

London Borough Of Hammersmith & Fulham

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**Planning Applications Committee**

**Agenda for 6th February 2018**

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**Ward:** Ravenscourt Park

**Site Address:**

101 And 105 - 107 Stamford Brook Arches Ravenscourt Place  
London W6 0UQ



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**For identification purposes only - do not scale.**

**Reg. No:**  
2017/03835/FUL

**Case Officer:**  
Grace Harrison

**Date Valid:**  
02.10.2017

**Conservation Area:**  
Constraint Name: Ravenscourt And Starch Green  
Conservation Area - Number 8

**Committee Date:**  
06.02.2018

**Applicant:**

Mr J Wilson  
C/o Agent

**Description:**

Change of use of railway arches 101, 105, 106 & 107 from railway storage (sui generis use) to indoor and outdoor climbing centre (D2 Use Class) together with external alterations including erection of canopy structure on south facing elevation.

Drg Nos: 2001 Rev PL2; 2100 Rev PL1; 2200 Rev PL2; 2230 Rev PL2; 2240 Rev PL2; 2250 Rev PL1; 2260 Rev PL1.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

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

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

- 2) The development shall be carried out and completed in accordance with the following approved drawings: 2001 Rev PL2; 2100 Rev PL1; 2200 Rev PL2; 2230 Rev PL2; 2240 Rev PL2; 2250 Rev PL1; 2260 Rev PL1.

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 the policies of the London Plan (2016), Policy BE1 of the Core Strategy (2011) and Policies DM G1 of the Development Management Local Plan (2013).

- 3) The development hereby approved shall not commence until details of the new tensile canopy structure to be erected in the rear yard, including:

- Detailed drawings at a scale of at least 1:20 of the junction between the new tensile canopy structure and the existing arches;
- Detailed drawings at a scale of at least 1:50 of all elevations of the new tensile canopy structure; and
- A sample (including colour) of the proposed material(s)

have been submitted to, and approved in writing by, the local authority. The development shall be implemented in accordance with the details as agreed and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to ensure the character and appearance of the conservation area is preserved in accordance with Policy BE1

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

- 4) The use of the premises hereby approved shall be carried out and operated in accordance with the Noise Statement submitted with the application.

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.

- 5) No pre-booked or walk-in groups of more than four adult customers shall be accepted at any time. No pre-booked or walk in groups of more than four customers under the age of 18 shall be accepted outside of the hours of 09:00 and 16:00 Monday to Friday and at no time on Saturdays, Sundays or Bank Holidays.

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

- 6) The premises shall only be used as a recreational climbing centre and shall not be used or converted for any other purpose falling within, or outside of, Class D2 (Assembly and Leisure) of the Town and Country Planning (Use Classes) Order 1987 without planning permission first being obtained.

In granting this permission, the Council has had regard to the special circumstances of the case. A different use of the property would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with Policy LE1 of the Core Strategy (2011), Policies DM B1, DM J1, DM J2, DM H9 and DM H11 of the Development Management Local Plan (2013), Policies 3.9, 3.10, 3.11 and 3.12 of The London Plan (as amended in 2016), and the National Planning Policy Framework (2012).

- 7) The use of the premises shall not be permitted during the hours of 23:00 to 06:00 Mondays to Fridays and 21:00 to 09:00 on Saturdays, Sundays and Bank Holidays, including Boxing Day and New Year's Day. The use of the premises shall not be permitted at any time on Christmas Day.

To ensure that the amenity of occupiers of the development site/ 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 (2013).

- 8) Prior to commencement of the development, a Servicing and Delivery Management Plan shall be submitted to and approved in writing by the Council. Details shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays, and quiet loading/unloading measures. The details within the agreed Servicing Management Plan shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 9) Prior to commencement of the development, a full and detailed Travel Plan shall be submitted to, and approved in writing by the Council and thereafter the development shall be carried out and operated in accordance with the agreed details contained within the plan.

To promote sustainable and active travel to the site and thereby ensure an acceptable impact on traffic congestion and parking stress in the local area, in accordance with Policy T1 of the Core Strategy (2011) and Policy DM J1 of the Development Management Local Plan (2013).

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

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

- 11) The external climbing wall, housed within the tensile canopy structure to the north of the site, shall only be used between 09:00 and 21:00 hours, Mondays to Sundays and Bank Holidays, including Boxing Day and New Year's Day.

To ensure that the amenity of occupiers of the development site/ 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 (2013).

- 12) The use of the premises for a climbing centre as hereby permitted shall not begin until provision for the storage of 54 cycles has been made within the curtilage of the site in the form of 11 Sheffield hoop stands and 2 scaffold pole bike racks as indicated on the approved drawing no. 2100 Rev PL1, and the cycle storage as installed shall thereafter be permanently retained for the life of the development.

To ensure adequate provision for storage of cycles to promote sustainable and active travel to the site, in accordance with Policy DM T1 of the Core Strategy (2011) and Policy DM J5 of the Development Management Local Plan (2013).

- 13) The use of the premises hereby approved shall be carried out and operated in accordance with the Centre Management Plan submitted with the application.

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).

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

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

- 15) No alcohol shall be either sold or consumed on the premises at any time.

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

- 16) The use of the premises hereby approved shall not begin until all external doors to the building are fitted with self-closing devices which shall thereafter be permanently maintained as such.

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

- 17) The forecourt in front of arch 101 on Ravenscourt Place shall not be used at any time for sitting out, and no chairs, tables or other furniture shall be placed on any part of the forecourt at any time.

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

- 18) The development shall be carried out in accordance with the details contained within the Flood Risk Assessment submitted with this application. All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the use hereby approved commencing.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy CC1 and CC2 of the Core Strategy (2011).

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

- 1) 1. Land Use: The proposal would achieve a sustainable development with efficient use of previously developed land. The principle of a new leisure use would be supported by the National Planning Policy Framework (2012) with respect to 'promoting healthy communities' as well as London Plan Policy 3.9, Core Strategy (2011) Policy CF1 and Development Management Local Plan (2013) Policy DM D2.

2. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of noise and disturbance to nearby residents, subject to conditions. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies DM H9 and DM H11 of the Development Management Local Plan and SPD Amenity Policy 24 of the Planning Guidance Supplementary Planning Document (2013).

3. Highways matters: It has been demonstrated that the scheme would not have a significant further impact on the highway network or local parking conditions and is thus considered to be acceptable. Satisfactory provision would be made for cycle parking to encourage sustainable and active travel. Adequate provision for storage and collection of refuse and recyclables would be provided and delivery and access arrangements could also be satisfactorily addressed, subject to conditions. The development thereby accords with Core Strategy Strategic Policy CC3 and Development Management Local Plan policies DM J1, DM J2, DM J3, DM H5, as well as London Plan policies 6.1, 6.3, 6.10, 6.11 and 6.13.

4. Design: The development is considered to comply with Core Strategy Strategic Policy BE1 and Development Management Local Plan Policy DM G1 which require a high standard of design in all developments, compatible with the scale and character of existing development and its setting, as well as London Plan policies 7.1, 7.4, 7.6 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development. The character and appearance of the Ravenscourt and Starch Green Conservation Area would be preserved, in accordance with Policy DM G7 of the Development Management Local Plan.

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

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

Application form received: 29th September 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  
LBHF – Draft Planning Guidance Supplementary Planning  
Document (SPD)  
LBHF – Draft Local Plan

## **Consultation Comments:**

### **Comments from:**

Environment Agency - Planning Liaison  
London Underground Limited

### **Dated:**

01.11.17  
17.10.17

## **Neighbour Comments:**

### **Letters from:**

	<b>Dated:</b>
4 Ravenscourt Place London W6 0UN	09.10.17
11 Ravenscourt Place London W6 0UN	25.10.17
Flat A First Floor 232 King Street London W6 0RF	30.10.17
99 - 100 Railway Arches Ravenscourt Place London W6 0UN	25.10.17
1 Ravenscourt Road London W6 0UH	31.10.17
3 Ravenscourt Place London W6 0UN	25.10.17
14 Ravenscourt Road London W6 0UG	25.10.17
2 Ravenscourt Place London W6 0UN	25.10.17
2 Ravenscourt Place London W6 0UN	05.01.18
1 Ravenscourt Place London W6 0UN	25.10.17
5 Ravenscourt Place London W6 0UN	24.10.17
10 Ravenscourt Place London W6 0UN	26.10.17
9 Ravenscourt Place London W6 0UN	26.10.17
7 Ravenscourt Place London W6 0UN	27.10.17
6 Ravenscourt Place London W6 0UN	25.10.17
3 Ravenscourt Road London W6 0UH	25.10.17
5 Ravenscourt Road London W6 0UH	25.10.17
16 Ravenscourt Road London W6 0UG	30.10.17
10 Ravenscourt Road London W6 0UG	25.10.17
30 Ravenscourt Road London W6 0UG	27.10.17
6 Ravenscourt Road London W6 0UG	30.10.17
52A Fairholme Road	25.10.17
NAG	25.10.17
7 Ravenscourt Road	25.10.17
4 Ravenscourt Road London W6 0UG	25.10.17
4 Ravenscourt Road London W6 0UG	25.10.17
Basement Flat 36A Ravenscourt Road London W6 0UG	31.10.17
2 Ravenscourt Place	09.01.18
Flat Second Floor 36 Ravenscourt Road London W6 0UG	25.10.17
10 Ravenscourt Road London W6 0UG	25.10.17

## OFFICER'S REPORT

### 1.0 BACKGROUND

1.1 The application site comprises four vacant railway arches (numbers 101, 105, 106 and 107) located beneath the railway viaduct adjacent to Ravenscourt Park Underground Station, together with an external yard to the north of the viaduct and a small forecourt area in front of arch 101 on Ravenscourt Place.



