/A5 containers are proposed as food preparation areas. These are located on the western side of the food and beverage square. Given the size of the containers and temporary nature of the proposal, it is unrealistic to expect a high-level discharge incorporating an electrostatic precipitator. The containers will be fitted with small individual vent-less recirculation systems which incorporate a filtration system that is designed to deal with grease, fine particulates, smoke and odour. The applicant has submitted manufacturing details of the filtration system. Combined with the distance to the nearest residential properties, officers consider that these measures will be sufficient to ensure cooking odours do not cause an adverse impact on residential properties.

6.45 In summary, the proposals are considered to be acceptable with regards to the impact on residential amenity and are in accordance with the relevant planning policies.

Parking and highway impact

6.46 In terms of transport, the proposals are considered acceptable in respect of trip generation and highways safety as it is located within a sustainable town centre location. The submitted Transport Statement demonstrates that the expected person trips associated with the development proposals is not considered to be significant and would not result in a material effect on the highway network local to the site in accordance with Policy DM J1 and Policy T2.

6.47 Vehicular access to the site will only be for deliveries and servicing and is proposed through the existing Shepherds Bush Market. This will accord with the current one-way operation and time restrictions of access. The Pennard Road entrance will not be used at any time except for emergency access.

6.48 The development proposals will be car-free, with no car parking provided on site. This is in accordance with London Plan and LBHF parking standards (Policy DM J2) and is considered appropriate given the highly accessible location of the site. There is an existing CPZ in place to provide suitable short-term car parking to serve Shepherds Bush Town Centre. Existing local controls (Zone GG) allow up to two hours of paid parking for visitors between 9.00 and 22.00 each day, with restriction to registered permit holders only from 18.30 to 20.00 to ease return to home journeys for residents. The parking restrictions surrounding the site are within Zone JJ restrict parking between 9.00 to 21.00 and within Zone CC between 9.00 to 20.00.

6.49 Policy DM J4 and emerging Policy T5 requires off street car parking bay for Blue Badge holders where there is delivery or other vehicle access to a development site. Blue Badge holders can park within on-street pay and display parking bays and resident permit holder parking bays within the vicinity of the site (including those on Wells Road, Lime Grove and Pennard Road) free of charge and without time limit. Due to the access constraints of the site, this arrangement is considered to be acceptable.

6.50 A total of 60 cycle parking spaces will be provided on site (comprising 30 long stay cycle parking spaces and 30 short stay cycle parking spaces). The cycle provision is significantly more than required by Local policy and London Plan policy guidelines. An additional 30 cycle spaces have been added to the scheme. The cycle parking will be located in four of the containers located near to the entrance to the application site. Condition 21 is recommended which requires detailed drawings of the cycle parking to be submitted as the drawings provided are not sufficiently detailed. The extra cycle parking will encourage more visitors to cycle to the site rather than drive, which will have a beneficial effect in relieving pressure for on-street parking within the CPZ.

6.51 TfL guidance suggests the need for a travel plan for workplace sites with more than 20 employees. The B1 use will employ more than 20 employees and so a travel plan will be required by condition. The travel plan is likely to take the form of a simple information pack for employees on the transport facilities in the area due to the small scale nature of the proposal. An outline Travel Plan has been submitted, however a final version of the Travel Plan prior to occupation is requested by Condition 18.

Refuse, deliveries and servicing

6.52 London Plan Policy 5.17 makes clear that new development makes sufficient provision for waste management and promotes designs and layouts that secure the integration of waste management facilities without adverse impact on the street scene. Policy DM H5 and emerging policies CC6 and CC7 require all new development to include suitable facilities for the management of waste generated by a development.

6.53 The applicant has submitted a Waste Management Strategy within the Design and Access Statement. Five 1,100 litre general waste bins and five 240 litre food waste bins will be provided on site which will be located in the south east corner. It is proposed that refuse vehicles would enter the site through Shepherds Bush Market and a loading area is provided at the entrance to the site to allow vehicles to stop and unload without blocking movement of other servicing vehicles through the Market. A swept path analysis is included in the Transport Statement which demonstrates that the refuse vehicle can access and leave the site appropriately. Site Management will be responsible for moving waste bins from the designated area to a point close to the collection point, at the time of the collection. Servicing would be restricted to occur between 07:30 and 20:00 hours to ensure local amenity.

Sustainability and drainage

6.55 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:

- o 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
- o Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

6.56 The Design & Access Statement states that there is an Environmental Strategy outlined which states that energy saving technology will be used with the addition of communal facilities to reduce energy usage and to assist with monitoring of energy consumption. It is intended to also minimise the use of water and a SuDs Assessment has been submitted which shows how the inclusion of additional landscaping measures, including green roofs will help manage surface water run-off. A Waste Management Strategy is also provided which shows how waste and recycling will be segregated and collected and a Lighting Strategy included which references the need to mitigate energy use. Condition 15 is recommended which requires the applicant to implement the measures set out in the Environmental Strategy.

6.57 Policy DM H3 and emerging Policy CC4 states that all developments in the Borough will be required to incorporate Sustainable Drainage Systems (SuDs).

6.58 A Flood Risk Assessment (FRA) has not been provided, although the main potential flood risk for the site is surface water and this has been discussed and a mitigation approach outlined in the SuDS Assessment.

6.59 The SuDS proposals will filter the majority of surface water on the site through green roofs or new landscaped areas on the site. These will slow the discharge rates of stormwater into the sewer system, which is welcomed.

6.60 A detailed Drainage Strategy is to be provided in which further details of the proposals can be provided, including an assessment of the actual betterment levels to be provided by the scheme and consideration of whether or not other measures could be included - e.g. some rainwater harvesting for irrigation purposes. Condition 22 is recommended which requires the submission of further details on the drainage strategy.

Contaminated land

6.61 Legislation and national, regional and local planning policy require the planning system to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of soil and water pollution. They require the remediation and mitigation of degraded, derelict, contaminated and unstable land, where appropriate.

6.62 Policy CC4 of the Core Strategy (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 land, air and water and the remediation of contaminated land. Policy DM H7 (Contaminated land) seeks to ensure that when development is on or near a site that is known to be, or there is good reason to believe may be, contaminated, a site assessment is carried out and a report of the findings is submitted to establish the nature and extent of contamination. Policy DM H11 (Control of Potentially Polluting Uses) states that the council will, where appropriate, require precautionary and/or remedial action if a nuisance or other polluting emissions would occur.

6.63 The application has been reviewed by the Councils Environmental Quality team who have advised that potentially contaminative land uses (past or present) are understood to occur at, or near to, the site. The applicant has re-submitted a Pell Frishman geo-environmental report which was submitted with the outline application as well as a Preliminary Risk Assessment.

6.64 While the information provided in these documents is generally satisfactory, further information is required to be included to ensure a thorough investigation has been undertaken. Conditions are therefore recommended to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan.

Security and lighting

6.65 Development Local Plan Policy DM G1 requires all development to be designed to respect the principles of secure by design. Policy 7.3 of the London Plan (2016) states that boroughs and others should seek to create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.

6.66 The previous application was reviewed by the Metropolitan Police Designing Out Crime Officer who advised that that the site should achieve full Secured by design - i.e. the units should be secured to the minimum security standard of PAS 24 and the that

the area should be covered by suitable CCTV and that the area should be locked and secured at night. There will be an on-site Manager during the hours of operation and a container has been identified for their site office, located adjacent to the entrance to the site and to St Mungo's. This will provide for surveillance. Outside of trading hours, the site will be locked up and secured by security gates at both entrances by the on-site Manager and details of this will be required in the operational management plan. Condition 19 is recommended which requires details to be submitted which confirm that the proposal complies with Secured by Design standards.

6.67 Outside the agreed operational times, the site will be closed to the public with the access points being secured and protected by adequate security systems. CCTV will be in operation across the whole site and the applicant has provided plans which show where the cameras will be located. The existing CCTV will be supplemented with additional cameras and hardware to provide comprehensive CCTV coverage. Condition 20 is recommended which requires details of the CCTV locations to be submitted as the Metropolitan Police require more detail than was submitted with the application.

6.68 Policy DM H10 and emerging Policy CC12 states that potential adverse impacts from lighting arrangements will be controlled by requiring proposals to include details showing that it is appropriate for the intended use and provides adequate protection from glare and light spill.

6.69 A Lighting Plan has been submitted with the application and a lighting strategy included in the Design and Access Statement. The proposed lighting strategy seeks to enhance the development with background illuminance, for safety and interaction, balanced with illumination to key landscape and built features. The scheme will provide sufficient lighting levels to ensure the space feels safe at night time, whilst not disturbing surrounding residential homes and St Mungo's adjacent to the proposed out-of-hours entrance passageway. The proposed lighting strategy is considered to be acceptable in accordance with policies DM H10 and CC12. Condition 6 is recommended which requires all lighting to comply with the Institution of Lighting Professionals Guidance to ensure that the lux levels are appropriate and do not impact the amenity of adjoining occupiers in accordance with policies DM H10 and H11.

Conclusion

6.70 In conclusion, the proposed development is considered acceptable in policy terms, and once operational will be a positive addition to the rich diversity of uses and spaces within the Shepherds Bush Metropolitan Town centre. The bringing into use of a vacant site for a temporary period for employment, food and beverage use will respect the local context and character of the adjoining uses and enhance the vitality and viability of the town centre. Subject to conditions, the proposal is considered to be acceptable with regards to land use, design, amenity, transport, sustainability, land contamination and security and is in accordance with the relevant national, regional and local planning policies.

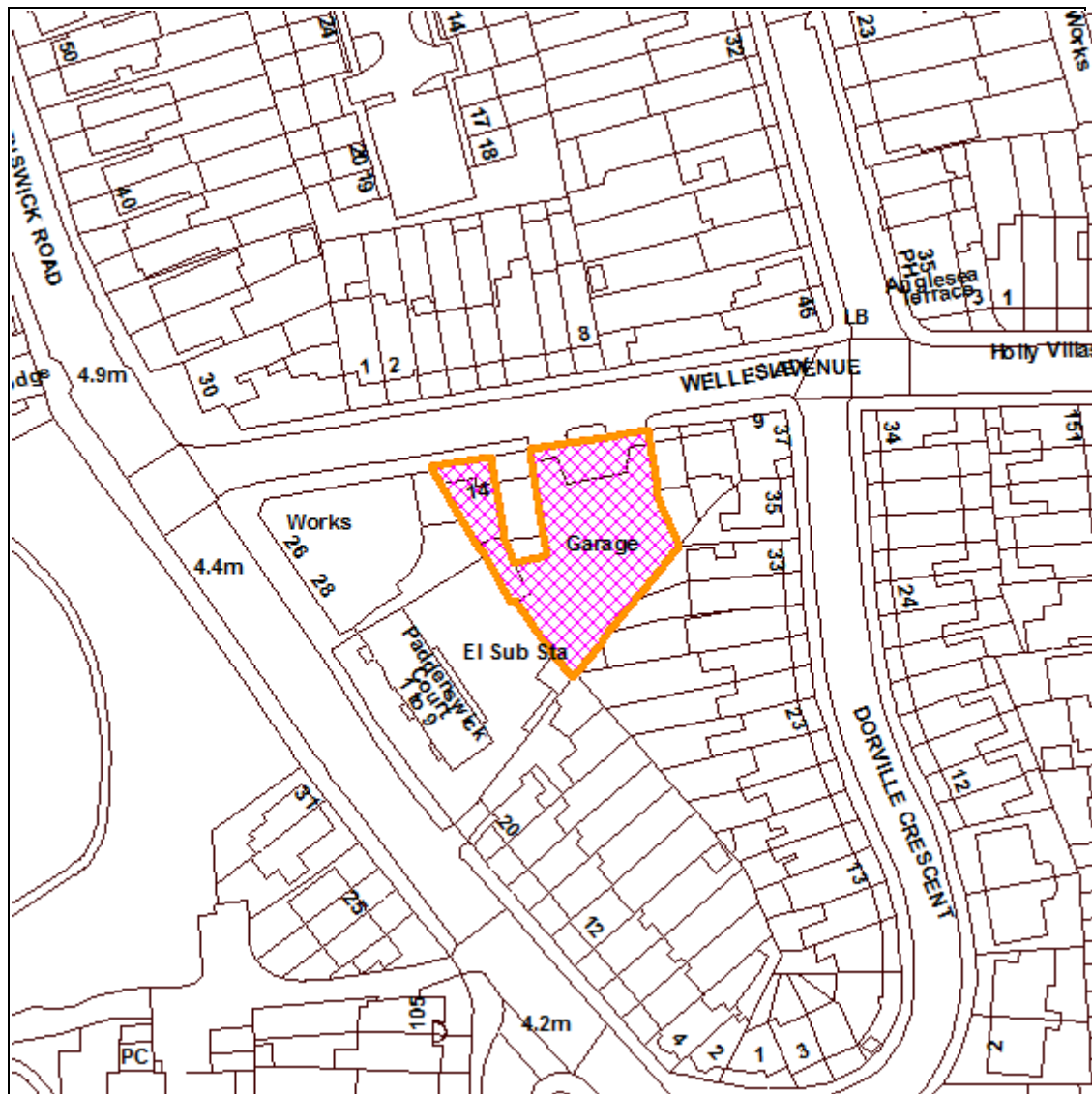
7.0 RECOMMENDATION

7.9 That the Director for Regeneration, Planning and Housing Services be authorised to determine the application and grant permission subject to conditions.

Ward: Ravenscourt Park

Site Address:

12 And 14 Wellesley Avenue London W6 0UP



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For identification purposes only - do not scale.

Reg. No:
2017/02065/FUL

Case Officer:
Raj Satheesan

Date Valid:
12.06.2017

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

Committee Date:
07.11.2017

Applicant:

Latifia Investments Limited
C/o Agent

Description:

Demolition of existing car repair workshop (Use Class B2) at 12 Wellesley Avenue and existing house at 14 Wellesley Avenue; redevelopment of the site comprising the erection of new B1 office building at 12 Wellesley Avenue including basement, ground - second floors and erection of linked mixed use office and residential building at 14 Wellesley Avenue to provide office space at basement and ground (linked to no. 12) and 1 x 3 bedroom residential unit at ground, first and second floors; associated alterations to the existing garage forecourt and residential front garden.

Drg Nos:

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be refused for the following reason(s):

- 1) The proposed development is considered to be unacceptable by reason of its scale, design, and appearance. The design and scale with its overly dominant top floor, and detailed design which includes its large brick "goal post" frame, and the low front boundary wall fails to relate satisfactorily to or integrate sensitively with the surrounding buildings which have a finer grain domestic scale. The office development of approximately 2000sq.m would bring a level of commercial activity and scale inappropriate to the character of this part of the conservation area. The proposed development would result in harm to the character and appearance of the Conservation Area, which it is desirable to preserve in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the proposal also fails to adhere to the principles of good neighbourliness. The proposal is therefore considered to be contrary to policies BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013), and Design Policies 30, 44, 46 and 48 of the Planning Guidance SPD (2013) and contrary to the National Planning Policy Framework (2012) paragraph 132.
- 2) The proposed basement by virtue of its size, and extending beyond the footprint of the building would result in an overdevelopment of the garden areas and would result in long term harm being caused to the green appearance of the borough and biodiversity, which in turn would have a detrimental impact on character and appearance of the conservation area. The proposed development is contrary Development Management Local Plan (2013) policies DM A8, DM E4 and DM G7, and Planning Guidance SPD Sustainability policies 14, 21 and 22, and SPD Design Policy 56.

- 3) The proposal is considered to be unacceptable in the interests of residential amenity. More particularly, the proposed development, by virtue of its height, scale, and bulk and close proximity to neighbouring residential properties on Dorville Crescent, Wellesley Avenue and Paddenswick Court would result in an overbearing and dominating effect causing undue loss of outlook and increased sense of enclosure to the occupiers of these properties. Accordingly, the proposal would constitute an inappropriate and unneighbourly form of development and in this respect is contrary to Policies DM G1 and DM A9 of the Development Management Local Plan (2013), and SPD Housing Policy 8 criteria (i) of the Planning Guidance Supplementary Planning Document (2013).
- 4) The proposed new windows at first and second floor level on the south-eastern elevation, by virtue of their elevated position and close proximity to the neighbouring residential properties together with a lack of sufficient screening, would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, as a result of overlooking and loss of privacy. In this respect the proposal is contrary to Policy DM G3 of the Development Management Local Plan (2013), and SPD Housing Policy 8 (ii) of the Planning Guidance Supplementary Planning Document (2013).
- 5) The proposal is considered to be unacceptable on the grounds of residential amenity. Officers consider that there is considerable potential for noise and disturbance from staff and visitors entering and leaving the site throughout the day, given the excessive size of the Class B1 office. The proximity to existing and proposed residential properties would exacerbate this conflict. Concerns are also raised regarding the lack of information submitted regarding opening hours, and how servicing activities associated with office development would be managed to mitigate harm to these residential properties. In the absence of this information, it is considered that the proposed office use would cause unacceptable harm to existing and future occupiers of the site / neighbouring properties by reason of additional noise disturbance and general nuisance resulting from activities from the B1 use, to the detriment of the amenities of residents. In this respect the proposal is considered to be contrary to Development Management Local Plan (2013) policies, DM H9, DM H11 and Core Strategy (2011) policy CC4.
- 6) The proposal fails to properly assess the feasibility of preferred sustainable drainage measures as set out in the London Plan Drainage Hierarchy. In particular, the current proposals have not sufficiently assessed rainwater harvesting and living roof options or other above-ground storage/infiltration techniques. This would be exacerbated by virtue of the size and scale of the proposed basement which extends beyond the footprint of the building, resulting in overdevelopment of the site, which would further limit the potential for sustainable urban drainage. In this respect the proposals fails to accord with Policy 5.13 of the London Plan (as amended in 2016), Policies CC2 and CC4 of the Core Strategy (2011), and Policy DM H3 of the Development Management Local Plan (2013).
- 7) The proposed development is considered to be unacceptable in the interests of visual amenity and biodiversity. The development will have a harmful effect on neighbouring trees as some will need to be cut back or removed to allow the development to be constructed and others will be subject to post development pressure to prune their crowns and restrict their growth. Furthermore, the Tree

Survey Report refers to the removal of T8 and T9 yet these are likely to offer significant visual amenity to the neighbours. The loss of these trees would result in harm to the character and appearance of the conservation area, and loss of biodiversity, contrary to policies BE1 of the Core Strategy, Development Management Local Plan (2013) policies DM G7 and DM E4, and Design Policy 56 and Sustainability policies 14, 21 and 22 of the Planning Guidance SPD (2013).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 19th May 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:
The Hammersmith Society	12.07.17
Hammersmith & Fulham Historic Buildings Group	10.07.17
Environment Agency - Planning Liaison	26.06.17

Neighbour Comments:

Letters from:	Dated:
20 Wingate Road London W60UR	02.07.17
35 Dorville Crescent London W6 0HH	03.07.17
Flat 1 26 Paddenswick Road London W6 0UB	04.07.17
Flat 2 The Curtis Building, 26-28 Paddenswick Road London W6 0UB	04.07.17
6 Dorville Crescent London W6 0HJ	07.07.17
15 Wingate Road London W6 0UR	09.07.17
NAG	10.07.17
46 Wingate Road London W6 0UR	10.07.17

46 Wingate Road London W6 0UR	10.07.17
46 Wingate Road London W6 0UR	10.07.17
38 Wingate Road London W6 0UR	10.07.17
3 Rosedale Terrace Dalling Road London W6 0HF	10.07.17
3,Holly Villas Wellesley Avenue London W6 0UW	09.07.17
6 wingate road london w6our	08.07.17
3 Holly Villas Wellesley Avenue London W60UW	10.07.17
273b Goldhawk road London W128eu	10.07.17
13 wellesley avenue london W6 0UP	08.07.17
13 Wellesley ave Hammersmith W6 0up	04.07.17
30 Dorville Crescent London W6 0HJ	04.07.17
19a Sycamore Gardens London W6 0AP	11.07.17
26 Dorville Crescent London W6 0HJ	11.07.17
77 Nasmyth Street London W6 0HA	29.06.17
25A, Dorville Crescent Hammersmith London W60HH	01.07.17
36 Wingate Road Hammersmith London W6 0UR	03.07.17
5 Wellesley Avenue London W6 0UP	03.07.17
14 Wingate Road London w6 0UR	03.07.17
1 Rosedale Terrace Dalling Road Hammersmith W6 0HF	04.07.17
168 Dalling Road London W6 0EU	04.07.17
13 Dorville Crescent London W60HH	07.07.17
13a Furber Street London W6 0HE	07.07.17
25 Wingate Road London W6 0UR	10.07.17
20 Paddenswick Rd. Ground Floor Flat Ravenscourt Park London W6 0UB	11.07.17
13 wellesley avenue W6 0UP W6 0UP	04.07.17
158 Dalling Road London W6 0EU	28.06.17
6 Rosedale Terrace Dalling Road London W6 0HF	30.06.17
14 Atwood Road London W6 0HX	08.07.17
21 Atwood Road Hammersmith London W6 0HX	08.07.17
3 Anglesea Terrace Wellesley Avenue London W6 0UT	10.07.17
52 Perrers Road London W6 0EZ	10.07.17
47 Percy Road London W12 9PX	10.07.17
12 Wingate Road London W6 0UR	10.07.17
46 Wingate Road London W6 0UR	10.07.17
52 Perrers Road. London W6 0EZ	10.07.17
Flat C 20 Paddenswick Rd London W6 0UB	11.07.17
10 Wellesley Avenue London W6 0UP	13.07.17
9 Wellesley Avenue London W6 0UP	05.07.17
2 Wingate Road London London W6 0UR	07.07.17
37 Dorville Crescent London W6 0HH	07.07.17
37 Dorville Crescent London W6 0HH	07.07.17
37 Dorville Crescent London W6 0HH	07.07.17
27 Paddenswick road London W60UA	07.07.17
1A Brackenbury Road London W6 0BE	09.07.17
33 Benbow Road London W6 0AU	09.07.17
160 DALLING ROAD LONDON W60EU	09.07.17
172 Dalling Road London W6 0EU	09.07.17
1, Wellesley Avenue, Hammersmith, LONDON W6 0UP	10.07.17
93 Stanlake Rd London W12 7HQ	10.07.17
31 Wingate Road London W6 0UR	11.07.17
42 WINGATE RD LONDON w6 0ur	11.07.17

17 Wingate Road London W6 0UR	11.07.17
2 Wellesley Avenue Hammersmith London W6 0UP	11.07.17
3 Holly Villas Wellesley Avenue London W6 0UW	11.07.17
154 Dalling Road London W6 0EU	30.06.17
Flat 10 Russell Court 108 Hammersmith Grove London W6 7HB	01.07.17
165 Dalling Road London W6 0ES	04.07.17
72 Bradmore Park Road London W6 0DT	09.07.17
72 Bradmore Park Road London W6 0DT	13.07.17
160 DALLING ROAD LONDON W6 0EU	09.07.17
2 Westville Road London W12 9BD	09.07.17
29 Dorville Crescent London W6 0HH	11.07.17
140 Dalling Road London W6 0EP	04.07.17
47 tabor road London W6 0BN	12.07.17
69 Nasmyth Street London W6 0HA	30.06.17
79 Galloway Rd London W12 0PH	04.07.17
8a Rosedale Terrace Dalling Rd London W6 0HF	06.07.17
23 Southerton Road london W6 0PJ	07.07.17
13 Wingate Road London W6 0UR	08.07.17
27 Wingate Road London W6 0UR	08.07.17
3, Holly Villas Wellesley Avenue London W6 0UW	09.07.17
26 Wingate Road London W6 0UR	04.07.17
154 Dalling Road London W6 0EU	06.07.17
Upper Maisonette 33 Dorville Crescent London W6 0HH	07.07.17
101 Ravenscourt Rd London W6 0UJ	10.07.17
46 Wingate Road London W6 0UR	10.07.17
29 Wingate Road 6 Beauchamp Place London W6 0UR	10.07.17
6 Wellesley Avenue London W6 0UP	10.07.17
3 Ashchurch Terrace London W12 9SL	12.07.17
13 wellesley avenue london W6 0UP	20.06.17
115a Elgin Avenue London W9 2nr	28.06.17
77 Nasmyth Street London W6 0HA	29.06.17
131 Dalling Road Hammersmith W6 0ET	05.07.17
36 Aycliffe Road London W12 0LL	07.07.17
114 Brackenbury Road London W6 0BD	09.07.17
The Jordans Nursery Holy Innocents Church, Paddenswick Rd London W6 0UB	11.07.17
11 Wingate Road London W6 0UR	11.07.17
11 Dorville Crescent Hammersmith London W6 0HH	11.07.17
65 Nasmyth Street London W6 0HA	29.06.17
2 Rosedale Terrace Dalling Road London W6 0HF	30.06.17
41 Perrers Road London W6 0EY	11.07.17
8a Rosedale terrace Dalling rd London W6 0HF	07.07.17
168 Dalling Road London W6 0EU	07.07.17
18 beauclerc road london W6 0ns	10.07.17
46 Wingate Road London W6 0UR	10.07.17
7 Wellesley Avenue Hammersmith W6 0UP	10.07.17
6 wellesley avenue London W6 0UP	10.07.17
10 keith grove London W12 9ez	10.07.17
Flat 7, 4 Bolingbroke Road London W14 0AL	10.07.17
133 Dalling Road London W6 0ET	10.07.17
153 Dalling Road London W6 0ES	11.07.17
1 Holly Villas Wellesley Avenue London W6 0UW	11.07.17

13 wellesley avenue london london	15.06.17
6 kilmarsh road London W6 0PL	06.07.17
1 Wellesley Avenue Hammersmith W6 0UP	08.07.17
151 Dalling Road Ground Floor Flat London W6 0ET	11.07.17
10 Dorville Crescent London W60HJ	11.07.17
20 Paddenswick Rd Ravenscourt Park London W6 0UB	11.07.17
30a Paddenswick rd London W 6 0UB	18.07.17
170 Dalling Road London London W6 0EU	09.07.17
170 Dalling Road London London W6 0EU	28.06.17
42 Wingate Rd London W6 0UR	10.07.17
1 Holly Villas Wellesley Avenue London W6 0UW	10.07.17
170 Dalling Road Hammersmith London W6 0EU	10.07.17
24 dorville crescent london W6 0HJ	11.07.17
13 Wellesley Avenue London W60UP	20.06.17
81 Percy Road Shepherds Bush W12 9PX	01.07.17
8 Wellesley Avenue London W6 0UP	02.07.17
141 dalling road london london w6 0et	03.07.17
40 Wingate Road London W6 0UR	05.07.17
178 Dalling Road London W6 0EU	05.07.17
34 Paddenswick road London W6 0UB	07.07.17
22 Dorville Crescent London W6 0HJ	07.07.17
135, Dalling Road London W6 0ET	09.07.17
31 Dorville Crescent London W6 0HH	09.07.17
11 Dorville Crescent Hammersmith W6 0HH	09.07.17
139 Dalling Road London W60ET	10.07.17
12 Wingate Road London W6 0UR	10.07.17
3 Wellesley Avenue London W6 0UP	10.07.17
38 Wingate Road London W6 0UR	10.07.17
10 Dorville Crescent london w6 0hj	11.07.17
212a Dalling Road London W60ER	11.07.17
8 Rosedale Terrace Dalling Road London W6 0HF	11.07.17
263 Goldhawk Road W12 8EU	12.07.17
21 Agate Road London W6 0AJ	14.07.17
29 Dorville Crescent London W6 0HH	12.07.17
11 Wellesley Avenue London W6 0UP	12.07.17
Flat Second Floor 31 Dorville Crescent London W6 0HH	12.07.17
3 Anglesea Terrace Wellesley Avenue London W6 0UT	07.07.17
Flat Basement And Ground Floor 33 Dorville Crescent London W6 0HH	04.07.17
Flat First Floor 31 Dorville Crescent London W6 0HH	12.07.17
30 Paddenswick Road London W6 0UB	12.07.17
33 Dorville Crescent London W6 0HH	28.06.17
10 Wellesley Avenue London W6 0UP	13.07.17
2 Wellesley Avenue London W6 0UP	10.07.17
4 Wellesley Avenue London W6 0UP	27.06.17
Flat B Ground Floor 25 Dorville Crescent London W6 0HH	11.07.17
13 welesley hammersmith W6 0UP	15.06.17
1st Floor, 26 Paddenswick Rd London W6 0UB	16.06.17
33 Dorville Crescent London W6 0HH	30.06.17
3 Wellesley Avenue London W6 0UP	03.07.17
38 Wingate Road London W6 0UR	08.07.17
21 Gayford road London W12 9by	08.07.17

22 Wingate Road London W6 0UR	10.07.17
63 Perryn Road London W3 7LS	10.07.17
30a Paddenswick Road London W60UB	10.07.17
26 Dorville Crescent London W6 0HJ	07.07.17
33 WINGATE ROAD LONDON W6 0UR	08.07.17
33 WINGATE ROAD LONDON W6 0UR	08.07.17
190 Dalling Road Hammersmith, London W6 0EU	10.07.17
101 Ravenscourt Road London W6 0UJ	11.07.17
18 dorville crescent Hanmersmith W6 0HJ	11.07.17
127 Dalling Road London W6 0ET	11.07.17
93 Stanlake Rd London W12 7HQ	12.07.17
13 wellesley avenue london W6 0UP	15.06.17
13 wellesley avenue london W6 0UP	20.06.17
Flat 2 93 Brook Green London W6 7BD	30.06.17
11 Wingate Road London W6 0UR	11.07.17
153 Dalling road London W60ES	11.07.17
166 Dalling Road London W6 0EU	11.07.17
17 Wingate Road London W6 0UR	11.07.17
47 Percy road London W129px	11.07.17
27, First Avenue Acton W3 7JP	11.07.17
8 wellesley avenue London w6 out	02.07.17
32 Dorville Crescent London W6 0HJ	05.07.17
25 Dorville Crescent London W6 0HH	05.07.17
174 Dalling Road Hammersmith London W6 0EU	08.07.17
20 Cardross Street London W6 0DR	09.07.17
4A Rosedale Terrace Dalling Road Hammersmith W60HF	28.06.17
156 dalling road London W6 oeu	29.06.17
13 Dorville Crescent London W6 0HH	07.07.17
25 Wingate Road London W6 0UR	10.07.17
172 Dalling road Hammersmih W60Eu	09.07.17
4 Rylett Crescent London W12 9RL	11.07.17
23 east churchfield road London W37II	07.07.17
10 Wingate Road London W6 0UR	12.07.17
18 Dorville Crescent London W6 0HJ	11.07.17
36 Wendell Road London W12 9RS	29.06.17
4 Dorville Crescent London W60HJ	05.07.17

OFFICERS REPORT

1.0 BACKGROUND AND SITE AREA

1.1 The application site at no. 12 Wellesley Avenue is a car repair garage (Use class B2 General Industrial) situated on the southern side of Wellesley Avenue.