1.2 Arch 101 is accessed via the forecourt from Ravenscourt Place. It has no internal connection with arches 105, 106 and 107 (which are interlinked) and therefore access between them is only via the external yard to the north. The yard can also be accessed via a gate from Ravenscourt Road, shortly after the railway bridge. The Underground station is situated between Arch 101 and Arch 105.

1.3 The arches are currently vacant. The most recent use of all four arches was a motorcycle repair workshop, which ceased trading a number of years ago. Planning permission was never granted for such a use, and the site has no formal planning history. Officers consider that the arches can be classified as sui generis, meaning full planning permission would be required for any new use.

1.4 The Ravenscourt Park station building and the southern forecourt in front of the adjacent arches fall within the Ravenscourt and Starch Green Conservation Area. However, the principal part of the site and the yard to the north are outside the conservation area. The conservation area boundary runs up the inside edge of the footway on Ravenscourt Road. No part of the site contains a listed building or locally listed Building of Merit.

1.5 The site falls within the Environment Agency's Flood Zone 2.

1.6 Given its location adjacent to an Underground station, and within walking distance of bus routes on King Street, the site has an excellent Public Transport Accessibility Level (PTAL) of 6a according to Transport for London's methodology.

1.7 Planning permission is sought for change of use of the vacant railway arches to an indoor climbing centre (Use Class D2), together with associated internal and external alterations, including:

- + The installation of indoor climbing walls;
- + The erection of two free-standing, enclosed tensile canopy structures in the northern yard, containing another climbing wall;
- + Physical alterations to the entrances of the arches to create doors instead of existing shutters;
- + New cycle racks in rear yard;
- + Replacement metal gates to Ravenscourt Road;
- + A new fire escape door underneath the railway bridge.

1.8 The principal access to the proposed centre would be via the forecourt in front of Arch 101 on Ravenscourt Place. Arch 101 would contain a reception area and small ancillary café and shop (selling climbing accessories), as well as two small climbing walls. Immediately to the rear of Arch 101 would be a changing area, created within an existing brick shed structure in the rear yard. Visitors would then walk outside underneath two new tensile structures in the rear yard area to access the main climbing walls contained within Arches 105, 106 and 107. The tensile structure would also house an 'external' climbing wall.

1.9 The proposed opening hours for the centre are 6am-11pm Monday to Friday and 9am-9pm on weekends and bank holidays. The centre would be closed on Christmas Day and have limited opening hours on Boxing Day and New Years' Day.

1.10 In support of their application, the applicants have stated that the centre would be operated by The Lakeland Climbing Centre ('LCC'). They are an established company which was started in the Lake District in 1995. They own and operate the highest indoor climbing facility in the country. Recent awards include a Visit England Silver Award and the Cumbria Tourist Award for Best Small Visitor Attraction. In May 2014, LCC successfully opened its second climbing wall within railway arches in Vauxhall. LCC also partners with The Yorkshire Climbing Company who together own other climbing walls in Leeds, Manchester and Birmingham with accreditation from The British Mountaineering Council. The Ravenscourt Centre would be specifically for 'bouldering', which is a climbing style where the routes are short (up to 4.5m in height) and people climb without safety ropes but with the benefit of deep crash matting beneath them. The intention is to create a facility that would be of the highest quality in terms of quality, cleanliness and customer service.

1.11 LCC has been identified by London Underground Limited as the preferred operator for occupation of these arches, following a bidding process, and now has the option on the lease subject to the grant of planning permission.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by way of a site notice and press advert, as well as notification letters sent to the occupants of surrounding properties.

2.2 Twenty-seven objection comments and one support comment have been received from the following addresses:

Support: 4 Ravenscourt Place;

Objection: 1, 2, 3, 5, 6, 7, 9, 10, 11 Ravenscourt Place; 1, 3, 4, 5, 6, 10, 14, 16, 30, 36A, 36 Ravenscourt Road; 52A Fairholme Road; 232a King Street; Autostrada, 99-100 Ravenscourt Place; Ravenscourt Baptist Church, 7 Ravenscourt Road.

2.3 In addition, a joint letter of representation/ petition was also received on 5th January 2018, signed by the residents of 1, 2, 3, 5, 6, 7, 8, 9, 10 and 11 Ravenscourt Place as well as the Autostrada traders in Arches 99-100 on Ravenscourt Place; 1, 3, 4, 5, 6, 7, 10, 14, 16 and 36C Ravenscourt Road; and 232A, 226B and 196 King Street.

2.4 The comments received can be summarised as follows:

### Support

- This is a good idea. The resident would like to see more sporting facilities in the borough.

Officer response: The Council's planning policies also support the creation of new sports and leisure facilities in suitable locations.

### Objections

- Disturbance would be caused by noise and nuisance emanating from the premises.

Officer response: A number of conditions are recommended to be imposed regarding the control of noise at the premises, including implementation of the submitted Noise Statement.

- There would be an increased number of people loitering outside the premises on Ravenscourt Place, intimidating local residents as well as being noisy and engaging in anti-social behaviour and possibly crime.

Officer response: Supporting information and evidence submitted by the applicant shows that visitors would be spread out throughout the day and there would not be large numbers of people arriving or exiting the centre at the same time. The likely demographic, based on the nature of the activity and costs involved, would be young to middle aged professionals. There is no reason to suggest that potential customers would be disposed to anti-social behaviour or criminal activity.

- There would be increased traffic congestion as a result of visitors arriving at the site by car, as well as delivery and servicing vehicles. There would be increased hazards for pedestrians, and greater parking stress for residents. There is already a problem with number of cars coming into the cul-de-sac on Ravenscourt Place.

Officer response: The Council's Highways Officers are satisfied with Transport Assessment submitted with the application, which estimates that only a very small percentage of customers would drive to the centre. A series of measures to encourage sustainable travel are contained within the draft Travel Plan, and a condition is recommended to submit a detailed Travel Plan prior to the centre opening. A condition is also recommended requiring a detailed Delivery and Servicing Plan to be submitted.

2.5 London Underground Ltd. responded to confirm that they would have no objection to the planning application, subject to the applicant fulfilling the legal requirements in place and formed under agreement with Transport for London (TfL).

2.6 Thames Water, the Environment Agency, and the Metropolitan Police Crime Prevention Design Advisor were also consulted but did not respond.

### 3.0 PLANNING CONSIDERATIONS

3.1 The relevant planning considerations in this case, to be assessed against the policies in the National Planning Policy Framework (NPPF), The London Plan (as amended March 2016) and the Council's Local Development Framework, comprising the Core Strategy (2011), Development Management Local Plan (DMLP, 2013) and the Planning Guidance Supplementary Planning Document (PGSPD, 2013), are:

- + The principle of a new leisure use in this location;
- + The impact of the new use in terms of noise and disturbance to neighbouring residents;
- + The contribution of the new use to traffic congestion and parking stress in the local area;
- + Environmental considerations including flood risk and contaminated land;
- + The appearance of the external alterations and the new tensile canopy structure, especially the impact on the character and appearance of the conservation area.

## EMERGING LOCAL PLAN

3.2 On 24 January 2018, the Council resolved to adopt the Hammersmith & Fulham Local Plan (2018) ("the new Local Plan"). The adoption of the new Local Plan will take effect on 28 February 2018. From this date, the policies in the new Local Plan together with the London Plan will make up the statutory development plan for the borough. On adoption of the new Local Plan, policies also referred to in the report in respect of the Core Strategy (2011) and the Development Management Local Plan (2013) will no longer be relevant for the purposes of planning decision making in the borough. Until this date, the decision must be made against the current statutory development plan for the borough (see para 3.1).

## PRINCIPLE OF A NEW LEISURE USE

3.3 One of the core principles of the NPPF is 'promoting healthy communities'. The document recognises that access to opportunities for sport and recreation can make an important contribution to the health and well being of communities (para. 73). The London Plan (2016) also recognises that sports and recreation facilities are important parts of the social infrastructure, providing a range of social and health benefits for communities and neighbourhoods. London Plan Policy 3.19 (Sports facilities) states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported.

3.4 These themes are reflected in the Council's Core Strategy (2011) and Development Management Local Plan (2013), which recognises that leisure, recreation and sports uses are important elements of social infrastructure and contribute greatly to the quality of life of residents as well as visitors to the borough. Therefore, the principle of creating a new high-quality sport and recreation venue in a part of the borough which is not currently served by any similar facilities, is supported at all levels of planning policy.

## NOISE AND DISTURBANCE

3.5 Twenty-seven individual objection comments have been received to this application, as well as a petition with 27 signatories (four of which had not already submitted comments). Although some residents acknowledge the benefits of having a new sporting facility in the borough, all express their concern about the potential for the new use to generate noise and disturbance, especially given the long proposed opening hours of the centre. The principal concerns are music and loud voices emanating from the venue, as well as noise generated by customers as they enter or exit the premises. Some residents have also expressed a fear that the climbing centre will attract customers who are likely to engage in anti-social behaviour or loitering. This issue is addressed separately below.

3.6 DMLP Policy DM H9 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, in this case residences on Ravenscourt Place and Ravenscourt Road. Issues of noise and nuisance will be considered on a site-by-site basis having regard to the proposal, site context and surrounding uses. Policy DM H11 states that the Council will, if necessary, require precautionary and/or remedial action if a nuisance would be likely to occur, to ensure that it will not. In relation to proposed leisure uses, SPD Amenity Policy 24 states that careful consideration should be given to the likely noise impact of people arriving, queueing or otherwise congregating and departing the venue.

#### + Noise disturbance from inside the premises

3.7 The nature of the activities taking place within the centre would not be especially noisy. For safety reasons, no loud music would be played, because climbers need to clearly hear instructions or warnings from the ground and the ability to easily communicate is important from a health and safety point of view. Any music would be low-level ambient background music.

3.8 The Council's Public Protection and Safety Team have recommended a condition requiring compliance with the submitted Noise Statement. Further conditions have been attached stipulating that no noise is audible outside of the premises and that self-closing doors are used on all entrances to help ensure that noise does not escape. Compliance with the Noise Statement could be monitored by the Council's Noise and Nuisance Team.

3.9 Residents have noted that LCC's climbing wall at Vauxhall runs 'party-style' events with music, food and alcohol being served. There is no suggestion that the intention is to hold any event of this kind at the Ravenscourt Centre and Officers agree that such events would not be appropriate in this location. Therefore, additional conditions are recommended to ensure that no amplified voices or music is played at the premises and no alcohol is served at any time.

#### + Noise disturbance from customers outside the premises

3.9 Local residents are also concerned about noise disturbance generated by visitors entering and exiting the premises or loitering outside, particularly early in the morning or late at night.

3.10 The local area in the vicinity of the site, around the corner of Ravenscourt Road and Ravenscourt Place, is already a localised hub of activity with a number of different uses. The southern entrance to Arch 101 is situated between the entrance to the Underground Station to the west and a car repair garage and builders' merchant to the east. Ravenscourt Place is a cul-de-sac but has a pedestrian alleyway leading to Dalling Road, and hence a high level of pedestrian footfall. Ravenscourt Baptist Church, which holds regular meetings throughout the week, is also situated on the opposite side of Ravenscourt Road. Therefore, the additional trips that would be generated by the new climbing centre must be considered in this context.

3.11 The applicants estimate that the proposed climbing centre will attract approximately 200 unique visitors per day, with up to 300 on exceptionally busy days (most likely to be on the weekend). The estimated figures have been arrived at by extrapolating visitor data from other climbing walls within the ownership of LCC, as well as walls owned by other companies in London and across the UK. Particular reference has been made to the LCC's centre in Vauxhall. VauxWall is a larger centre with greater visitor capacity, and is located close to a significant transport interchange with higher passenger numbers than Ravenscourt Park. Data provided by the applicants shows that on a typical weekday, VauxWall experienced 216 entries, and 244 entries on a typical weekend. Given the smaller size of the proposed Ravenscourt centre and its location next to a less busy Underground Station, the applicants estimate a discount on daily visitor numbers compared to VauxWall. Data has also been provided with estimated daily visitors for other walls across London, showing that the applicant's visitor estimates have also been arrived at by comparing the amount of climbing wall and

number of routes provided, and making a suitable discount on numbers based on Ravenscourt's relatively small size and limited number of climbing routes. Officers are satisfied that the estimated visitor numbers have been thoroughly considered with reference to available data and therefore accept that they are reasonable estimates.

3.12 Officers have considered the estimated additional footfall in the context of existing footfall in the area. Of particular relevance in this case is pedestrian traffic generated by Ravenscourt Park Underground Station, which the site is directly adjacent to. Data provided by the applicant using official TfL statistics shows that the station has annual passenger traffic of 3.2 million per year, or about 9,000 per day. The additional footfall that would be generated by the proposed centre would represent less than a 5% increase on this figure. Moreover, many of the visitors to the centre may also be commuting through the station in any event, and not all would be additive footfall to the neighbourhood. Also, exits from the station are more likely to occur in short 'bursts' when a train has arrived which are arguably more disturbing to residents; by contrast, customers to the climbing centre would be spread out throughout the day.

3.13 Residents are especially concerned about the long opening hours of the centre (06:00-11:00 Monday to Friday). To demonstrate how customer visits are anticipated to be spread throughout the day, the applicants have submitted estimated entries per hour the centre is open. This suggests that the estimated number of people arriving early in the morning or late at night are relatively small (11 people between 6-7am and between 0 and 6 persons between 9-11pm). 'Peak time' would be in the early evenings, between 5-8pm with 90 estimated arrivals. LCC has affirmed their commitment to encourage visits at off-peak times through promotions such as two-tier pricing, free time for earlier entries, and special weekend offers, as this would have clear business benefits.

3.14 In contrast to a typical gym, where regular group classes are held, the centre would not offer any classes, a condition has been attached to ensure there are no group bookings of more than four adult customers at any time. LCC have stated their intention to welcome school groups, which would be of local community benefit, however a condition has been attached restricting the hours of school groups to between 9am-4pm on weekdays. Officers consider this is sufficient to ensure that there will not be groups of people either arriving at the centre at the same time or congregating outside early in the morning or late at night.

3.15 To further address the concerns of residents, the applicants have submitted a Centre Management Plan with details of how staff would ensure effective customer management to enhance security and minimise disturbance to residents, specifically :-

- Written signs and verbal encouragements from staff to customers to leave the area quietly and immediately [customers would not be expected to do loiter in any event, as there would be nowhere on the arch forecourt to sit or linger];
- Installation of an external CCTV camera overlooking the immediate vicinity of Arch 101, to enhance security;
- Staff 'floor walkers' who would undertake a regular trip outside Arch 101 to check on the forecourt, ensure no loitering as well as picking up litter;
- Climbing centre does not serve alcohol and does not permit access to climbers who are under the influence of drugs or alcohol;
- No smoking will be permitted on the forecourt outside Arch 101. Instead, the very few climbers who do smoke will be asked to do so in the rear yard;

- Turning out procedure.

3.16 The application proposes a very small ancillary cafe and climbing paraphernalia would also be sold. The cafe would be very small with only two tables and eight chairs. There are many cafes in the local area, including those a short walk away on King Street, and it is unlikely that the cafe offering within the centre would attract visitors who weren't also climbing. Advertisements and signage for the new centre would be subject to a separate application, but no indication has been given that the cafe would be specifically sign posted or advertised as a standalone feature. For these reasons, Officers are satisfied that the cafe would primarily be used by climbers and would not be of a size sufficient to create significant additional visitors to the premises.

3.17 Officers understand the concerns of residents with regard to the proposed hours of operation for the development. However, it is considered that given the location of the proposed use underneath the underground station, and given the levels of pedestrian activity throughout the day in the area together with the controls proposed (management and noise plan), that on balance the hours of operation are considered to be acceptable in this instance.