1.2 No. 14 is a two storey dwelling house and is located approximately 80m away from Ravenscourt Park, which is one of the Borough's flagship parks and accommodates a number of listed structures and buildings. The site is also situated within the Environment Agency's flood zones 2 and 3 and Ravenscourt and Starch Green Conservation Area.

1.3 No. 14, like other houses in this area has an Article 4 Direction which restricts various works being undertaken as permitted development. This includes:

- Alteration to the roof, gable or dormer (including roof coverings) at the front of the property, and alterations to roof coverings at the rear of the property.
- The painting of external walls where these are of unpainted brickwork.

1.4 The total site area is approximately 867 sq.m. (0.087 Hectares), and the existing building footprint is 604 sq.m. The character of the area is mixed at the western end of Wellesley Road with a variety of buildings of different typologies, heights, and massing, with the prominent five-storey office building (Curtis Building) at the junction with Paddenswick Road; and the application site itself, in use as a car repair garage, providing commercial uses in a predominantly residential area.

1.5 No. 12 is an industrial building occupying a larger footprint than the surrounding residential properties. The subject site includes tall boundary walls to the south-west and south-east. The subject premises comprise a single storey building with a substantial pitched roof.

1.6 Elsewhere along Wellesley Avenue, and in the neighbouring streets, the character is almost wholly residential, with a mixture of two- and three-storey buildings in a mixture of styles. The Ravenscourt & Starch Green Conservation Area Character Profile, LBHF states that the southern side of Wellesley Avenue consists of a mixture of properties and the flank walls of properties in neighbouring streets. These include a three storey 1960's block and two two-storey terraced properties from the mid-19th century. Ravenscourt Park lies immediately west of the site on Paddenswick Road.

1.7 With regards to transport, the site is situated in an area with a Public Transport Accessibility Level (PTAL) score of 4, indicating it has good access to public transport. The site is also within controlled Parking Zone L.

RELEVANT PLANNING HISTORY

1.8 Planning history for no. 12 Wellesley Avenue includes:

- 2015/02949/CLP: Certificate of lawful development approved for the change of use of the building from general industrial use (Class B2) into business use within Class B1.
- 1973/00133: Application refused for the installation at 12 Wellesley Avenue, W6, of new petrol diesel and paraffin storage tanks.
- 1964/00849: Application approved for the: 1) Alterations and additions to the premises at no. 12 Wellesley Avenue, Hammersmith, to provide ancillary office, storage, and lavatory accommodation in connection with its use as a workshop for the repair of motor cars. 2) The use for residential purposes of no. 13 Wellesley Avenue, Hammersmith.
- 1950/00388: Application approved for the use of no. 12 Wellesley Avenue, Hammersmith, as a dairy distribution depot and garage for electric prams and vehicles.
- 1947/00091: Application approved for the use of 12 Wellesley Avenue, Hammersmith, for the garaging and repairs and maintenance of

1.9 Planning history for no. 14 Wellesley Avenue includes:

- 2014/05904/FUL: Planning permission approved for the demolition of the existing two storey dwelling house and the erection of a three storey plus basement 4-bedroom dwelling house with front and rear lightwells, including the creation of a rear balcony at first floor level.
- 2007/02929/CLP: Certificate of lawfulness approved for the erection of a single storey rear extension, erection of front porch

PROPOSAL

1.10 The current application seeks consent for the demolition of existing car repair workshop (Use Class B2) at 12 Wellesley Avenue and the existing house at 14 Wellesley Avenue; and the redevelopment of the site by the erection of a new B1 office building at 12 Wellesley Avenue including basement, ground - second floors and the erection of a linked mixed use office and residential building at 14 Wellesley Avenue to provide office space at basement and ground (linked to no. 12) and 1 x 3 bedroom residential unit at ground, first and second floors; associated alterations to the existing garage forecourt and residential front garden

1.11 The proposal is for a mixed use development including 1 x 3-bedroom duplex apartment at ground, first and second floor level (at no. 14) and 1986 sq.m. of commercial B1a floorspace,

1.12 The replacement building at both 12 and 14 Wellesley Avenue will comprise basement-second floors. The basement at no.14 is for cycle and refuse storage for the commercial offices. The ground floor provides the residential entrance and a living room and provides commercial floorspace linked to the main building at no. 12. The residential unit will have a rear balcony of circa 8.2m² and a rear garden of 33 sq.m.

1.13 The following amendments have been made since the earlier withdrawn application ref: 2015/05988/FUL:

- the inclusion of the site at no. 14 Wellesley Avenue, and the application now proposes to develop this site with a new building of a similar height, scale, and mass as the new three storey house which was approved in application ref: 2014/05904/FUL. This would include a new three-bedroom maisonette at ground, first and second floor level.
- a revised approach to the design for the new office building where the previously proposed dual pitched roof design (which was similar to the existing garage roof) has been replaced with a setback top floor flat roof design.
- an updated daylight and sunlight report has been submitted.
- roof terraces at upper levels previously proposed have been omitted from the applications.

2.0 PUBLICITY AND CONSULTATION

2.1 The application was advertised as a major development and has been publicised by way of a press notice and site notices. 114 residential owners/occupiers and commercial operators in the neighbourhood were also notified by letter advising of the planning application.

2.2 To date 189 objections have been received, from neighbouring properties. The grounds for objection can be summarised as follows:

- The height and scale of the development, and in particular the rising height of the building, is not in keeping with the character of the conservation area and the character of the neighbouring. It would tower over and dominate neighbouring residential properties and gardens. It should be no larger than the existing building. Proposal contrary to SPD Design policies 44, 46 and 48.
- This is one of the most special and distinct streets in the area. Most of the houses are small two storey 19th century cottages and it has a wonderful family feel. They are in keeping with each other and maintain their original facades. A large office development will completely change the character and appearance of the conservation area.
- The crass solution where one house (obviously didn't want to sell-out to the developers) gets wedged in between the two parts of the new building. It looks like a planning aberration - and it is.
- The building should be set back to the line of No 13. The space in front could then contain small trees to lessen the impact.
- Development of a major business premises, with the associated impacts from the proposed electrical risers, mechanical risers, substation, lift overrun and traffic, will have a major impact on the character of the area.
- The windows are far too big, at least four times bigger than any in the street. Not only do these owe nothing to the surrounding residential character, these will be very obtrusive after dusk when the lights are on.
- The "picture frame" brick feature accentuates the dominance of the commercial building, separating the building from its surroundings; design of the building not being sympathetic to its surroundings.
- Conservation Area requires something more modest. This design would look good in a wider main street such as Goldhawk Road, but is a gross intrusion in Wellesley Avenue. The large office block on the corner is acceptable on the wider Paddenswick Road, but should not justify dominant architecture further into the residential area. Mixing light commercial or small office uses with residential is a good principle, but not at the expense of the architectural character, which needs to be more respectful of the conservation area.
- An Office of this size, accommodating 200 workers is excessive and would result in a considerable increase in parking pressure, traffic, noise and disturbance, air and light pollution would totally change the residential character of Wellesley Avenue. The encroachment of commercial development from the centre of Hammersmith is eroding this once characterful area.
- Why do we need this large office which is unsuitable in a residential area, Hammersmith is full of empty offices. Development should be residential only as there is a shortage of homes.
- Large basement excavations would have a harmful impact on all neighbours and make it unliveable.
- Loss of privacy from first and second floor windows.
- Loss of daylight, sunlight, overshadowing and outlook to neighbouring properties and garden from increased height of the building. Enjoyment of one's garden would be ruined.
- There is a large tree at the end of the back garden of 33 Dorville Crescent (T9 in the Arboricultural assessment). Section 5.3 of this assessment states that tree T9 would be protected during construction. However tree T9 directly borders the boundary wall of 12 Wellesley Road. Appendix B of the Arboricultural assessment states that it has a

canopy spread (and therefore an equivalent root spread) of 2.5m. Therefore the roots of tree T9 must extend around 2.5m into the proposed construction site, and it cannot be the case that the excavation work "will not have a significant negative impact on either the health or the amenity value of the trees."

- Loss of biodiversity and green infrastructure to neighbouring gardens.
- The front garden of the new house at 14 becomes dominated with cycles and refuse.
- Noise, disturbance and disruption during construction. Not only do construction vehicles propose to pass by two nursery schools and one primary, it seems to want to use a part single track route (Dalling Road).
- Flood concerns to neighbouring properties associated with the proposed large basement.
- Environmental concerns by the excavation proposed, and the oil/chemicals that have been used at the garage for the last fifty years.
- Lack of consultation on this application.
- Should the rooflights be angled and how visible will these be?

2.3 One Letter of support has been received. However, no specific comments were made.

2.4 Brackenbury Residents Association: Objection to the proposal.

- The proposals would invade Wellesley Avenue with a significant office development bringing a level of commercial activity and scale inappropriate to the residential life of the street, and failing to recognise the relevant guidance provided by the London Plan, the LBHF Core Strategy, and Conservation Area policies.
- A balance of mixed uses can bring enrichment to a residential area, the attractive character of Brackenbury arises in part from its consistent grain of Victorian terraces punctuated by a distribution of non-residential uses which bring visual interest, energy and community support to spice the sameness of the streetscape - local shops, schools and street-side playgrounds, pubs, parks, churches. The mix reflects a subtle balance where the residential quality predominates, and the non-residential is subservient and compatible with the residential environment.
- Wellesley Avenue is a street of 2 and 3 storey terraced and semi-detached houses. The application development proposes close to 2,000 square metres of office space bringing over 165 employees, in a street with a residential population of around 80. The new office use would be unrelated to and bring no benefit to the street, which would dominate and disrupt the street.
- Proposal creates 4 storeys of offices close to the rear boundary of the gardens serving the west side of Dorville Crescent; irrespective of the privacy devices indicated on the application drawings, the proposals introduce the hostile presence of an office block at the back of the gardens, where previously there was a plain masonry wall and glimpses of a shallow pitched roof.
- Construction of the substantial basement proposed in the application design would be unacceptably disruptive in this close residential area: it would be comparable to the work and bulk material removal associated with constructing 10 terrace house basements - but in this case the work would be concentrated on one site in a small street. Irrespective of traffic management proposals, the construction process would be intolerable for residents nearby and in the surrounding streets.
- Within the eclectic mix of elevations that makes up the street context of the development site, the individual buildings bring a scale and character which create an integrated whole - absorbing the low pitched roof and simple geometry of the garage, where the forecourt set-back brings a natural pause in the streetscape. - Development

of the garage site calls for a sensitivity to conserve this subtle mix, and recognise the vertical and horizontal scale of the street. However the proposed design offers a standard repeat-bay identical windowed façade, in a heavy frame which accentuates the commercial scale, together creating an overbearing presence, a misfit in the street. Wellesley Avenue is within the Ravenscourt and Starch Green Conservation Area. The proposed development would neither improve nor conserve the street character, introducing an alien and dominant style of building which compromises the adjacent rear gardens and offers no compensating benefit to the street, contrary to LBHF Core Strategy Policy 5: Strategic Objectives and BE1.

- The application design will be an overbearing visual and social presence on Wellesley Avenue, spoiling both the amenity and utility of the existing street, contrary to London Plan Policy 7.6 Architecture. We value the benefits of mixed use within residential areas, but we consider this application would introduce the wrong mix, creating an inappropriate design for the street, an inappropriate commercial presence, and an insensitive neighbour to the existing houses. The proposals do not comply with the strategic intent nor the detail of LBHF planning policies, and we would ask that consent is not allowed.

2.5 H and F Historic Buildings Group: Object to the proposal. Site is within the Ravenscourt Park and Starch Green Conservation Area. With the exception of the development site, the road is composed of residential properties of a domestic scale. The current proposals pay scant regard in scale or materials to the neighbouring properties. They also fail to enhance the character or appearance of the conservation Area, and we consider have a negative impact upon it. We feel the large seemingly unrelieved windows would be more acceptable with a degree of division. The large 'Goal Post' frame which was previously much less prominent, now presents an over dominant statement and appears to conflict with the upper storey. Overall, the building which is in a predominantly residential area, has no empathy with its surroundings and we consider is unneighbourly.

2.6 Hammersmith Society: Objection. We have seen and endorse the comments of the Hammersmith and Fulham Historic Buildings Group (Letter dated 10th July) and the Brackenbury Residents' Association (Letter dated 11th July). We have also received negative comments from our members and therefore request that the application be refused.