#### FEAR OF CRIME AND ANTI-SOCIAL BEHAVIOUR

3.18 Despite the fears expressed by some local residents, there is no evidence to suggest that the proposed climbing centre would attract people more disposed to anti-social behaviour than any other leisure use. Indeed, given the specialist nature of the activity and the costs associated, it is most likely to attract existing climbing enthusiasts or people looking to try a new activity and take up a new hobby. All visitors are required to be registered members and present their membership card upon arrival, which would discourage 'timewasters' and ensure member accountability to the staff. The forecourt would also be covered by CCTV and the Centre Management Plan states that staff 'floor walkers' would regularly check on the forecourt area.

#### PRIVACY

3.19 Local residents have also raised concerns about loss of privacy, due to the proximity of the centre entrance at Arch 101 on Ravenscourt Place to the residential properties directly. Officers measure this distance to be approximately 21 metres. The entrance is set back from the public footway by over six metres, and the footway itself carries thousands of pedestrians every day. There is nothing to suggest that the climbing centre customers would loiter outside adjacent properties trying to see in, or that their presence passing by on their way into and out of the centre would be any more intrusive than the pedestrians which already pass by. As such Officers do not consider that the use would be likely to result in loss of privacy to the properties on Ravenscourt Place.

3.20 For all of these reasons and subject to the recommended conditions, Officers are satisfied that the centre would not give rise to significant loss of amenity for neighbouring residents through loss of privacy or noise and disturbance, in accordance with Policies DM H9 and DM H11 of the Development Management Local Plan (2013) as well as SPD Amenity Policy 24.

## CONGESTION AND PARKING STRESS

3.21 Policy 6.1 of the London Plan (2016) encourages the closer integration of transport and development by encouraging patterns and nodes of development that reduce the need to travel, especially by car. Developments that generate high numbers of trips will be supported at locations within high public transport accessibility. DMLP Policy DM J1 requires all development proposals to be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network, and against the availability of public transport. As such Transport Assessments and Travel Plans are required where a development is expected to generate more than a specified number of trips during peak hours.

3.22 The site benefits from very high public transport accessibility, given it is located directly adjacent to Ravenscourt Park underground station, and is around 10 minutes walk from Hammersmith underground station and bus station. There are a number of frequent bus routes which travel along King Street, with the nearest stops around 190m to the south. There is also a bank of Santander Cycles underneath the railway bridge on Ravenscourt Road. Overall, the site is considered to be highly accessible by sustainable transport modes. The street parking bays in the vicinity are within Controlled Parking Zone L (restrictions Monday to Friday 09:00-17:00) as well as pay and display parking. No dedicated customer parking would be provided.

3.23 A Transport Assessment has been submitted, prepared by Transport Planning and Infrastructure Ltd. The trip generation exercise carried out indicates that the significant majority of customers would be expected to arrive by public transport, on foot or cycling. Based on the estimated number of daily visitors, the Transport Assessment concludes that the proposals could generate in the order of 6 additional vehicle movements by customers per day. These conclusions are supported by the specific site characteristics, including the high PTAL rating and proximity to the Underground Station and bus stops; the provision of on-site cycle parking and the proximity of a Santander Cycle docking station; on-site shower and changing facilities; and the fact no on-site parking is provided. Highways Officers agree with the conclusions of the Transport Assessment, and consider that this number of additional vehicles is not likely to have a detrimental impact on local parking demand in the area.

3.24 In addition, a parking survey has been conducted by Motion Transport consultants to assess the level of availability of street parking on surrounding streets, which demonstrates that the number of additional cars generated as a result of the proposal would not have a significant impact on parking availability on local streets. Officers consider an additional six cars entering and leaving the area per day would also not have a significant effect on traffic congestion on Ravenscourt Place or Ravenscourt Road.

3.25 In addition, a draft Travel Plan has been submitted which provides details of the measures to be put in place to ensure customers and staff do not arrive by car, including measures to promote walking, cycling and public transport. A condition is recommended to require a fully detailed Travel Plan to be submitted prior to the use commencing, with the development required to comply with the agreed details throughout the life of the development.

3.26 Cycle parking for the new use will be required in accordance with Policy DM J5 of the DMLP, which requires one cycle parking space per 15sqm. of floorspace, which,



based on the 800sqm. area of the centre, would require 54 spaces. As part of this scheme it is proposed to provide: six Sheffield hoops at the front of the building to accommodate 12 spaces; 5 internal Sheffield hoops to the rear of the building to accommodate 10 spaces; a scaffold-type bar measuring 16m in length to accommodate 32 cycles to the rear. This provides a total of 54 spaces and Highways Officers are satisfied that the provision is satisfactory.

3.27 It is proposed that refuse collection is undertaken on-street from either Ravenscourt Road or Ravenscourt Place. The refuse store would be located within the site boundary and collected via a private collection service, which is expected twice/ three times a week. In terms of servicing / deliveries, it is expected that the main deliveries will be associated with the café, which would include fresh produce. Overall, the site could generate in the order of one or two deliveries per week. These will primarily be undertaken by transit vans, or those typically used by the catering industry, as shown in Figure 3 below. A detailed Delivery and Servicing Plan is to be submitted and approved prior to the use commencing.

## EXTERNAL ALTERATIONS

3.28 The application proposes a new permanent tensile canopy structure to be erected in the rear yard to the north of the site, which is currently hardstanding. The Council's relevant local policies concerning the design of the proposed development include Core Strategy Policy BE1 and DMLP Policy DM G1. Policy BE1 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'.

3.29 DMLP Policy DM G1 seeks to ensure that new build development is 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.

3.30 The site is within the Ravenscourt and Starch Green Conservation Area and therefore DMLP Policy DM G7 (Heritage and conservation) is also relevant. This policy states that the Council will aim to protect, restore and enhance the quality, character and appearance of the borough's conservation areas.

3.31 The new tensile canopy structure would be same height as the crest of the arch entrances (5.5m above ground level) and set back from Ravenscourt Road by approximately 8m. Views of the structure would be very limited, obscured from most angles by the dense bank of trees which are immediately to the north and by the railway bridges from the south. The clearest views of the structure would be had from the when exit from Ravenscourt Park via the alleyway directly opposite. The structure would be dark green in colour to blend in with existing tree cover. Officers are satisfied that the structure would be of a satisfactory appearance and subject to a condition requiring detailed drawings of the junction between the structure and the arch and technical details of the elevations, no objections are recommended to be raised in visual amenity terms. It is considered that the character and appearance of the conservation area would be preserved.

3.32 The application also proposes minor alterations to the exterior of arches 105, 106 and 107 to create new entrance features. These would not be publicly visible and no objections are raised. Furthermore, no physical alterations are proposed to the exterior of the arch on Ravenscourt Place. Any signage for the development would be the subject of a separate application.