2.7 Environment Agency: No objection.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning issues that must be addressed in considering this proposal include the following:

- Land use and the acceptability of the office in this location.
- the scale, bulk, design and appearance of the proposed building; the impact of the development on the street scene and character and appearance of the conservation area
- Quality of residential accommodation proposed;
- Impacts on the existing amenity of the neighbouring properties in terms of noise, light, privacy and outlook.
- Traffic generation, servicing and parking.
- Accessibility;

- Energy efficiency, carbon reductions and sustainability;
- and environmental impacts including flood risk and sustainable drainage and contamination.

3.2 The planning policy documents that must be addressed in considering this proposal include the following:

- National Planning Policy Framework (2012)
- The London Plan 2016
- Core Strategy (2011)
- Development Management Local Plan (DM LP 2013)
- Planning Guidance Supplementary Planning Document (SPD 2013)

LAND USE

Main Policy Issues

3.3 The main policy issues with this application are the loss of class B2 land/floorspace and the existing residential dwelling, the suitability of the new class B1 and new residential maisonette in its place. The proposal would provide 1,986sq.m of new B1(a) office floor space (replacing the existing 573sq.m of Class B2 floor space), and the replacement 3 bedroom maisonette over 3 levels of 139sq.m.

Loss of employment use

3.4 The following policies are relevant:

London Plan Policies 4.2 and 4.3;

Core Strategy Policy B and LE1;

Development Management Local Plan Policy DM B1;

Planning Guidance SPD Design Policy 30.

3.5 The borough is currently identified in the London Plan (2016) as an area where transfer of industrial and warehousing land (use classes B1 (c), B2 and B8) to other uses should be 'restricted with exceptional planned release'. Applications for change of use of industrial and warehousing sites and premises will be subject to consideration of this classification. Policy LE1 and Strategic Policy B of the Core Strategy aims to retain premises capable of employment, but underutilised sites may be permitted to change to alternative uses including mixed use or residential unless there is clear economic benefit to continued employment use.

3.6 DMLP policy DM B1 states that the council will support proposals for new employment uses and the retention of existing employment uses in accordance with locational policies. It also says that 'when considering new proposals the council will take into account whether there would be a displacement of other priority uses and whether the scale and nature of the development is appropriate having regard to local impact and public transport accessibility.'

3.7 A Certificate of Lawful Development application was approved at 12 Wellesley Avenue (2015/02949/CLP) for the change of use of the building from general industrial use (Class B2) into business use within Class B1, which is a material consideration in the assessment of this application. However, the office use has not yet been implemented, and as such the use class of the site remains as Class B2, and the

application must be assessed against relevant policies relating to the loss of the Class B2 use.

3.8 In compliance with the above mentioned policies the loss of Class B2 use would be offset by the introduction of 1,986sq.m of Class B1(a) office use to the site, which is a significant increase from the existing 573sq.m of B2 use. Furthermore, the planning statement states that the proposed intensification of the use will make an improved contribution to the local economy, delivering benefits to the local community whilst meeting the needs of modern businesses. The applicant further states that the proposed building could accommodate 166 employees, making a greater contribution to the local economy than the existing car repair garage which currently employs circa 11 employees.

3.9 The site has an established commercial use, and therefore continued commercial provision, albeit in a different form and layout, is acceptable in principle. However, the impact/harm to residential amenity and highways/parking etc., amongst other issues are considered below in the appropriate sections of the report.

Proposed replacement residential use

3.10 London Plan Policy 3.3, Core Strategy Policy H1, DM LP Policy A1 are relevant.

3.11 The NPPF seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive, and mixed communities. London Plan Policy 3.3 B states that an annual average of 32,210 net additional homes should be delivered. Table 3.1 sets an annual target of 615 net additional dwellings for Hammersmith and Fulham. Core Strategy Policy H1 reiterates the London Plan's annual target of 615 net additional dwellings for the borough. This number is increased to 1,031 in the Mayor's London Plan (2016). Policy DM A1 of the Development Management Local Plan (DM LP) 2013 states that 'The council will seek to exceed the London Plan housing target by seeking housing on both identified and windfall sites and as a result of change of use'.

3.12 The proposed residential floorspace of 139sq.m is more than the existing floor space of 102.5 sq.m., and therefore there would be a net increase of residential floor space in accordance with Policy DM A1 and Core Strategy Policy H. The quality of the proposed accommodation and residential standards will be discussed below.

QUALITY OF LIVING ENVIRONMENT

3.13 Relevant Policies include:
London Plan Policy 3.5 and Table 3.3,
CS Policy H3,
DM LP Policies DM A2, A4, A9, E2, H9, H11 and
SPD Housing Policy 1, 3 and 8 are relevant

Internal space standards

3.14 Policy H3 of the Core Strategy states that all housing developments will be expected to, amongst other things, meet satisfactory internal and external space standards. The proposed maisonette must accord with the minimum internal space standards set out in DCLG's 'Technical housing standards - nationally described space

standard', and the London plan policy 3.5. this requires that the 3 bedroom 5 person unit provides at least 99sq.m. The proposed new dwelling would provide 139sq.m of floor space which exceeds these targets. As such no objection is raised under the above mentioned policies.

External amenity space

3.15 The Mayor's Housing SPG Standard 26 requires a minimum of 5 sq.m. of private outdoor space to be provided for 1-2 person dwellings and an extra 1sq.m. for each additional occupant. Furthermore, SPD Housing Policy 1 requires every new family dwelling to have direct access to private amenity or garden space of not less than 36 sq.m. The proposed residential unit would have a rear garden of 33sq.m plus a rear balcony of 8sq.m, providing a total of 41sq.m of amenity space in accordance with the above policies. As such no objection is raised to proposed quality and amount of amenity space.

Aspect, light and outlook for the new residential unit

3.16 The proposed new dwelling would be dual aspect and would have windows on both the north and south elevations, which is considered acceptable. As such the new dwelling would benefit from good levels of daylight, sunlight and outlook.

Accessible and inclusive design

3.17 DM LP policy DM A4 states that all new housing should be built to accessible 'Lifetime Homes' standards. With regards to inclusive design, the 'Lifetime Homes' standard has been superseded by the fact that access requirements have been incorporated into Building Regulations. The equivalent Building Regulations standard to Lifetime Homes is M4(2) 'accessible and adaptable dwellings'. To reflect this change, the London Plan was amended in March 2016 and London Plan Policy 3.8 and the Mayor's Housing SPD Standard 11 now require 90% of dwellings to meet M4 (2) Building Regulations requirement. The key issue at planning application stage is therefore to clearly demonstrate that M4(2) can be achieved in at least 90% of units. The proposed drawings demonstrate compliance with the requirements of M4(2) in so far as the new unit would have level access. In the event of the application being considered acceptable in all other regards a condition would be attached to the planning permission requiring the new unit to meet M4 (2) Building Regulations standard.

3.18 Chapter 8 of the Design and Access Statement provides evidence that disabled access is also proposed throughout the office development, which includes level access into the building, passenger lifts serving all storeys, toilet provision on all floors etc. As such no objection is raised under disabled access grounds.

3.19 Overall, it is considered that the proposed units would receive adequate daylight and outlook. It is also considered that the provision of private space in the form of private terraces and gardens is acceptable. Therefore, it is considered that the proposed development would provide good quality unit and subject to conditions, would result in a satisfactory standard of living for all potential occupants.

DESIGN, CHARACTER AND APPEARANCE

3.20 Core Strategy Policy BE1, Development Management Local Plan Policy DM G1 and G7, and Planning Guidance SPD Design Policies 30, 44, 45, 46, 48 and 49 are relevant)

3.21 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. The NPPF seeks to protect heritage assets and requires assessment of the potential impact of development on heritage assets. The significance of any heritage assets affected should be identified and the potential impact of the proposals on their significance addressed. The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. Paragraph 137 of the NPPF states that Local Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Paragraph 138 of the NPPF states that the loss of buildings which make a positive contribution to a Conservation Area should not be permitted, however it also notes that not all elements will necessarily contribute to the significance of the Conservation Area. 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. Paragraph 135 states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of a non-designated heritage asset. Paragraph 136 of the NPPF states that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure new development will proceed after the loss has occurred. In this regard, Officers have considered the current contribution the buildings make to the significance of the Conservation Area.

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. Furthermore, proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. London Plan Policies 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality 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.

3.23 Policy BE1 of the Core Strategy 2011 states that 'Development 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. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.

3.24 Policy DM G1 (Design of New Build) of the Development Management Local Plan seeks to ensure that new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting. It states that all proposals must be designed to respect:

- a) the historical context and townscape setting of the site, and its sense of place;
- b) the scale, mass, form, and grain of surrounding development;
- c) the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks, and the skyline;
- d) 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;
- e) the principles of good neighbourliness;
- f) the local landscape context and where appropriate should provide good landscaping and contribute to an improved public realm; and
- g) sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
- h) the principles of accessible and inclusive design; and
- i) the principles of Secured by Design.'

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

3.26 Design Policies 1, 2, 3, 30, 44, 45, 46, 48 and 49 of the Supplementary Planning Document 2013 are also relevant.

3.27 Policies 1, 2 and 3 provided details advice with regards to Access. Policy 30 (Land Uses) states that the mixture of uses within a conservation area is a component of character and the impact of changing the balance of uses on that character must be carefully considered. Where a change of use is proposed, it should be consistent with the conservation of the asset. Policy 44 states that new buildings must be carefully conceived to achieve a harmonious relationship with their neighbours. Policy 45 requires new development to respect the dominant building line on the street frontage. Policy 46 states that new development should respect the general townscape in each area. Policy 48 states 'when new buildings are proposed, they must be carefully designed to maintain or enhance the contribution of the setting to the significance of the conservation area. Policy 49 states that development should not adversely affect key views within, into or out of a conservation area.

Demolition of existing garage structure and no. 14

3.28 The site lies in a prominent location within the Ravenscourt and Starch Green Conservation Area. As such a Heritage Assessment has been submitted that considers the impact of the demolition of the existing building and the impact of the redevelopment proposals on the character and significance of the affected heritage assets (in this instance the conservation area), in line with NPPF.

3.29 The existing single storey car repair garage with a large steel frame structure with a dual pitched roof clad in corrugated asbestos cement panels with a large front

forecourt containing wide crossovers, which are occupied by car parking contributes little to the conservation area and presents a poor visual aspect and physical environment.

3.30 The surrounding area is primarily residential and is either in the form of traditional Victorian two to four storey properties such as those along Wellesley Road and Dorville Crescent, or blocks of flats such as Paddenswick Court on Paddenswick Road at three storeys. The predominant character of the surrounding streets in the conservation area is one of well-defined frontages where the residential properties address the street. Currently the views of the site along Wellesley Avenue are visually poor, with the existing car repair garage with parking and wide crossovers at the front of the site. The building has a utilitarian/industrial appearance with unusual massing in this small finer grain domestic scale location on Wellesley Avenue, sandwiched between small 2 storey dwelling houses.

3.31 In design and conservation terms, the demolition of the existing car repair garage could be considered acceptable in principle as it has limited architectural quality and makes a negative contribution to the character and appearance of the area generally; provided that an acceptable replacement development is proposed.

3.32 With regards to the demolition of no. 14 Wellesley Avenue, this is an unusual property, which forms a subservient building to both adjoining neighbours, 13 Wellesley Avenue and the adjacent 'Curtis House' office building. The timber cladding on the front elevation is not in keeping with the character and appearance of the conservation area. As such there is no objection in principle to its demolition and replacement with a satisfactory replacement building. Furthermore, the principle of its demolition and redevelopment was previously granted on 10th February 2015 in application ref: 2014/05904/FUL.

New three storey, over basement, office building of 1,986sq.m:

3.33 Paragraph 5.37 of the Ravenscourt and Starch Green Conservation Area Character Profile states: "Between Ravenscourt Park and the eastern boundary of the conservation area South of Goldhawk Road lies a small area where the scale of development is more intimate than its immediate surroundings".

3.34 Numbers 10 and 11 Wellesley Avenue, east of the subject site are two storey terraced houses with pitched roofs and narrow front gardens. Numbers 13 and 14 are two storey houses with deeper front gardens and 14 Wellesley has consent to be redeveloped to a three storey house over basement. The houses on both sides of Wellesley Avenue have a fine urban grain, whereas the Curtis Building at the junction with Paddenswick Road has a larger warehouse style appearance with large rectangular windows and brick piers.

3.35 Officers consider that there is an opportunity on this site to redevelop it to improve the definition of the street edge whilst repairing the finer urban grain and domestic scale on Wellesley Avenue, which as a result would enhance the character and appearance of the conservation area.

3.36 Since the previously withdrawn application the mass and scale of the proposal has been revised in so far as the previously proposed pitched roof design has been replaced with a new three storey flat roof building with the top floor being set back from

the front and side and rear elevations, in order to mitigate any harmful impacts on neighbours.

3.37 Officers acknowledge that any development of the site must mediate successfully between the more forward building line of nos. 10 and 11 Wellesley Avenue and the further set back at no's 13-14 Wellesley Avenue.

3.38 The proposal seeks to provide one continuous office building across the entire site, slightly set back behind no.11 Wellesley Avenue. The built edge to this site is currently fractured by the irregular alignment of the garage building. The proposal would be set forward of no.13 Wellesley Avenue but this reflects the current situation and therefore there is no objection to the principle of the building line.

3.39 Whilst an overall height of 3 storeys may be considered to be acceptable in principle (similar in height to the approved three storey house at no. 14 Wellesley Avenue), the current proposed design and scale of the new office development, is not considered appropriate and would not be compatible with the finer domestic urban scale found along Wellesley Avenue. The top floor, insufficiently set back would appear overly dominant in views along the Wellesley Avenue. With regards to the proposed office use within the conservation area, whilst officers acknowledge the benefits that a mix of uses can have within residential areas, Officers acknowledge the objections received from neighbours regarding the proposed scale of the development and impacts on the conservation area. As stated in paragraph 4.207 of the Planning Guidance SPD, 'The experience of the particular mix of uses within a historic area helps to determine its character..... The balance of uses within a conservation area is therefore, important in defining its character, particularly if they reflect the historic development of the area'. Paragraph 5.6 of the Ravenscourt and Starch Green conservation area character profile states that 'there is a mix of uses within the conservation area. The recreational use of the park is a particularly dominant element, as is the hospital use directly to its west. There are also uses along Goldhawk Road and King Street providing a variety and hierarchy within the primarily residential built fabric surrounding the park and hospital'. The development would result in a new office development of a significant size on Wellesley Avenue, which would be inappropriate and unneighbourly for this residential street which consists predominantly of smaller 2/3 storey residential dwellings. Officers acknowledge that the existing use is as a car repair garage, however, the proposed increased size and scale of the development, over 4 floors, with an increase in the number of employees from 11 to 166, is a significant intensification for this quiet residential street.