#### 4.0 RECOMMENDATION

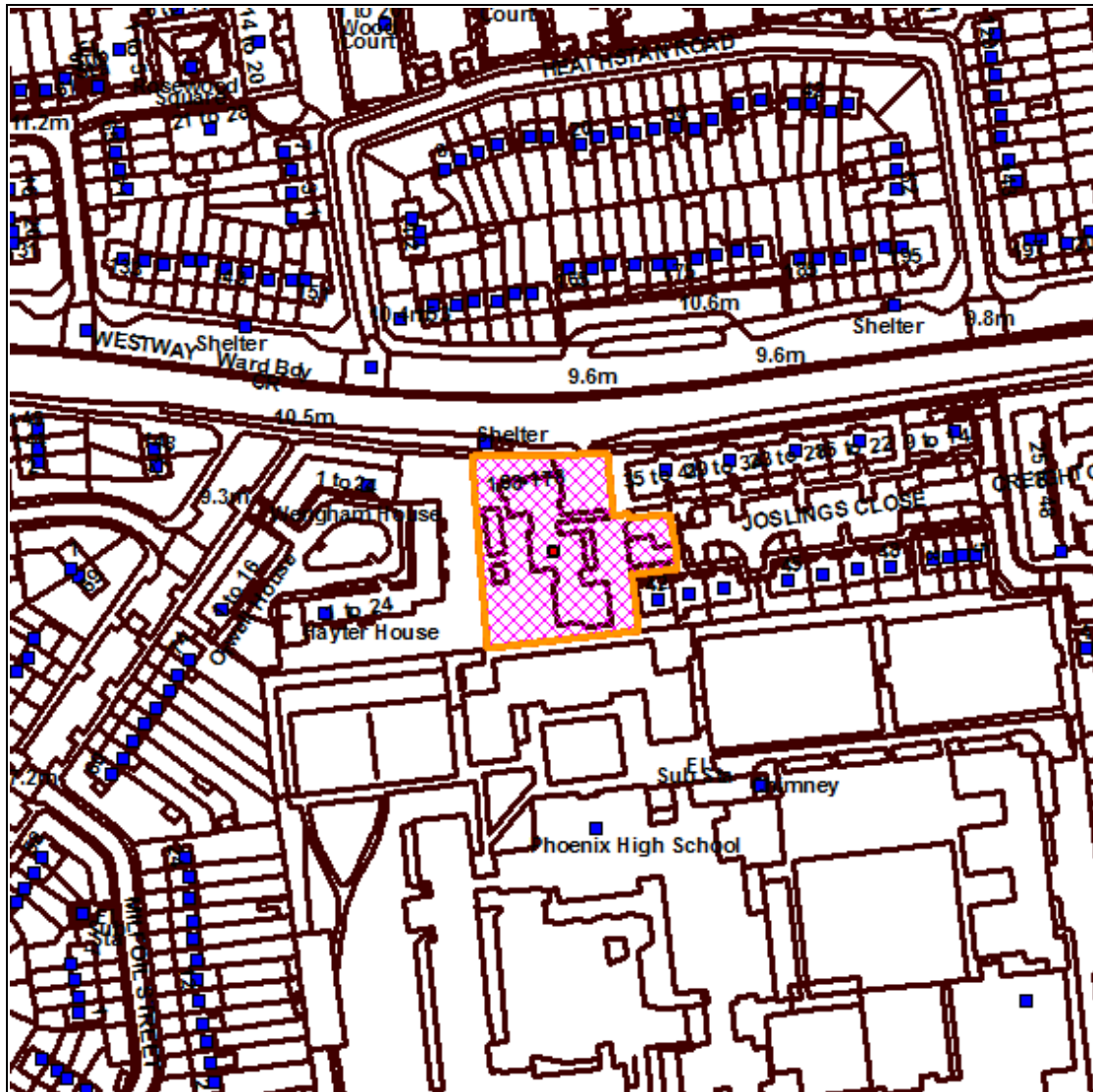
4.1 In conclusion, Officers consider that the proposal would achieve sustainable development and that the principle of a new leisure use would be supported by the NPPF and London Plan with respect to promoting healthy communities. The impact of the proposed development upon adjoining occupiers in terms of noise and disturbance and privacy would not be unacceptably harmful, subject to the recommended conditions. It is considered that the applicant has satisfactorily demonstrated that the proposal would not have a significant further impact on the highway network or local parking conditions, and it is therefore acceptable in this regard. The design and appearance of the tensile canopy structure is also considered to be acceptable, and the character and appearance of the Ravenscourt and Starch Green Conservation Area would be preserved.

4.2 For these reasons, Officers recommend approval of the application subject to conditions.

**Ward:** Wormholt And White City

**Site Address:**

Lavender Court 168 - 178 Westway And Existing Play Area On Joslings Close London



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**For identification purposes only - do not scale.**

**Reg. No:**  
2017/04315/FUL

**Case Officer:**  
Raj Satheesan

**Date Valid:**  
17.11.2017

**Conservation Area:**  
Constraint Name: Old Oak And Wormholt  
Conservation Area - Number 12

**Committee Date:**  
06.02.2018

**Applicant:**

A2Dominion Homes Ltd  
c/o Agent

**Description:**

Demolition of existing buildings and redevelopment to provide a part four to part six storey building comprising 45 residential units (C3) (24 affordable rented units and 21 shared ownership units) with associated access, car and cycle parking, landscaping and other associated works.

Drg Nos: M9400 APL005 Rev. A, M9400 APL006 Rev. A, M9400 APL007 M9400 APL008 Rev. A, M9400 APL009 Rev. A, M9400 APL010 Rev. A, M9400 APL011 Rev. A, M9400 APL012 Rev. B, M9400 APL013 M9400 APL014 Rev. B, M9400 APL015 Rev. B, M9400 APL016 Rev. B, M9400 APL017 Rev. B, M9400 APL018 Rev. B, M9400 APL019 Rev. B, M9400 APL020 Rev. B, M9400 APL021 Rev. B, M9400 APL022 Rev. B, M9400 APL023 Rev. B, M9400 APL024, screen locations within the Design and Access Statement dated November 2017, 616.2.01, 616.2.02, 616.2.03, 616.2.04, 616.2.05.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

1) Time Limit:

The development hereby permitted shall not commence later than the expiration of 3 years beginning from 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) Drawings:

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

Drwg Nos: M9400 APL005 Rev. A, M9400 APL006 Rev. A, M9400 APL007 Rev. A, M9400 APL008 Rev. A, M9400 APL009 Rev. A, M9400 APL010 Rev. A, M9400 APL011 Rev. A, M9400 APL012 Rev. B, M9400 APL013 Rev. B, M9400 APL014 Rev. B, M9400 APL015 Rev. B, M9400 APL016 Rev. B, M9400 APL017 Rev. B, M9400 APL018 Rev. B, M9400 APL019 Rev. B, M9400 APL020 Rev. B, M9400

APL021 Rev. B, M9400 APL022 Rev. B, M9400 APL023 Rev. B, M9400 APL024, screen locations within the Design and Access Statement dated November 2017, 616.2.01, 616.2.02, 616.2.03, 616.2.04, 616.2.05

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), policies DM G1 and DM G7 of the Development Management Local Plan (2013), and Draft Local Plan Policies Policy DC1, DC2 and DC8.

3) Demolition Management Plan and a Demolition Logistics Plan:

The development hereby permitted shall not commence until a Demolition Management Plan and a Demolition 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 noise, vibration, lighting, a dust management plan in accordance with the Mayor's SPG, 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 demolition vehicles, any vehicle holding areas, access arrangements and delivery locations on the site, details of a Low Emission Vehicle Strategy, provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Demolition Management Plan and Demolition Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway, 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 H8, DM H9, DM H11, DM J1 and DM J6 of the Development Management Local Plan (2013) and SPD Amenity Policy 26 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies T6, CC11 and CC13.

4) Construction Management Plan and detailed Construction Logistics Plan:

The development hereby permitted shall not commence (save for demolition and site clearance works) until a Construction Management Plan and a detailed 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 noise, vibration, lighting, a dust management plan in accordance with the Mayor's SPG, 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 detailed 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 (2013) and SPD Amenity Policy 26 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies T6, CC11 and CC13.

5) Hoardings:

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 policy DM G1 of the Development Management Local Plan (2013), and Draft Local Plan Policies Policy DC1, DC2 and DC8.

6) Building contract:

The demolition works hereby permitted shall not be undertaken before:

(i) a building contract for the redevelopment of the site in accordance with this planning permission has been entered into, and a signed copy of the building contract has been submitted to, and approved in writing by, the Council;

(ii) written notice of the start date for the demolition process has been submitted to the Council. Such notification shall be to the Council's Head of Development Management and shall quote the application reference number specified in this decision letter.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area, in accordance with policies DM G1 and DM G7 of the Development Management Local Plan (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

7) Contamination, preliminary risk assessment

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), and Draft Local Plan Policies CC8 and CC9.

8) Contamination, site investigation scheme:

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), and Draft Local Plan Policies CC8 and CC9.

9) Contamination, quantitative risk assessment:

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), and Draft Local Plan Policies CC8 and CC9.

10) Contamination, remediation method statement:

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), and Draft Local Plan Policies CC8 and CC9.

11) Contamination, verification report:

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), and Draft Local Plan Policies CC8 and CC9.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. 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), and Draft Local Plan Policies CC8 and CC9.

- 13) Mechanical Ventilation - Air Quality:

Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system with NO<sub>x</sub> filtration shall be submitted to and approved in writing by the Council. This report shall specify air intake and air extract location at the rear of the buildings and the design details and locations of windows on all residential floors of the buildings to demonstrate that they avoid areas of NO<sub>2</sub> or PM exceedance e.g. Westway (A40). 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 residential development and thereafter permanently retained and maintained.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016), Core Strategy 2011 Policy CC4 and Policy DM H8 of the Development Management Local Plan (2013), and Draft Local Plan Policy CC10.

#### 14) Gas Boilers Compliance with Emission Standards - Air Quality:

Prior to the operation of the Ultra-Low NO<sub>x</sub> Gas fired boilers to be provided for space heating and domestic hot water, the following shall be submitted to and approved in writing by the Local Planning Authority:

- Evidence that the termination height of the Flue stack for the Gas boiler plant has been installed a minimum of 1.5 metres above the roof level of the tallest part of the Building A
- Details to demonstrate that the Ultra-Low NO<sub>x</sub> Gas fired boilers and associated abatement technologies shall meet a minimum dry NO<sub>x</sub> emissions standards 30 mg/kWh (at 0% O<sub>2</sub>).
- Following installation, emissions certificates and the results of NO<sub>x</sub> emissions testing of each Ultra Low NO<sub>x</sub> gas boiler 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 NO<sub>x</sub> emissions standard it should not be operated without the fitting of suitable NO<sub>x</sub> abatement equipment or technology as determined by a specialist to ensure comparable emissions. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016), Core Strategy 2011 Policy CC4 and Policy DM H8 of the Development Management Local Plan (2013), and Draft Local Plan Policy CC10.

#### 15) Air Quality Dust Management Plan:

Prior to the commencement of development an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Council. The AQDMP must be site specific and 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'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 the Mayors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road 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 NO<sub>x</sub> and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM<sub>10</sub> should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions

at all times. Approved details shall be fully implemented and permanently retained and maintained during the Demolition and Construction phases of the development.

In the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016), Core Strategy 2011 Policy CC4 and Policy DM H8 of the Development Management Local Plan (2013), and Draft Local Plan Policy CC10.

16) Materials:

The development shall not commence (save for demolition and site clearance works) until particulars and samples of all the materials to be used in all external faces of the building and metal work including balconies and walkways have been submitted to and approved in writing by the Local Planning Authority. A brick sample panel shall be erected onsite for the inspection and approval of 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 Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), policies DM G1 and DM G7 of the Development Management Local Plan (July 2013), SPD Design Policy 44 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

17) Fenestration and doors:

The development hereby permitted shall not commence until detailed drawings of powder coated aluminium windows and doors, including window opening style, are submitted to and approved in writing by the Council. The development shall be built in accordance with the approved drawings, and permanently retained as such thereafter.

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), Policy BE1 of the Core Strategy (2011), and Draft Local Plan Policies DC1, DC2 and DC8.

18) Soft and Hard Landscaping:

The development hereby permitted shall not commence (save for demolition and site clearance works) until details of the proposed soft and hard landscaping of all areas external to the building have been 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 or depth of tree pits, containers and shrub beds; and hard landscaping details where appropriate relating to the access of the building, of all paving and external hard surfaces to ensure a safe and convenient environment for blind and partially sighted people, including confirmation of the use of permeable ground surface materials; and boundary walls, fences, railings, gates, and other means of enclosure. 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 and DM G1 of the Development Management Local Plan (July 2013) and SPD Sustainability policies 14-24 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

19) Privacy Screens:

The development hereby permitted shall not commence until details and samples of the privacy screen, of at least 1.7m high, to be used in connection with identified balconies, as shown on the screen locations drawing within the Design and Access Statement, dated November 2017, have been submitted to, and approved in writing by the Council. The use of these balconies shall not commence until the privacy screens, as approved has been installed and it shall be permanently retained as such thereafter.

In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with policies DM G1 and DM A9 of the Development Management Local Plan (2013), and SPD Housing Policy 8 (ii) of Planning Guidance Supplementary Planning Document (2013), Draft Local Plan Policies DC2, and Key Principle - HS8 of the Draft Planning Guidance Supplementary Planning Document.

20) No plant, water tanks or other structures:

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), policies DM G1 and DM G7 of the Development Management Local Plan (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

21) Solar Panels:

The development shall not commence (save for demolition and site clearance works) until details and drawings at a scale not less than 1:20 (in plan, section and elevation) of the solar panels, including details of the angle of the PV panels relative to the surface of the roof, have been submitted to, and approved in writing, by the Local Planning Authority. The development shall not be used/occupied until the scheme has been carried out in accordance with the approved details, and it 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, 7.6 and 7.7 of The London Plan (2016), policy BE1 of the Hammersmith and Fulham Core Strategy (2011), policies DM G1 of and DM G7 the Development Management Local Plan (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

22) Fixtures to the front of the building:

Save for the details shown on the approved drawings, no plumbing, extract flues or pipes, other than rainwater pipes shall be fixed on the street facing elevations of the development hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and the public realm, in accordance with Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), policies G1 and DM G7 of the Development Management Local Plan (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

23) PD Rights - Aerials:

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

To ensure that 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 policy DM G1 of the Development Management Local Plan (2013), and Draft Local Plan Policies DC1, DC2 and DC8.

24) Level Threshold:

The ground floor entrance doors to the building 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. Level thresholds shall be provided throughout the development between the residential units and the external amenity/balconies and the walkways.

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 of the Development Management Local Plan (July 2013) and SPD Design Policy 1 and 2 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies H06 and DC2.

25) M4 (2) and Wheelchair Units:

At least ten per cent of the residential units hereby permitted shall be constructed to comply with Part M4 (3) of the Building Regulations. Any communal areas and accesses serving the M4 (3) compliant Wheelchair User Dwellings should also comply with Part M4 (3). All other residential units, communal areas and accesses hereby permitted shall be constructed to comply with Part M4 (2) of the Building Regulations. Prior to the occupation of the development hereby approved a letter / statement shall be submitted to and approved in writing by the Council demonstrating compliance with the above Building Regulation requirements.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policy 3.8 of the London Plan (2016), policy H4 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policy DM A4 of the Development Management Local Plan (2013), Draft Local Plan Policy HO6, and the Council's Planning Guidance Supplementary Planning Document (2013).

26) Lifts:

No part of the development hereby approved shall be used or occupied until details of fire rated lifts in the development and the enhanced lift repair services which run 365 days per year and 24 hours per day (to ensure that no wheelchair occupiers are trapped if a lift breaks down) are submitted and approved in writing by the Local Planning Authority. The fire rated lifts shall be installed in accordance with the approved details 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 (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), and Draft Local Plan Policies DC2 and HO6.

27) Secure by Design:

The development shall not commence (save for demolition and site clearance works) until a statement of how 'Secure by Design' requirements are to be adequately achieved has been submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to: CCTV and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, 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 (2013), and Draft Local Plan Policy DC2.

28) Replacement Trees, shrubs etc:

All planting, seeding, and turfing approved as part of the agreed soft landscaping scheme 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 and DM G1 of the Development Management Local Plan (July 2013) and SPD Sustainability policies 14-24 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies DC1, DC2, DC8 and OS5.

29) Lime Tree:

The existing large Lime tree fronting the site on the Westway shall be protected and retained during construction and shall be protected from damage in accordance with:

- 1) The Arboricultural Impact Assessment Report No: RT-MME-125154-02, dated October 2017,
- 2) The Pre-Development Arboricultural Survey, Report No: RT-MME-125154-01 Rev A, Revised on October 2017.
- 3) and BS5837:2012. No construction shall take place until the Large Lime tree is adequately protected as per BS5837:2012.

To ensure that tree on site are retained and to prevent harm during the course of construction, in accordance with policies DM E4 and DM G7 of the Development Management Local Plan (2013) and policy BE1 of the Core Strategy (2011), and Draft Local Plan Policies DC1, DC2, DC8 and OS5.

30) Hedge management plan

The development hereby permitted shall not commence until a scheme has been submitted to and approved in writing by the Council of a management plan for the large Hornbeam hedge / screen on the western boundary of the site with Hayter House. The scheme shall ensure that privacy and access to light is maintained for both existing and future occupiers of these residential sites.

To ensure that the existing hedge / screen on the boundary of this site is maintained and managed, and to avoid overlooking and loss of privacy and the potential for overshadowing, in accordance with Policies DM E4, DM G1, DM G7 and DM A9 of the Development Management Local Plan, 2013, and Draft Local Plan Policies DC1, DC2, DC8 and OS5.

31) Blue Badge Parking:

No part of the development hereby approved shall be used or occupied until the 4 blue badge parking spaces, as indicated on the approved drawing no. M9400 APL006\_ rev. A, have been provided. These accessible parking spaces shall be permanently retained for the life of the development for use only by disabled residents 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 (2016), and policies DM J2 and DM J4 of the Hammersmith and Fulham Development Management Local Plan (2013) and SPD Transport Policy 10 of the Planning Guidance Supplementary Planning Document (2013), and Draft Local Plan Policies HO6 and T5.

32) Cycle Parking:

No part of the development hereby approved shall be occupied or used prior to the provision of the cycle storage arrangements, as indicated on the approved drawing no. M9400 APL006\_ rev. A, and set out within the submitted Transport Statement, to serve the development have been fully provided and made available to residential occupiers, 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 4.5, 6.9, 6.13 and Table 6.3 of the London Plan (2016), policy T1 of the Hammersmith and Fulham Core Strategy (2011), Policy DM J5 of the Development Management Local Plan (2013), and Policy T3 of the Draft Local Plan.

33) Refuse:

No part of the development shall be occupied or used prior to the provision of the refuse storage enclosures, as indicated on the approved drawing number M9400 APL006\_ rev. A, 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 (2013), and Draft Local Plan Policy CC7.