3.40 Officers acknowledge that the Curtis building is predominantly in office use and is 5 storeys in height, but this building is located in a more prominent corner location (where one would expect to see a taller building) on Paddenswick Road (a main road), which contains a number of other taller buildings. Officers consider that the presence of the Curtis Building does not set a precedent for a larger building on this site, which is situated between smaller domestic scale buildings of a finer grain.

3.41 The proposed brick elevation on to Wellesley Avenue is comprised of piers framing large windows with a deep, layered brick frame surrounding the entire ground and first floors. The second floor is clad with raised seam zinc. The choice of brick is considered appropriate and picks up on the elevations of the brick Victorian houses and the Offices 26-28 Paddenswick Road. The rhythm of brick piers seeks to relate this elevation more closely to the finer grained houses in the street, whilst simultaneously

picking up on the character of the Curtis House which also has a rhythm of brick piers/bays.

3.42 However, Officers have concerns regarding the design and scale of this new office building. The layered brick frame "goal posts" around the ground and first floors is considered to be an incongruous feature that would not reflect the finer grain or architectural characteristics of the street and would make the building too dominant in the street scene. It separates the building from its surroundings when it should be much more subtle.

3.43 Furthermore, the proposals for the forecourt are inadequate to tie the building into its setting successfully within the conservation area. The front boundary wall is insufficiently tall to reflect the pattern in the street. A front boundary treatment of approximately 1m would be required, and not the dwarf boundary wall as proposed. Additionally, no soft landscaping is indicated.

3.44 It appears that the majority of the rear elevations would be brick faced which is appropriate to the context. It is not entirely apparent in the drawings of the extent of the zinc cladding and raised seam metal cladding materials proposed. This would need to be clarified and samples of the materials supplied, if the Council were minded to support the proposal. Furthermore, following a request from officers for clarification regarding renewables, a revised roof plan was submitted indicating 73 new PV panels on the roof of the office building at number 12 Wellesley Avenue and 1 new PV panel on the roof of no. 14 Wellesley Avenue. These are not shown on the side elevation / section however. The applicant's agent has stated that the PV panels would be laid flat on the roof and would not be visible above the perimeter upstands.

3.45 Overall, Officers consider that the proposed redevelopment of no. 12 with a large pavilion office building is missing an opportunity to respond appropriately to the character and appearance of the street. In its current form, the proposal would fail to preserve or enhance the character and appearance of the conservation area, contrary to the NPPF para 132; Core Strategy Policy BE1, DM Local Plan Policies DM G1 and DM G7, and Planning Guidance SPD Design policies 30, 44, 46 and 48.

Impact on Heritage Assets:

3.46 It is considered that the proposed development would result in harm to the character and appearance of the conservation area. The submitted scheme fails to respond to its immediate townscape setting which consists of small residential properties which have a finer domestic scale. The proposal fails to accord with both national guidance in the Planning Policy Framework and strategic and local policies on design of new buildings in a heritage context. In addition, Officers have assessed the impact of the proposal on the heritage assets and consider that it is not compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which seeks to preserve or enhance the character or appearance of the conservation area.

Replacement of no. 14 Wellesley Avenue

3.47 The scale, massing and materiality of the proposed house at no.14 are all acceptable and appropriate to the context. The scale, mass and design of the building is similar to the previous approval (2014/05904/FUL). The elevations are potentially well detailed but 1:20 section drawings should be provided to show how window

bays/reveals/sills are detailed. These could be secured by condition if Officers were minded to approve the application.

Proposed Basement, Greening of Borough and SUDS

3.48 A large basement is proposed for this development which extends well beyond the footprint of the proposed replacement buildings at ground floor level and is of a significant size and volume.

3.49 Policy DM A8 of the DM Local Plan states that "New basement accommodation in existing dwellings will be permitted where:

- it does not extend beyond the footprint of the dwelling and any approved extension (whether built or not);
- there is no adverse impact on the amenity of adjoining properties and on the local, natural, and historic environment; and
- it does not increase flood risk from any source.

All other new or extended accommodation below street level should be designed to minimise the risk of flooding to the property and nearby properties from all sources of flooding.

To minimise the risk of sewer flooding, developments will be required to provide active drainage devices.

Where there is a medium to high risk of fluvial flooding and no satisfactory means of escape can be provided, new self-contained basement flats will not be permitted".

3.50 Development Management Local Plan policy DME4 'Greening the borough' states that the council will seek to enhance biodiversity and green infrastructure in the borough by:

- maximising the provision of gardens, garden space and soft landscaping and seeking green roofs and other planting as part of new development;
- protecting back gardens from new development and encouraging planting in both back and front gardens; and seeking to prevent removal or mutilation of protected trees and
- seeking retention of existing trees and provision of new trees on development sites'.

3.51 The justification for this policy further states that 'soft landscaping and increasing the number of trees not only benefits biodiversity but also can help to reduce the impact of higher summer temperatures and reduce rainfall run-off rates, which will help to reduce the risk of surface water flooding, as well as improving the boroughs health, There will also be visual benefits from a greener borough.....The loss of trees will nearly always result in a deterioration of the ecological value and environmental character of an area and will not be acceptable without good cause, particularly if subject to a TPO. Pruning or reducing, should be investigated as an alternative. New development schemes provide the opportunity to provide landscaping including tree planting on site. Trees indigenous to this country should be planted'. SPD Design Policy 56 supports this.

3.52 Planning Guidance SPD Sustainability Policy 14 'Protection of existing biodiversity' states that: Applicants for development proposals should:

1. ensure thorough initial investigations are conducted on the proposed development site to assess existing levels of biodiversity;

2. provide accurate and up to date survey information with planning applications on existing trees, including protected trees, any habitats or biodiversity features and the presence of plants, invertebrates, amphibians, reptiles, birds, or mammals (including bats) on the proposed development site;
3. undertake assessments where surveys confirm the existence of protected or priority species or habitats that detail the proposed development's impact on these species or habitats;
4. ensure that where such assessments demonstrate that species or habitats are likely to be affected by the development, the development where possible avoids adverse effects on these and mitigates any unavoidable impacts arising from the development; and
5. assess the impact of development on nearby nature conservation areas or green corridors.

3.53 Planning Guidance SPD Sustainability Policy 21 'Landscaping and planting' states that 'developers should incorporate existing natural features that enhance biodiversity such as trees, hedges, scrub, tall grass and ponds into the landscape scheme for the site.'

3.54 Planning Guidance SPD Sustainability Policy 22 'Trees' states that the council will expect developers to plant trees where appropriate and will itself continue to plant appropriate trees in suitable locations. Normally native species (approximately 70 native tree type species and hybrids) that maximise their value to biodiversity should be planted. If felling is necessary, trees must be replaced with other suitable species, normally native species that will benefit biodiversity. Newly planted trees must be nurtured until well-established and subsequently maintained.

3.55 Furthermore, DM G7 seeks the protection of conservation areas and other heritage assets. SPD Design Policy 56 supports the above policies.

3.56 The proposed large basement is considered to be contrary to Development Management Local Plan (2013) policies DM E4, DM A8, and PG sustainability policies 14, 21 and 22 since the basement extends under what is the front and rear garden of 14 Wellesley Avenue and under the front garden of no. 12 Wellesley Avenue which is not permitted under Policy DM A8.

3.57 The proposal would alter the long term appearance of the garden area, effectively turning a significant area of the front and rear gardens within the conservation area into a roof for the basement. Allowing the basement to be built, beneath the front and rear gardens, would limit the ability of having mature planting in both locations, which in turn would have long term implications on the green appearance of the conservation area, borough and biodiversity, contrary to DMLP (2013) policy DM E4, and SPD Sustainability policies 14, 21 and 22. Furthermore, the overdevelopment of the site and the impact that this has on the green appearance of the borough and biodiversity would not preserve the character and appearance of the conservation area, contrary to DMLP (2013) policies DM G7 and SPD Design Policy 56.

3.58 This size of construction of the basement is likely to lead to prolonged construction times which would have a significant impact on the amenity of surrounding residential properties. Large basement construction in residential neighbourhoods can affect the health and well-being of residents with issues such as noise, vibration and heavy vehicles experienced for a prolonged period. However, such issues are usually dealt

with under construction management and logistics plans which can be secured by condition. Although concerns are raised regarding this issue, given that this could be dealt with by condition, no specific objection is raised with regards to this.

SUDS

3.59 As required, a SUDs Assessment has been supplied with the application in the FRA. The current site has no surface water attenuation features and run-off is directed into the sewer network. Impermeable areas are not increasing as a result of the development but run-off from the site will increase in the future due to climate change impacts increasing rainfall levels.

3.60 The SUDs Assessment discusses various SUDs measures that promote infiltration of storm water as well as rainwater harvesting and green roof. However, although there is brief reference to use of vegetation in external areas, none of these measures are deemed to be feasible and instead the proposal put forward to manage surface water for the site is to include an underground attenuation tank to provide 33m³ of storage and control release of storm water from the tank to 3l/s. This arrangement is calculated to provide around 90% attenuation for the 1 in 100 year storm.

3.61 The SUDs Strategy is not acceptable in its current form and requires further work in line with the following comments: 1) The London Plan Drainage Hierarchy needs to be referenced in developing the SUDs Strategy; 2) Inclusion of rainwater harvesting should be assessed for feasibility and included where possible - note that systems can include storm management that can purge systems and provide storage for storm events; 3) This is a major scheme - therefore living roof(s) should be integrated where possible and these should be capable of serving as a SUDs feature; 4) Blue roof storage also needs to be considered and integrated where feasible; 5) Further details on external areas and their capability to provide permeable surfaces should be provided; 6) Maintenance information for the SUDs features should be provided.

3.62 The proposal fails to accord with Policy 5.13 of the London Plan (as amended in 2016), Policies CC2 and CC4 of the Core Strategy (2011), and Policy DM H3 of the Development Management Local Plan (2013).

IMPACT ON EXISTING TREES

3.63 Development Management Local Plan Policy DM E4 and Planning Guidance SPD Design Policy 56 and SPD Sustainability Policies 14, 21 and 22 are relevant. These policies are outlined in paragraphs 3.48-3.53.

3.64 The Councils Arboricultural Officer has raised concerns regarding the proposed development and states that the proposal will have an effect on the neighbouring trees as some will need to be cut back or removed to allow the development to be constructed and others will be subject to post development pressure to prune their crowns and restrict their growth. Both tree reports submitted with the application refer to the problems likely to arise as a result of building so close to semi mature sycamores. These include falling honey dew and leaves, shading, the potential for future property damage and the need for ongoing pruning of surrounding trees. The Tree Survey Report (March 17th 2017) states on page 14: "Trees to be retained must be afforded suitable space to ensure they remain viable in the long term. Trees which are currently not fully grown will increase in size and this must be considered in conjunction with the

Proposed Development and future use of the Site. If not maintained via regular pruning trees T6, T8 and T9 are likely to develop substantially into the future...." and "It is worth considering approaching the adjacent tree owners to negotiate the potential to remove trees (particularly T9 and to a lesser extent T8) in advance of any planning application for the Site."

3.65 However, this recommendation has not been followed and the applicant has stated that all surrounding trees are to be retained. The Arboricultural Impact Assessment (March 30th 2017) states on page 10: "Trees located close to the existing structures (such as T8 and probably T9) are likely to require regular ongoing pruning works to provide a reasonable clearance and to prevent future damage". The applicant's Arboricultural consultant also states: "Because all of the trees are owned by third parties, prior consent must be in place before any tree works beyond the Site boundary are carried out and it is recommended that this is secured prior to the submission of any planning application." Officers cannot see any details of this consent, and in the absence of this, Officers raise significant concerns with regard to the likely impact of the development on the adjacent trees.

3.66 The loss of the trees would result in harm to the character and appearance conservation area and loss of biodiversity, contrary to policies BE1 of the Core Strategy, DM local Plan policies DM G7 and DM E4, and Sustainability policies 14, 21 and 22, and SPD Design Policy 56 of the Planning Guidance SPD (2013).

SECURE BY DESIGN

3.67 Policy 7.3 of The London Plan advises that new development should seek to create safe, secure, and appropriately accessible environments. Core Strategy policy BE1 advises that developments throughout the borough should be designed to enhance community safety and minimise the opportunities for crime. Policy DM A9 of the DMLP refers to a safe and secure environment whilst Policy G1 requires new development to respect the principles of Secure by Design.

3.68 Full details of how the proposed development would incorporate crime prevention measures to provide a safe and secure environment could be secured by a condition if Officers were minded to approve the application.

IMPACT ON NEIGHBOURS

3.69 Policies DM G1, and DM A9 of the Development Management Local Plan 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, and privacy. Policy 7.6 of The London Plan states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind, and microclimate.

3.70 The proposed scheme is in close proximity to existing residential properties on all sides. Therefore, impacts on residential amenity will need to be carefully considered.

Outlook

3.71 Criteria 1 of Housing Policy 8 of the SPD states that 'to safeguard against overbearing and over-dominating 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. 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'.

3.72 The proposal would replace an existing single storey building with a dual pitched roof with a new flat roofed three storey building with upper floor set back. The existing height of the wall adjoining neighbouring properties varies across the site. Where the building adjoins residential properties / rear gardens drawings / sections has been provided showing comparisons of the height of the existing building against the proposed building for each neighbouring property to assist in the assessment of outlook/sense of enclosure matters.

3.73 With regards to outlook for 29-35 Dorville Crescent, although the existing boundary wall with these properties is being reduced in height, the overall height and scale of the new building, beyond the wall is increasing in height from 13.15m with a shallow pitch roof to a new second floor of 14.1m. Given the close proximity of the development to these neighbouring properties on Dorville Crescent, Officers consider the proposal would result in loss of outlook and increased sense of enclosure to these properties.

3.74 For residents in Paddenswick Court, the height of the boundary wall is increasing from 2m to 3.3m in height. This would result in a new wall of considerable height across the entire length of the rear garden of Paddenswick Court. As such officers consider that this additional height and mass would result in loss of outlook and increased sense of enclosure to occupiers of Paddenswick Court.

3.75 In the case of no. 11 Wellesley Avenue, the boundary wall is increasing from 2.3m to approximately 3.4m, as shown on proposed section DD. This drawing also shows that the overall height of the building would be significantly higher than the existing building. As such, Officers consider that the proposal would result in significant loss of outlook and increased sense of enclosure to this neighbouring property.

3.76 With regards to no. 13 Wellesley Avenue, the rear boundary wall with the new office building would be increased from 2.9m to 3.3m. The side boundary wall between 13 and 14 Wellesley Avenue would be increasing from 1.9m to 3.35m, which is a significant increase in the height of the boundary wall. It is also noted that the existing rear garden at no. 13 Wellesley Avenue is very short (approximately 3m). It is therefore considered that the proposed new development would result in significant loss of outlook and increased sense of enclosure to this neighbouring property.

3.77 For properties on the northern side of Wellesley Avenue, given the separation distance of 20m from the new development, Officers consider that the proposed new

three storey building, with the top floor slightly set back, would not result in significant loss of outlook to neighbouring properties on the northern side of Wellesley Avenue.

3.78 All lower floors of the Curtis House building on the corner of Paddenswick Road and Wellesley Avenue are in use as offices and as such there is no loss of outlook to this building. Only the top floor of this 5 storey building is in residential use.

3.79 Overall, the new development, with taller boundary walls and increased overall height in close proximity to neighbouring residential properties would result in loss of outlook and increased sense of enclosure to neighbouring properties on Wellesley Avenue, Dorville Crescent and Paddenswick Court. The proposal is therefore contrary to policy DM G1 and SPD Housing Policy 8, criteria 1.

Daylight and Sunlight

3.80 New development should allow for the protection of adequate light to reach adjacent buildings. In considering this, the council has regard to the guidance set out in 'BRE Guidance: Site layout planning for daylight and sunlight (2011)'. The BRE methodologies set out a range of non-statutory guidelines to assess the potential for any development to result in demonstrable harm to neighbours. In relation to daylight and sunlight, the proposal should comply with the Building Research Establishment's (BRE) report 'Site layout and planning: A guide to good practice'.

3.81 The BRE Guidance provides for a number of ways to assess potential reduction of light. The most common method is the calculation of a Vertical Sky Component (VSC). In addition orientation to the sun is taken into account with regard to impact on existing sunlight conditions.

3.82 The BRE report concludes that the proposed development would not result in demonstrable harm to neighbouring properties in terms of reduction of sunlight, daylight or overshadowing. Officers have assessed the report and concur with its findings. With regards to daylight, each of these rooms comply with the BRE guidelines in terms of the primary daylight methodology, VSC. The assessment of sunlight to neighbouring rooms within all properties with site facing windows has also shown full compliance with the BRE criteria. The assessment of sunlight amenity (overshadowing) within the rear gardens of the neighbouring properties has demonstrated either very little alteration to existing sunlight amenity or there is an improvement. As such no objection is raised under loss of daylight, sunlight or overshadowing to neighbouring residential properties.

Privacy

3.83 Part 2 of Planning Guidance SPD housing Policy 8 states that 'new windows should normally be positioned so that the distance to any residential windows is not less than 18m as measured by an arc of 60 degrees taken from the centre of the proposed new window. If this standard cannot be met, then windows should be designed to ensure that no loss of privacy occurs. A roof terrace can cause considerable loss of privacy dependent on its size and location. 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'.

3.84 With regards to loss of privacy and overlooking, on the south-eastern elevation, vertical fins are proposed to help protect the privacy of neighbouring properties on Dorville Crescent. However whilst these fins would prevent window to window overlooking the new windows at first and second floor level on the south-eastern elevation would directly overlook neighbouring residential gardens on Dorville Crescent. Currently there are no direct views from the existing car repair garage (given that it is single storey only) towards the rear gardens on Dorville Crescent. The proposed new windows on this south eastern elevation by reason of its elevated position and proximity to these neighbouring residential properties together with a lack of sufficient screening would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, because of overlooking and loss of privacy. As such an objection is raised under criterion 2 of Housing Policy 8, and policy DM G1.

3.85 All other windows proposed would be high level or would be situated away from neighbouring residential properties, such that no harmful overlooking would result. With regards to properties on the northern side of Wellesley Avenue, the proposed new buildings would be in accordance with Housing policy 8, criteria 2 as the new windows on the front elevation would be approximately 20m away from existing residential windows on the northern side of Wellesley Avenue.

Proposed roof terrace to no. 14 Wellesley Avenue:

3.86 A small terrace is proposed for the new residential dwelling at first floor level. Officers note that the previous application for the redevelopment of no. 14 Wellesley Avenue (ref: 2014/05904/FUL) included a roof terrace at this level, which included 1.7m high obscure glass privacy screens to avoid any overlooking to both adjoining properties (13 Wellesley Avenue and Curtis House). If the application was considered acceptable in all other respects then a condition would be attached requiring details of these privacy screens to be submitted for approval. Subject to this, no objection is raised to the proposed roof terrace to no. 14 Wellesley Avenue.

3.87 The proposal also must be considered for its potential impact on neighbours from noise and disturbance. Development Management Local Plan Policy DM H9 states that 'Housing, schools, nurseries, hospitals and other noise-sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses. Criteria 3 of Housing Policy 8 states that planning permission will not be granted for roof terraces or balconies if the use of the terraces or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise or disturbance'.

3.88 The proposed roof terrace to the new residential unit at no. 14 Wellesley Avenue is 8.2sq.m in area. Officers consider that due to its limited size, the terrace would be unlikely to result in any additional noise and disturbance to a degree that would justify refusing planning permission. As such no objection is raised under noise and disturbance grounds under Criteria 3 of Housing Policy 8.

Environmental nuisance

3.89 Core Strategy Borough Wide Strategic policy aims to protect and enhance the environmental quality of the Borough. DM Local Plan Policy DMH9 states that 'Noise generating development will not be permitted, if it would be liable to materially increase

the noise experienced by the occupants / users of existing or proposed noise sensitive uses in the vicinity'. DM Local Plan Policy DM H11 relates to environmental nuisance and states that 'All developments shall ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties particularly where commercial and service activities are close to residential properties.'

3.90 The proposed development would provide 1,986sq.m of new office floor space which the applicant states could accommodate 166 employees. The existing floor space of the car repair garage is 573sq.m and currently employs 11 employees. The site adjoins a number of existing residential properties, and a new residential unit is proposed directly above and adjacent to the office building, with visitors / staff of the new office coming and going throughout the day. As such the new office use with increased floorspace needs to be carefully considered.

3.91 Whilst the principle of commercial office use may be acceptable in principle, there are serious concerns regarding the significant size and scale of the office use in this highly residential neighbourhood. No information has been given regarding the hours of opening or on the exact nature of the commercial use. Late opening / weekend opening hours for an office building of this size could potentially make the site a hub of late night activity giving rise to noise complaints from surrounding residents. It is therefore considered that the proposal without any information on opening hours, together with the overall large size of the commercial unit could potentially result in conditions prejudicial to the amenities of future residential occupiers of the site. For instance, an office development with 166 employees could result in a large number of comings and goings, including servicing throughout the day including weekends, which would be harmful to neighbouring properties. Furthermore, the proposed refuse and bike storage area for the entire office is shown in the basement below the proposed new dwelling of no. 14 Wellesley Avenue. The bikes and the bin storage area at basement level is only accessible via the new commercial entrance at no. 14 Wellesley Avenue which is directly adjacent to the new residential entrance, and the existing residential property at no. 13 Wellesley Avenue. This would result in potential conflict between the commercial use and the residential use proposed. These immediately adjacent residential properties would be subject to servicing activities such as removal of refuse etc. for this office development. The proposal would thus conflict with Core Strategy policy CC4 and Development Management Local Plan policies DM H9 and H11.

AIR QUALITY

3.92 The entire borough was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants, Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions). The site is in an area of very poor air quality due to the road traffic emissions from Paddenswick Road

3.93 Policy 7.14 of The London Plan seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings and also to minimise exposure to poor air quality. Policy CC4 of the Core Strategy explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives. Policy DM H8 of the DMLP requires an air quality assessment and

mitigation measures where appropriate. This is supported by SPD Amenity Policies 20 and 21.

3.94 An Air Quality Assessment has been submitted with the application. This assesses the development's potential impacts on local air quality and also considers the issue of exposure to pollution for businesses and residents. The air quality assessment indicates that the general sources of air pollution (construction activities, road traffic and space heating) emission arising from the proposed development would be during the construction phases and on completion of the development the assessment predicts the development to have an insignificant effect on air quality, and that the development would be 'air quality neutral'. Overall in terms of air quality, Officers consider that the development could meet policy requirements. If the application were considered acceptable in all other respects further details could be secured by condition to ensure that acceptable implementation of the development in this regard, including an Air Quality Dust Management Plan, details of Ultra Low NOx Gas fired boilers and the submission of a Low Emission Strategy. Subject to these points no objection is raised under air quality grounds.

HIGHWAYS/TRANSPORT MATTERS

Parking and traffic generation

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

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

3.97 Core Strategy Policy T1 supports The London Plan. Policies DM J2 and DM J3 of the DMLP set out vehicle parking standards, which brings them in line with London Plan standards and gives circumstances when they need not be met. DM Policy J2 states that 'All developments in areas with good public transport accessibility should aim for significantly less than 1 space per unit'. Policy DM J3 states that 'Market... housing with zero or reduced parking will only be considered in areas with good levels of public transport accessibility'. These policies are supported by SPD Transport Policies 3, 6 and 7.

3.98 The site is well served by public transport and has a Public Transport Accessibility level (PTAL) of 4, which is classified as 'good' in terms of its proximity to the public transport networks, service availability and walking time to public transport. There are a variety of shops and services locally, with easy access to Hammersmith Town Centre and links to major transport nodes, with both Ravenscourt Park Tube station and Hammersmith Tube station within 10 minutes walking distance providing access to the District, Piccadilly and Hammersmith and City. There are local bus services and bus stops nearby on Paddenswick Road. Wellesley Avenue is a residential street within a CPZ (Zone L, operating between 9am and 5pm Monday-Friday). The proposed office

and residential development proposes to be car free with no off-street parking proposed. The current residential property does not have off-street parking and the Development Plan supports car permit free housing in such accessible locations. This is considered acceptable because of the good level of accessibility to the site. If the application was considered acceptable in all other respect this would be secured by condition.

3.99 The transport statement submitted with the application illustrates that the proposed redevelopment will result in an increase of 14 vehicle trips during the morning and 15 vehicle trips during the evening peak periods when compared to the existing B2 use. However, over the course of the day, the proposed development will result in 86 fewer trips than the existing use. There is also a significant change towards sustainable modes of transport for the proposed development compared to the B2 use. This is illustrated by the increase in trips associated public transport and a decrease in vehicle trips. Regarding visitors to the office use it is considered that due to the good public transport accessibility in this location, people would be likely to use transport methods other than a private car to visit the site and therefore the proposal is unlikely to generate any increase in parking pressure or cause conditions detrimental to traffic conditions. The proposal with no off-street car parking spaces is considered acceptable on this occasion and in general accordance with Core Strategy Policy T1, and Policies DM J2 and DM J3 of the Development Management Local Plan.

3.100 The application documents states that the office use would be expected to employ 166 employees. Where developments would have an impact on local pedestrian facilities and routes, the highways divisions request that a pedestrian environment review system audit assessment (PERS) is provided in order to assess the condition of the existing pavement in the vicinity of the site. This could be secured by condition if the application was considered acceptable in all other respects, and any works required for improving the pavements would need to be secured and carried out by the Councils contractors and fully funded by the developer. No objection is therefore raised regarding this.

Cycle Parking

3.101 Policy DM J5 and Table 5 of the Development Management Local Plan seek to ensure that satisfactory cycle parking is provided for all developments.

3.102 The applicant's Design and Access Statement states that the cycle parking is proposed to be achieved through delivery of a secure cycle storage facility within the basement underneath the new building at number 14 Wellesley Avenue. 28 spaces are proposed to be provided in the basement and this is acceptable for long stay provision. However, no details of short stay parking for the development have been submitted at ground floor level for visitors to the site. These need to be provided in addition to clearer details, including dimensions of spaces are to be provided within the basement for cycle parking, including shower facilities for staff. Officers consider that further details could satisfactorily be dealt with by condition. Subject to this no objection is raised under cycle parking grounds. Two secure and weather-proof parking spaces are to be provided at ground level for the residential unit adjacent to the maisonette entrance which is acceptable.

Refuse storage

3.103 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3, and policy DM H5 of the Development Management Local Plan 2013 sets out the Council's Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

3.104 Refuse and Recycling facilities would be proposed for both the office and the residential use which is considered acceptable in principle. The proposed area for refuse for the offices is in the basement in a separate waste enclosure, with access from the lift from ground floor level. Provision has been made of the storage of a total of 7,700L capacity based on British Standards (BS5906:2005), as mentioned in the Planning Guidance SPD 2013. On refuse collection days bins will be brought up to the ground floor via the adjacent lift. For the residential unit a separate segregated refuse and recycling area is provided for the residential use at ground floor level in the front garden. This is considered acceptable in principle and no objection is raised under Core Strategy Policy CC3, and policy DM H5 with regards to the quantity of refuse provision. However there are concerns on how this area will be serviced and the impacts on the residential properties at 13 and 14 Wellesley Avenue (see noise and disturbance section of the report).

Removal of existing crossovers:

3.105 The existing large crossover is to be removed as part of the development and the footway is proposed to be reinstated which would result in 3 additional on-street parking bays outside the site including one disabled space. All works to the public highway must be conducted by council's highway contractor and the applicant must wholly fund towards any works including the change in TMO, reinstating cross over etc. These highways works would need to be completed under a S.278 agreement to fund any necessary highways works related to the scheme.

Mayor of London Cycle Hire Scheme

3.106 If officers were minded to approve this application, in the interest of sustainability and in order to encourage more sustainable forms of transport, a financial contribution to the Mayor's Cycle Hire Scheme would be sought, in accordance with SPD transport policy 14.

Demolition and Construction Logistic Plans

3.107 A draft demolition and construction management and logistics plan was submitted with the application. At this stage of the planning process the information relating to the Construction Management Plan and Construction Logistics Plan has yet to be detailed, and therefore this information needs to be developed. Officers consider this information needs to be improved in compliance with TfL guidelines. The plans would be required to include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the demolition/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 plans would need to be developed to be in accordance with TfL requirements, which seek to minimise the impact of construction traffic on

nearby roads and restrict construction trips to off peak hours only. These details would be secured by conditions if planning permission was granted, in accordance with Development Management Local Plan policies DM H5, DM H8, DM H9, DM H10 and DM H11, and London Plan Policy 6.3.

Conclusions on Highway Matters

3.108 Given the nature of the proposed uses and the accessible location, (with no off-street parking proposed) officers do not consider that it is likely that the proposals would have adverse impact on traffic generation or parking pressure. It is considered that the capacity of the existing highway network could sufficiently support the development without further detriment, and that the public transport capacity is sufficient to serve the trips that would be generated.