34) Waste Management Strategy:

No part of the 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), and Draft Local Plan Policy CC7.

35) Internal Room Noise:

The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013), and Draft Local Plan Policies CC11 and CC13.

36) External noise from machinery, extract/ ventilation ducting, mechanical gates, etc:

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 (2013), and Draft Local Plan Policies T6, CC11 and CC13.

37) Anti- vibration mounts:

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 the development site/ surrounding premises is not adversely affected by vibration, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013), and Draft Local Plan Policies T6, CC11 and CC13.

38) Floodlights:

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.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies DM H10 and H11 of the Development Management Local Plan (2013), and Draft Local Plan Policy CC12.

39) Piling Method Statement

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.

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 (2013), and Draft Local Plan Policy CC5. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

40) Sustainable drainage strategy:

The development hereby permitted shall not commence (excluding Ground and Enabling Works) until a revised Surface Water Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The revised Strategy should include details of how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures. Information provided shall include details on the specification, location and attenuation capabilities (storage volumes) of the proposed SuDS measures such as permeable paving and green/brown roofs with integrated blue roof storage and where feasible include rainwater harvesting. 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. A finalised plan drawing (to scale) of the proposed SuDS measures (including detailed plan drawings of all roof areas, showing the scale of the green/blue roofs) should be provided which shows all connections (including off-

site connections). Management and maintenance details for all proposed SuDS measures should also be provided. The Surface Water Management Strategy shall be implemented in accordance with the approved details, and thereafter all sustainable drainage measures shall be maintained and permanently retained in accordance with the approved details

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan (2016), Policy CC1 and CC2 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM H3 of the Development Management Local Plan (2013).

41) Sustainability:

The development hereby permitted shall only be carried out in accordance with the recommendations set out in the Sustainability Statement, Ref: EMS149, prepared by Silver Energy Management Solutions Ltd dated 27th October 2017. All details shall be implemented prior to occupation of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3, 5.7, 5.9, 5.10, 5.11 of The London Plan (2016), Policies BE1, CC1 and CC2 of the Core Strategy (2011) and Policies DM G1, DM H2 of the Development Management Local Plan (2013), and Policy CC2 of the Draft Local Plan.

42) Energy Strategy:

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 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 (2013), Policy CC1 of the Draft Local Plan, and SPD Sustainability Policies 29, 30 and 31 of the Planning Guidance Supplementary Planning Document (2013).

43) Television interference:

Details of methods proposed to identify any television interference caused by the proposed development, including during the construction process, and the measures proposed to ensure that television interference that might be identified is remediated in a satisfactory manner shall be submitted to and approved in writing by the council prior to the commencement of the development (excluding site clearance and demolition) hereby permitted. The approved remediation measures shall be implemented immediately that any television interference is identified. To ensure that television interference caused by the development is remediated, in accordance with Policy 7.7 of The London Plan (2016), Policy BE1 and CC4 of the

Core Strategy (2011), and Policies DM G1 and DM G2 of the Development Management Local Plan (2013), and Draft Local Plan Policies DC1, DC2 and DC3.

44) No access (except maintenance)

There shall be no access to the open areas of the building at roof level, except for maintenance purposes. No alterations shall be carried out; nor planters or other chattels placed on the roof in connection with their use as a roof terrace or other form of open amenity space. No railings or other means of enclosure shall be erected on the roof.

To ensure that the amenities of the surrounding residential occupiers are not duly affected by overlooking and noise and disturbance, in accordance with policies DM H9 and DM H11 of the Development Management Local Plan (2013) and Planning Guidance SPD (2013) Housing Policy 8, Draft Local Plan Policies DC2, and Key Principle - HS8 of the Draft Planning Guidance Supplementary Planning Document.

45) Play space:

The development hereby permitted shall not be occupied until details of children's play space equipment have been submitted to and approved in writing by the Council, in consultation with Catalyst Housing Limited (owners of Joslings Close). The works shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently retained.

In order to ensure that satisfactory provision of playspace in accordance with Policy DM E2 of the Development Management Local Plan (2013), emerging Policy OS3 of the Draft Local Plan, Policy 3.6 of the London Plan (2016), and the GLA's 'Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012).

**Justification for Approving the Application:**

- 1) Land Use: The proposed land uses are supported by adopted policy. In coming to this recommendation, Officers have given due regard to the pressing need for additional housing in London and borough, and particularly a need for significant new levels of affordable housing which the development would make a valuable contribution towards. Officers consider that the residential use is appropriate in this location, set within an existing residential context. The proposal is therefore supported in land use terms, subject to the satisfaction of other development plan policies and is in accordance with the NPPF, London Plan Policy 3.3, Core Strategy Strategic Policy H1, Core Strategy Policy BE1, DMLP Policies DM A1, and Policy H01 of the Draft Local Plan.

Affordable Housing: The proposal would help to regenerate the site, maximising the value of the site by the delivery of 45 affordable residential units (mix of affordable rent and shared ownership). The proposed affordable housing provision is considered to be acceptable with regards to mix, design, size, tenure and quality of accommodation, subject to conditions. The proposal is therefore considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.9

and 3.11, Core Strategy Policy BE1 and OS1, Strategic Policies H.2, H3 and H4, DMLP Policies DM A2 and DM A3 and Draft Local Plan Policy HO3.

**Housing:** The density, housing mix, internal design and layout of the new residential units are considered acceptable. The proposed density would optimise the potential of the site and would be compatible with the local character and context and with public transport capacity. The amenity and play space would provide a high quality of private and communal amenity for future occupants together with a high standard of residential accommodation. The proposal is therefore supported and is considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8 and 3.9, Core Strategy Policy BE1 and OS1, Strategic Policies H3 and H4, DMLP Policies DM A2 and DM A3, and Draft Local Plan Policy HO3, HO4 and HO11.

**Design:** Development of this site provides an opportunity for significant enhancement and regeneration of this area. It is considered that the proposed development provides a satisfactory design response to the constraints of the site, in terms of limiting impacts on the surrounding built environment and in terms of the scale, height and massing. It is considered that the proposals will deliver a building with good quality architecture which optimises the residential capacity of the site with good quality residential accommodation. The proposal would use materials, that would preserve and enhance the appearance, character and views of the conservation area. The proposed development is therefore considered acceptable in accordance with the NPPF, policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8 and 7.21 of the London Plan (2016) and policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013), Draft Local Plan Policies Policy DC1, DC2 and DC8, the Council's Planning Guidance Supplementary Planning Document (2013), and Key Principle Policies CAG1, CA G2, CAG3, CAG5, CAG6 of the Council's Draft Planning Guidance SPD.

**Transport:** Except for 8 car parking spaces (including 4 blue badge spaces) the proposal would be car free. 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, construction and demolition logistics and management. Adequate provision for storage and collection of refuse and recyclables would be provided. 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 of the Hammersmith and Fulham Core Strategy (2011), Draft Local Plan policies T2, T3, T4, T5 and T7 and Policies DM J1, DM J2, DM J4 and DM J5 of the Hammersmith and Fulham Development Management Local Plan (2013) and the Council's Planning Guidance Supplementary Planning Document (2013).

**Impact on Neighbouring Properties:** The impact of the proposed development upon adjoining occupiers is considered acceptable with less than significant harm to the amenities of adjoining occupiers in terms of daylight/sunlight, over-shadowing, overlooking and privacy. Potential impacts in terms of air quality and noise would also be acceptable, subject to conditions. In this regard, the development would respect the principles of good neighbourliness. The proposed development is therefore considered to be acceptable and would be in accordance with policies 3.5, 3.6, 3.8, 7.3 and 7.6 of the London Plan (2016) and policies BE1,

H3 and CC4 of the Core Strategy (2011) and policy DM G1, DM A3, DM A4, DM A9, DM H9, DM H10, DM H11 and DM E2 of the Development Management Local Plan (2013), Policies HO11 and DC2 of the Draft Local Plan, and the Council's Planning Guidance Supplementary Planning Document (2013), and Key Principle HS8 of the Draft Planning Guidance Supplementary Planning Document.

**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 result in the provision of an inclusive environment, providing 10% of all units as wheelchair units, level access, a lift to all upper levels and suitable circulation space. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people. 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 (2013), Policy HO6 of the Draft Local Plan, and SPD Design Policies 1, 2, 3 and 8 of the Planning Guidance Supplementary Planning Document (2013).