3.109 Off site highway improvement works in the vicinity of the site would be secured via the s.278 with a requirement to enter one contained in the S106 agreement), if approval was granted. These proposals include upgrading the existing footways.

ENVIRONMENTAL MATTERS

Carbon reduction

3.110 Core Strategy policy CC1 requires developments to make the fullest contribution possible to the mitigation of and adaptation to climate change. Policy DM H2 of the Development Management Local Plan is concerned with promoting sustainable design and construction and 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.

3.111 In terms of the more detailed Energy Assessment, the new development will include the integration of energy efficiency measures, improved air permeability measures to reduce heat loss and also energy efficient lighting. Low carbon Air Source Heat Pumps are proposed and renewable energy generation is planned in the form of solar PV panels. The energy assessment shows an improvement of 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. A roof plan has been submitted on 11th August showing 73 new PV panels on the roof of the office building at number 12 Wellesley Avenue and 1 new PV panel on the roof of no. 14 Wellesley Avenue. These are not shown on the side elevation / section. The applicant's agent has clarified that the PV panels would be laid flat on the roof and not visible above the perimeter upstands. This is considered acceptable and these details could be secured by condition.

Sustainable Design & Construction

3.112 This application relates to a major proposal. As required, a Sustainability Statement has been submitted, as has a BREEAM Assessment. The BREEAM assessment shows that the sustainable design and construction measures planned for

the office building will achieve the "Very Good" BREEAM rating. This is adequate to meet the requirements of Local Plan policy DM H2 and London Plan policy 5.3 on sustainable design and construction.

3.113 Measures planned for the site include measures to reduce energy use and CO2 emissions, reduced use of other resources such as water, make use of building materials with low environmental impacts, minimise waste and promote recycling. The Sustainability Statement also details similar measures for the residential unit.

3.114 Officers consider that these levels of performance would demonstrate compliance with the Council's sustainability requirements in DM H2 and London Plan policy 5.3. Integration of the proposed sustainable design and construction measures would be conditioned if the council are minded to approve this application.

FLOOD RISK / SUDS

3.115 London Plan policies 5.11 - 5.15, Core Strategy policies CC1 and CC2 and Development Management Local Plan policies DM H3 are relevant with regards to flood risk.

3.116 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.

3.117 This site is in the Environment Agency's Flood Zone 3. The proposals include ground and basement level development. As required, a Flood Risk Assessment (FRA) has been provided. Although the site is in the Environment Agency's Flood Zone 3, it is well protected from flooding from the Thames by the Thames Barrier and local river wall defences. If these were breached or over-topped, the site is not at risk of being impacted by flood water. The site is not in a surface water flooding hotspot, although neighbouring areas could be impacted in the event of an intense storm. A basement is proposed and therefore groundwater and sewer flood risks has also been considered. The FRA confirms that a non-return valve and pumps will be included to help protect against sewer surcharge flooding. Adequate structural waterproofing measures are also outlined for the basement. Occupants/residents have access to upper floors in the unlikely event of a flood on the site where they can remain safe. Given the relatively low flood risks on-site, the flood mitigation measures are considered to be acceptable. All flood mitigation measures can be secured by condition if officers are minded to approve the application.

3.118 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) and the use of water efficient fittings and appliances. Implementation of SUDs measures must be assessed and proposed with the aim of reducing peak flows of surface water run-off from the site to greenfield run-off levels or by as much as possible if this cannot be achieved (with a minimum 50% improvement required compared to pre-development). Discharge rates should not be set at 5l/s as a default minimum discharge rate where the actual greenfield run-off rate for the site is less than this. SUDs measures should be implemented, where feasible, in line with the Mayor of London's drainage hierarchy.

Surface water management

3.119 As required, a SUDs Assessment has been supplied with the application in the FRA. The current site has no surface water attenuation features and run-off is directed into the sewer network. Impermeable areas are not increasing as a result of the development but run-off from the site will increase in the future due to climate change impacts increasing rainfall levels.

3.120 The SUDs Assessment discusses various SUDs measures that promote infiltration of storm water as well as rainwater harvesting and green roof. However, although there is brief reference to use of vegetation in external areas, none of these measures are deemed to be feasible and instead the proposal put forward to manage surface water for the site is to include an underground attenuation tank to provide 33m³ of storage and control release of storm water from the tank to 3l/s. This arrangement is calculated to provide around 90% attenuation for the 1 in 100 year storm.

3.121 The SUDs Strategy is not considered to be acceptable in its current form and requires further work in line with the following comments:

- 1) The London Plan Drainage Hierarchy needs to be referenced in developing the SUDs Strategy;
- 2) Inclusion of rainwater harvesting should be assessed for feasibility and included where possible - note that systems can include storm management that can purge systems and provide storage for storm events;
- 3) This is a major scheme - therefore living roof(s) should be integrated where possible and these should be capable of serving as a SUDs feature;
- 4) Blue roof storage also needs to be considered and integrated where feasible;
- 5) Further details on external areas and their capability to provide permeable surfaces should be provided;
- 6) Maintenance information for the SUDs features should be provided.

LAND CONTAMINATION

3.122 Core Strategy Policy CC4 and Policies DM H7 and DM H11 of the Development Management Local Plan 2013 states that 'The Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place'.

3.123 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. To ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works further conditions could be attached to any permission covering the assessment and remediation of contaminated land. Standard contaminated land conditions would be attached to any grant of permission

Community Infrastructure Levy

3.124 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 £92,950.00 (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.

3.125 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 £200.00 per sq.m. This would entail a contribution of approximately £20,858.20 + Indexation for local CIL.

4.0 CONCLUSION and RECOMMENDATION

4.1 It is considered that the principle of commercial and residential uses is considered acceptable. The development would not have a detrimental impact on the highway network or local parking, subject to conditions ensuring that the development would be car parking permit free. Environmental matters including flood risk, carbon reduction, sustainable design and construction, and contaminated land matters are also considered to be acceptable.

4.2 However, the size and scale of the proposed development is considered to be excessive and symptomatic of this is the likely harmful impact of the development on neighbouring properties as a result of noise nuisance and disturbance, loss of outlook, increased sense of enclosure and loss of privacy.

4.3 Officers also consider that the proposed development would be harmful in terms of design and appearance and would detrimentally impact on the conservation area. The scale of the commercial building with its overly dominant top floor, and detailed design which includes its large brick "goal post" frame, excessively large windows with no sub-division and the low front boundary wall fails to relate satisfactorily to or integrate sensitively with the surrounding buildings which have a finer grain domestic scale. The office development of approximately 2000sq.m would bring a level of commercial activity and scale is considered to be inappropriate to the character of this part of the conservation area.

4.4 In terms of SUDS, the proposals, together with the excessive size of the basement covering the entire footprint of the site fails to include adequate consideration of SUDs.

4.5 The development will have a harmful effect on neighbouring trees as some will need to be cut back or removed to allow the development to be constructed and others will be subject to post development pressure to prune their crowns and restrict their growth.

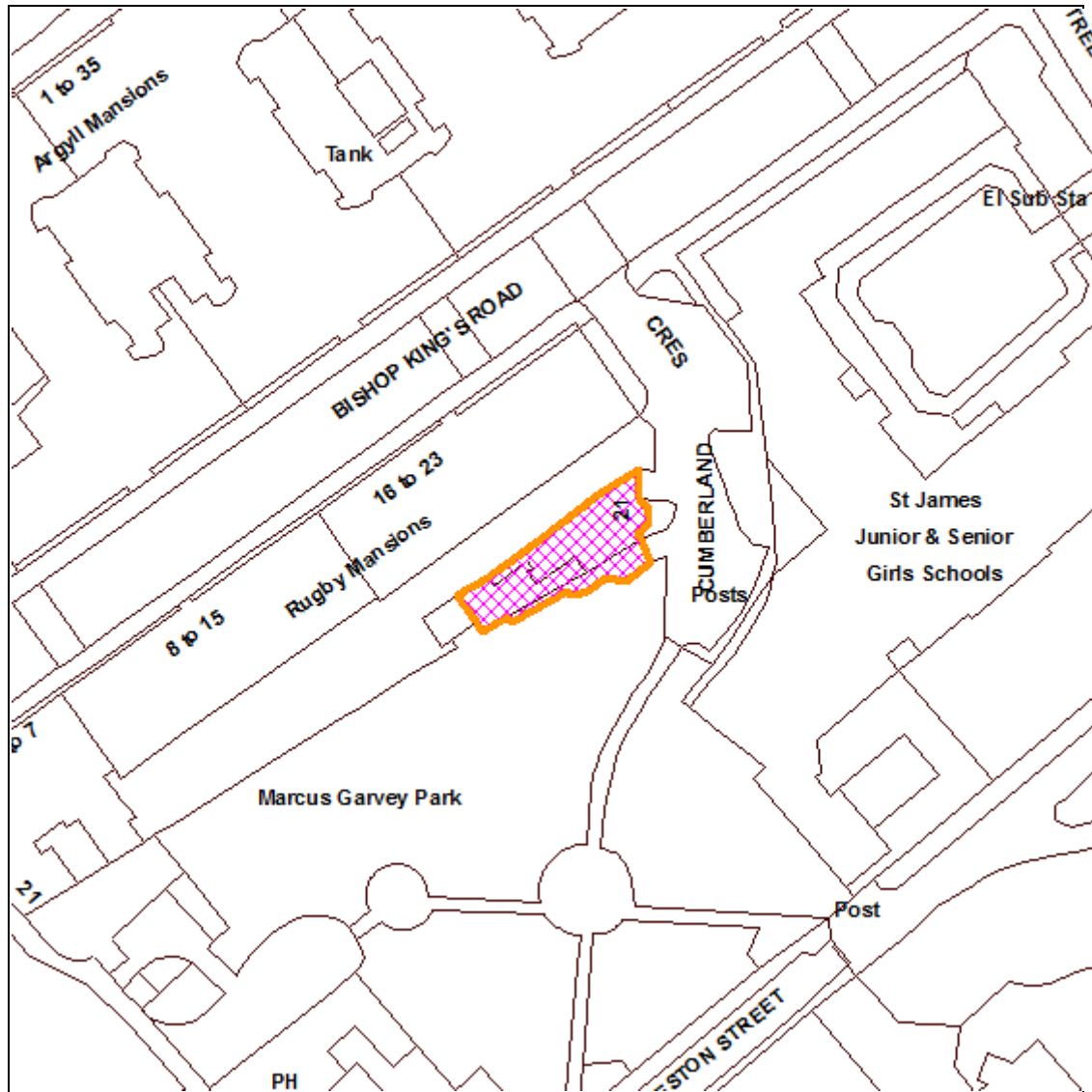
4.6 Given the concerns raised, it is considered that the proposed demolition of the building would be premature in the absence of a satisfactory replacement building, and that the proposed demolition would result in a void in the streetscene that would harm the character and appearance of the conservation area.

4.7 In light of the above, officers consider that planning permission should be refused.

Ward: Avonmore And Brook Green

Site Address:

Cumberland Lodge 21 Cumberland Crescent London W14 8XB



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For identification purposes only - do not scale.

Reg. No:
2017/02684/FUL

Case Officer:
Raj Satheesan

Date Valid:
10.07.2017

Conservation Area:
Olympia And Avonmore Conservation Area -
Number 23

Committee Date:
07.11.2017

Applicant:

Mr William Wyatt
St James School Earsby Street London W14 8SH

Description:

Change of use from residential dwelling (Class C3) to Bursar's Office ancillary to St James School (Class B1) for a temporary period of 5 years.

Drg Nos: LX-1-439-CC-101-GA Rev. B

Application Type:

Full Detailed Planning Application

Officer Recommendation:

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

- 1) The proposed use is permitted for a limited period of five years only from the date of the grant of planning permission (inclusive). The building and any associated physical changes shall be converted back to that which is appropriate for a C3 (Residential) use within 20 working days after 7th November 2022 .

To safeguard the integrity of the Local Development Framework by retaining the housing stock in the borough, in line with Core Strategy (2011) Policy H1, and Development Management Plan (2013) Policy DM A1.

- 2) The building and any associated physical changes shall be converted back to that which is appropriate for a C3 (Residential) use within 20 working days after 7th November 2022 .

To safeguard the integrity of the Local Development Framework by retaining the housing stock in the borough, in line with Core Strategy (2011) Policy H1, and Development Management Plan (2013) Policy DM A1.

- 3) The planning permission is personal to St James School and for the duration of the planning permission the application site shall only be used for the purposes relating to the activity as a Bursar's Office ancillary to St James School (Class B1) and there shall be no teaching or training within the property. The application site shall not be used for any other purpose until after 7th November 2022, or earlier if the use ceases, when the building shall revert to residential (Class C3) use.

To safeguard the integrity of the subject application and to safeguard the amenity of the occupiers of the surrounding properties in light of Policies DM H9 and DM H11 of the Development Management Plan 2013.

- 4) The proposed use shall only be undertaken on Mondays to Fridays from 7am to 7pm.

In order to safeguard the amenity values of the surrounding area, in accordance with Development Management Plan (2013) Policies DM H9 and DM H11

- 5) A minimum of 2 cycle parking spaces as shown on plan LX-1-439-CC-101-GA Rev. B shall be provided on site whilst the proposed use is in operation and the cycle spaces shall be maintained for the duration of the planning permission.

To ensure sufficient provision for cycle parking in accordance with Core Strategy (2011) Policy T1, and Development Management Local Plan (2013) Policy DM J5.

- 6) Neither music nor amplified/loud voices emitted from the internal or external areas of the premises shall be audible/measurable above the lowest background noise level at the nearest or most affected external residential/noise sensitive facade and should be at least 10 dB below the quiet background inside any neighbouring dwelling.

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

- 7) Prior to occupation or use of the development, the temporary wheelchair ramp, as shown on the Premium Cross Fold Wheelchair Ramps received on 9th October 2017, shall be retained, permanently stored within the subject site and made available for disabled users when required.

To ensure adequate access for people with disabilities or mobility difficulties, in accordance with Policies 7.1 and 7.2 of The London Plan, as amended in 2016, Policy BE1 of the Core Strategy, 2011, and Planning Guidance SPD Design policy 1.

Justification for Approving the Application:

- 1) The limited and temporary nature of the proposal is not considered to generate significant impact on the amenities of surrounding residents and the use would not have a detrimental impact on the operation of the highway. The temporary use of a vacant dwelling for educational / community use would not result in the permanent loss of residential accommodation and would provide a valuable community resource whilst in operation. The character and appearance of the conservation area and the Building of Merit would be preserved. The proposal is therefore considered to be compliant with the Core Strategy (2011) Policies CF1, T1, LE1 and H1; and the Development Management Local Plan (2013) Policies DM A1, DM B1, DM D1, DM J1, DM J5, DM H9, and DM H11.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 7th July 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:

19 Rugby Mansions London W14 8XD
Flat 17 Bishop Kings Road, London W148XD

24.07.17
31.07.17

OFFICER REPORT

1.0 BACKGROUND

1.1 Site and Surrounding

1.2 The application site is a two storey detached building, situated on the west side of Cumberland Crescent, and immediately to the rear of the 4 storey mansion block of Rugby Mansions. The lawful use of the property is as a single family dwelling. The building is on the Council's Local Register as a locally listed Building of Merit and is located within the Olympia and Avonmore Conservation Area. The site also adjoins Rugby Mansions to the north and St James Girls school to the east which are both locally listed Buildings of Merit and Marcus Garvey Park. There is a rear garden and off street parking for one car accessed via a gate to the side of the property. Access to the property is via Cumberland Lodge. The site is within Environment agency's flood zones 1, and has a TfL's Public Transport Accessibility Level (PTAL) of 6a, indicating it has excellent public transport accessibility. The property is located approximately 500m from Kensington Olympia Rail Station

1.3 Planning History

1.4 1988/00185/FUL - Planning permission was refused in March 1988 for the erection of an open sided cupola on the roof. The application was refused for the following two reasons:

1) The proposed development would be an over dominant feature which would be out of character with the property and detrimental to the visual amenities of the area.

2) The development would give rise to overlooking and loss of privacy to adjoining residential properties.

1.5 1986/00931/FUL - Planning permission was approved in December 1986 for the erection of rear extensions at ground and first floor levels and covered walkway.

1.6 Proposal

1.7 The application seeks planning permission for the temporary change of use of the property from a self-contained residential unit to use as a school Bursar's office ancillary to St James School.

1.8 The consent will be for a temporary period of 5 years and following this the use will revert to residential. The consent will also be personal to St James School.

1.9 The building will be used to provide office and meeting room accommodation for the school's bursarial team (8 members of staff). The proposal will not result in any increase in pupil numbers and will not be used for teaching.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by way of a press notice and site notices. 20 neighbouring properties were also notified by letter advising of the planning application.

2.2 One objection has been received, from a neighbouring property in Bishop Kings Road. The objection received can be summarised as follows:

- The property is within a conservation area and is the only detached dwelling existing. There is sufficient existing office space in the area for rental purposes, which would not involve the loss of private premises to commercial.
- Proposed office would result in overlooking of my property (in Rugby Mansions) and increased noise disturbance.

2.3 One neutral comment has also been received from a neighbouring property. Comments can be summarised as follows:

- While we don't have any objection against the proposed change of use, we'd like the following conditions to be attached.

1) The change of use is personal to St James School

2) Under no circumstances can the property be used for teaching or any other purpose that would result in pupils accessing the property.

2.4 The planning matters raised by residents not commented on above will be discussed in the body of the report.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan (2016) and the Council's adopted Core Strategy 2011 (hereafter referred to as CS), Development Management and the Local Plan 2013 (hereafter referred to as DM LP) include:

1. The principle of the change of use in land use terms.
2. Impact on visual amenity including impact on the character and appearance of the building of merit and the conservation area;
3. The impact of the proposal on the amenity of neighbouring properties
4. The impact of the proposal on the highway network.
5. Environmental matters including flooding, contamination.

LAND USE:

Loss of Residential:

3.2 The proposal seeks a change of use of the existing 3 bedroom dwellinghouse to a Bursars Office ancillary to St James School (Class B1). The application documents states that the building will not be used for teaching. It will solely be used to provide office/ meeting room accommodation for the school Bursar and his team.

3.3 London Plan Policy 3.14 (Existing housing) states that 'The Mayor will, and boroughs and other stakeholders should, support the maintenance and enhancement of the condition and quality of London's existing homes..... Loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace'.

3.4 Core Strategy policy H1 states that the council will retain existing residential accommodation. This is continued with DM LP Policy DM A1 (Housing Supply) which states that the council will resist proposals which would result in a net loss of permanent residential accommodation as a result of redevelopment or change of use without replacement.

3.5 Based on the above, the proposed change of use will result in the temporary loss of a residential unit, which is contrary to London Plan Policy 3.14, Core Strategy Policy H1 and policy DM A1. However, officers have considered the educational need for the Bursars office which is outlined below.

Proposed office / educational need:

3.6 Core Strategy policy LE1 (Local Economy and Employment) seeks to ensure that accommodation is available for all sizes of business including small and medium sized enterprises. Development Management Local Plan policy DM B1 (Providing a range of employment uses) similarly states that the Council will support proposals for new employment uses.

3.7 The proposed development seeks to provide employment floorspace ancillary to the existing school use at the adjacent St James School. Policy LE1 and DM B1 support the provision of employment uses.

3.8 Core Strategy policy CF1 (Supporting Community Facilities and Services) states that the Council will seek to provide borough wide high quality accessible and inclusive

facilities and services for the community by seeking the improvement of school provision including:

- improvement and / or expansion of secondary schools;
- improvement and/or expansion of primary schools through the primary school capital programme.

3.9 DM LP policy DM D1 (Enhancement of Community services) states that proposals for new or expanded community uses should meet local need, be compatible with and minimise impact on the local environment and be accessible to all in the community they serve. The policy also states that the temporary use of vacant buildings for community uses, including for performance and creative work is encouraged.

3.10 Furthermore Paragraph 72 of the NPPF states that:

"The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with school's promoters to identify and resolve key planning issues before applications are submitted."

3.11 On this occasion, the property would revert to residential use after 5 years, or earlier if St James School's use of the site ceases. The consent will be personal to St James School and therefore if they no longer require the site within the period of the temporary consent then the use will revert back to residential. A condition will be attached to the consent to confirm this.

3.12 The proposed use of the subject property as a bursar's office is a short term measure that is required by the school whilst they put in place a long term strategy to accommodate the Bursar's team on the main school site. The application submission explains that modern teaching methods and requirements mean that there is no longer room to accommodate the bursarial team within the existing school buildings. It is envisaged that development will take place to increase the accommodation on the main school site to provide further accommodation for the bursarial team. The school are at an early stage in bringing this forward and the temporary consent is sought whilst they put in place a strategy and funding to undertake works on the main school site.

3.13 The applicant has explained that the Bursar's team are required to be located on the main site, or next door to the main school site so that staff can travel quickly between the two sites, as the bursarial team provides vital day-to-day support for the school. The applicant has provided the following justification to explain why it is necessary for the Bursar's team to be located either on or adjacent to the main school site:

- a) The bursarial team needs to be readily available to the head teachers and all teaching staff, who often require immediate face to face assistance. Staff often must meet with the bursarial team at break time or between lessons and therefore staff must be able to reach their offices quickly.

b) The bursarial team provide staff for emergency occurrences. For example if there is a disruption to a class that the teacher needs assistance with it is a member of the bursarial team that would attend to this. To enable the bursarial team to continue to carry out this function they need to be able to reach the classroom very quickly.

c) The bursarial team also provide staff for emergency evacuations at the school, for example if there was a fire. They must therefore be able to be able to get straight on to the site, or already be on the site, to assist staff with congregating children at the fire assembly point. Being located five or ten minutes' walk from the main school site would not be practical or safe for pupils if an emergency evacuation is required.

d) The bursarial team also need to meet with parents, and on some occasions staff members also need to attend the meetings with the parents. It is not practical for these meetings to take place any further from the main site.

3.14 For the above reasons the school do not consider that it is feasible to locate on a site further from the main school site. Officers acknowledge this need.

3.15 CS Policy CF1 and DM LP Policy D1 recognise the need to support existing community facilities and services including schools. The NPPF also requires Local Authorities to take a proactive, positive and collaborative approach to meeting school's needs.

3.16 In light of the school's existing position in the borough, the specific need that has been justified by the school and because the proposal will result in the temporary loss of a residential dwelling for only 5 years, not a permanent loss, on balance there is no objection to the principle of the proposal in land use terms, under policies H1, CF1 and LE1 of the Core Strategy, and policies DM A1, DM B1, DM D1, London Plan Policy 3.14 and NPPF.

RESIDENTIAL AMENITY

Noise and disturbance:

3.17 Development Management Local Plan Policy DM H9 and DM H11, and Core Strategy CC4 seek to ensure that proposals do not have a detrimental impact on neighbouring properties regarding noise or environmental nuisance.

3.18 The applicant has confirmed that pupils will not need to visit 21 Cumberland Crescent and therefore pupils will not walk between the main site and 21 Cumberland Crescent. The proposal will therefore not result in any noise outbreak from pupils or noise impact on neighbouring properties.

3.19 The proposed relocation of the Bursar's team is required to free up space within the Avonmore Centre for existing classes to accommodate modern teaching methods and requirements. The proposal is not to increase the school's capacity for additional pupils. The school is currently two form entry and this is not proposed to change because of the proposal. Previous planning permissions that have been granted have had conditions attached which state that the school shall not exceed 600 pupils. The application does not propose to exceed this cap on pupil numbers.

3.20 The building will be used as offices ancillary to the existing adjacent school and therefore officers consider the use is compatible with the surrounding uses and is not expected to result in a detrimental noise impact on neighbours. Whilst the proposal has not specified the hours of operation, standard office hours would be from 0700-1900 - Monday to Friday, would not detrimentally impact on the residential amenity of neighbouring occupier. A condition is attached regarding the hours of use.

Loss of privacy:

3.21 With regards to overlooking to neighbouring properties, no external changes are proposed to the existing building and therefore the office use is likely to be similar to or an improvement on the existing residential use. As such no objection is raised under overlooking or loss of privacy grounds.

VISUAL AMENITY

3.22 No external changes are proposed as part of this application. As such the proposal would preserve the character and appearance of the Building of Merit and the surrounding conservation area. No objection is therefore raised under policies DM G3, DMG7 and Planning Guidance SPD Design policy 21.

HIGHWAYS IMPACT

Car Parking:

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

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

3.25 Core Strategy Policy T1 supports The London Plan. Policies DM J1 and DM J2 of the DMLP set out vehicle parking standards, which brings them in line with London Plan standards and gives circumstances when they need not be met

3.26 The site is located within PTAL score 6a indicating it has excellent public transport accessibility. The existing single off street parking space, located behind a gate fronting Cumberland Crescent, would be used by a school staff member. The proposed development will not result in any increase in staff numbers or pupil numbers and therefore transport and traffic will remain as existing and there will be no increase in the number of vehicles travelling to and from the site. As there is no increase in parking, no objection is raised under Policies DM J1 and DM J2.

Cycle parking

3.27 Two cycle spaces would be provided at the rear of the property in the existing outbuilding in accordance with DM Local Plan Policy J5 and SPD Transport Policy 12.

Refuse and recycling

3.28 DM Local Plan Policy H5 sets out that developments should promote sustainable waste management. SPD Sustainability Policies 3 support this, 4, 5, 6 and 8 which require the provision of suitable refuse storage. All developments should include facilities for the collection and storage of separated waste generated by the development. The planning statement states that 'separate bins for waste and recycling will be provided in the offices. It is not expected that the proposed use will generate much waste. All waste and recycling would be transferred by a member of staff to the existing refuse area on the main school site for collection. This is considered acceptable on this occasion and no objection is raised under DM LP policy DM H5.

ENVIRONMENTAL AND OTHER MATTERS

Accessibility

3.29 Planning Guidance SPD Design Policy 1 stipulates that applications for changes of use should ensure that the building is designed to be accessible and inclusive to all who may use or visit the building.

3.30 There is currently a single step up into the property. The applicant's states that a temporary ramp would be stored at the property which can be placed at the front door to enable level access for disabled users. Due to the small size of the property and the existing layout it is not feasible or practical to install a lift within the building to provide access to the first floor for disabled users. Meetings can be held on the ground floor and therefore it is not expected that disabled users will need access to the first floor. Given the scale of the development and the constraints of the existing building, officers consider that the above measures are appropriate and no objection is raised under SPD Planning guidance policy 1. A condition is attached requiring the temporary ramp to be stored within the premises and made available to disabled users when required.

Flood risk

3.31 This site is in the Environment Agency's Flood Zone 1. This indicates a low risk to flooding from the Thames. All other flood risks - groundwater, sewer, and surface water - are low for the site. Therefore, it is not necessary to submit a Flood risk Assessment with the application. The proposed change of use will reduce flood risk vulnerability as the building will be converted from residential to office use, and therefore no objection is raised to the proposal, under flood risk grounds.

3.32 In addition, water efficiency and sustainable drainage measures should be included where possible to show compliance with Local Plan Policy DM H3's requirements on managing surface water run-off and reducing water use. The council has published a document called Living with Rainwater which provides useful advice on sustainable drainage issues, available here: <https://www.lbhf.gov.uk/emergencies-and-safety/floods/living-rainwater>. An informative is attached to this effect.

Contamination

3.33 The proposal does not raise any contamination issues. As such no objection is raised under Policy CC4 of the Core Strategy (2011) and policies DM H7 and DM H11 of the Development Management Local Plan (2013)

CIL

3.34 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. In this case, the application proposes a building for educational use for which the CIL levy is set at £0 per square metre. So, the applicant is, in effect, exempt from paying CIL.

4.0 CONCLUSION and RECOMMENDATION

4.1 Officers consider that the temporary change of use for a Bursar's Office for a period of 5 years is acceptable and that the development would provide much needed office accommodation for the St James School bursarial team. The team are currently located on a temporary basis in a former sixth form common room which must be converted to provide classroom accommodation for Reception. Modern teaching methods and facilities requirements means that the existing classrooms that the school has can no longer accommodate all classes successfully. As such the school require the additional accommodation.

4.3 The subject site would not be used for teaching or training and will solely be used as a Bursar's Office ancillary to St James School.

4.4 The proposed development will result in no increase to the total number of pupils at the school as it will solely enable existing classes to be better located in more fit for purpose space in the main school site. As such, the proposed development will result in no increase to traffic to and from the site nor impact on on-street parking. 21 Cumberland Crescent will not generate any significant noise as pupils will not be using the building or travelling to the building. The noise generated by the office use is likely to be similar to or an improvement on the existing residential use, and would not have a demonstrably harmful impact on the amenities of surrounding residents.

4.5 The development would not have a further impact on flood risk, nor would it be at risk from contaminated land.

4.6 For these reasons it is recommended that planning permission is granted, subject to conditions.