**Sustainability and Energy:** The application proposes a number of measures to reduce CO2 emissions with a carbon offset payment secured through the legal agreement in respect to the residential use. The proposal includes passive design measures to optimise use of natural light and solar gain; energy efficiency measures such as improved insulation levels, energy efficient lighting, improved airtightness to reduce heat loss, use of an efficient communal heating system and inclusion of solar PV panels. A revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design in 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), Policies DM E4, DM H1, DM H2, DM H8 of the Hammersmith and Fulham Development Management Local Plan (2013), and Draft Local Plan Policies CC1 and CC2.

**Flood Risk:** The site is in the Environment Agency's Flood Zone 1, which indicates a low risk to flooding from the River Thames. The new building has no subterranean basement levels, so groundwater and sewer flood risks are also low. Sustainable drainage systems would be integrated into the development to cut surface water flows into the communal sewer system. Further information on surface water drainage are secured by condition. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 5.11, 5.12, 5.13, 5.14 of the London Plan, Policies CC1 and CC2 of the Core Strategy (2011), policies CC3 and CC4 in the Draft Local Plan and Policy DM H3 of the Hammersmith and Fulham Development Management Local Plan (2013).

**Land Contamination:** Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policy CC9 in the Draft Local Plan and Policy DM H7 and H11 of the of the Hammersmith and Fulham Development Management Local Plan (2013).

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 securing the affordable housing provision, offsetting highways impacts, carbon offset payment, 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).

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

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

Application form received: 6th November 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  
LBHF – Draft Planning Guidance Supplementary Planning Document (SPD)  
LBHF – Draft Local Plan

### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Transport For London - Land Use Planning Team	19.12.17
Thames Water - Development Control	24.11.17
Environment Agency - Planning Liaison	15.01.18

### **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
40 Joslings Close London W12 7DF	19.12.17
30 Warwick Street London W1B 5NH	22.12.17
Catalyst Housing Ltd Ealing Gateway, 26-30 Uxbridge Rd W5 2AU	27.11.17

OFFICER REPORT

## 1.0 BACKGROUND

1.1 Lavender Court is a 2 to 3 storey building constructed in the 1960s. The site is situated on the south side of Westway within the Old Oak and Wormholt Conservation Area.

1.2 The site currently comprises 23no. Self-contained 1-bed units, within a 2 to 3 storey concrete framed building. The building layout is split into three distinct but connected blocks. There are 2no. single-storey buildings within the Site, forming the Site Maintenance Manager's office and Boiler House.

1.3 There are a number of existing trees on this site. However, none are subject to a Tree Preservation Order (TPO). However, given the Site's location in a Conservation Area, a degree of statutory legal protection is conferred upon the trees under the Town and Country Planning Act 1990. The topographical survey identifies the ground levels to vary between approximately 10m AOD in the north-west corner of the Site, to approximately 6.5m AOD in the south-east corner, with a distinct fall across the Site towards the south-east. There is an existing vehicular access accessed from The Westway and 4no. off-street car parking spaces located in the north-east part of the Site.

1.4 The Site is located in an area with a moderate Public Transport Accessibility Level (PTAL) 3, where 1 is 'poor' and 6 being rated as 'excellent'. The Environment Agency flood map indicates that the Site is located in Flood Zone 1, which indicates a low probability of flooding from the River Thames.

### Surrounding Area

1.5 The Site is situated in the north of the Borough, to the south of The Westway which is Designated as a Strategic Route. An existing bus stop is located to the north of the Site along the Westway, served by route 95 which travels between Shepherd's Bush Green underground and over ground stations and Southall.

1.6 East Acton underground station is located north of the Site, within 1km. White City underground station and Wood Lane underground station are located approximately 1.2km east of the Site.

1.7 Phoenix Academy secondary school is located to the south, with the Gymnasium/Sports Hall building directly south of the Site boundary. Sports pitches are located either side of the Gymnasium. A strip of land is located between the southern boundary of the Site and northern boundary of Phoenix Academy, comprising an existing linear tree belt. Neither the Applicant or the Academy have physical access to this land.

1.8 To the east and west of the Site are existing residential developments. Hayter House to the west is a 4-storey building with pitched roofs, surrounded by existing trees. Joslings Close to the east consists of 26no. Affordable Rented units and 8no. Shared Ownership units. The development comprises a 4-storey building fronting the Westway and 2-storey terraced buildings on the southern side of Josling Close. Joslings Close runs east-west through the Site, along with car parking provision, bin storage and a play area in the west. Vehicular access is gained from Bloemfontein Road to the east.



## Planning history:

1.9 In May 1987, planning permission was granted for the erection of single storey temporary building for use as communal recreation facility for sheltered housing (Ref: 1986/02292/FUL).

1.10 In October 1998, planning permission was granted for the erection of a water tank enclosed in glass reinforced plastic at roof level, a boiler house at ground level to the rear, new fencing inside the property, a fenced refuse area to the front of the property, and the provision of one car parking space adjoining the existing parking area within the property associated with 24 self-contained flats (Ref: 1998/01129/FUL).

1.11 The Council resolved (in March 2017) that the site could better meet the Council's Housing Strategy objectives through a scheme that achieves permanent affordable homes (as opposed to temporary accommodation). The Council resolved to dispose of the Site to A2Dominion subject to several conditions, including the redevelopment of the site for affordable homes and that the Council will have 100% nomination rights.

## Proposal:

1.12 The current application seeks planning permission for the demolition of existing buildings and redevelopment to provide a part four and part six storey building comprising 45 residential units (C3) in the form of 24 affordable rented units and 21 shared ownership units, with associated access, car and cycle parking, landscaping and other associated works.

1.13 The proposal includes the following:

- Closure of existing access from the A40 Westway and reinstated of footway (including full height kerb) with pedestrian, cyclist and vehicular access from Joslings Close;
- Construction of 45 (C3) residential units within 1no. buildings (2no. cores) of part 4 and part 6 storeys;
- Provision of 47% of residential units as shared ownership units (21 units) and 53% as affordable rented unit (24 units) based on total quantum of units;
- 4 wheelchair accessible units;
- Provision of ancillary uses to the residential development, including bin and cycle stores and plant room/servicing;
- Provision of an Energy Centre to accommodate gas-fired boilers connected to a site-wide district heating network;
- 4 disabled parking and 4 resident parking spaces;
- 72 long-stay cycle parking spaces allocated for the residential units together with 2 short-stay visitor cycle parking spaces;
- Amenity space in the form of private balconies and private gardens for ground floor units;
- Provision of central play area (227sqm);
- Removal of 8no. trees and 1no. group of trees to facilitate the development.

## Pre-application and Community Involvement:

1.14 The Applicant has undertaken a programme of pre-application discussions with Officers of LBHF and Transport for London. This has been supplemented by consultation with Local Members of the Council and the local community. Moreover, the scheme has been presented to the Design Review Panel, the Disability Forum Planning Group and met with the Crime Prevention Officer. The Applicant has held a public exhibition to secure wider feedback on the proposals in June 2017 and also undertaken separate focused discussions with residents of Joslings Close and the Phoenix Academy, located to the south of the Site.

1.15 A Public Exhibition was held on 15th and 16th June 2017 where residents were advised of the proposals.

1.16 The Applicant also engaged with Phoenix Academy School located to the south of the Site, including site meeting on 7th July to discuss the proposals and provide an opportunity for the School's feedback.

1.17 In addition, a focused Public Exhibition was also held for residents of Joslings Close on 9th September to discuss the changes to the proposals that principally affected these neighbouring residents.

1.18 The scheme was presented to the Disability Forum on 19th July 2017, including the array of options presented to the Design Review Panel (DRP). The Forum states a preference for the now-proposed scheme, as circulation is more compact and entrance sequence simpler. In addition, the Forum requested plans show wheelchair turning circles, which are provided, and refuse areas for wheelchair accessible units. The 4no. units designed to wheelchair accessibility standards are located on the Ground Floor, and providing easy access to the refuse areas also located on the Ground Floor was also welcomed.

1.19 The Applicant also undertook pre-application discussions with the Crime Prevention Officer of the Metropolitan Police. The applicant states that the principle matter raised was the desire to prevent access to the Site from the Westway, with the Crime Prevention Officer encouraging the provision of only one pedestrian access/egress to the site and a preference that this should be from Joslings Close.

1.20 The development scheme proposes the closure of the existing vehicular access from the Westway. All vehicular, cyclist, pedestrian and servicing access would come from Joslings Close providing the opportunity to enhance/share an amenity area/courtyard. Access to the Westway is proposed to be limited for pedestrian access from residents of the northern block only. The proposals address the Officer's comments in that only one principle access point is proposed and which is not from the Westway.

1.21 As a result of discussions detailed above, principally addressing feedback from the DRP and Crime Prevention Officer, the Applicant revisited the approach to the site with LBHF, including options testing. The Applicant also approached Catalyst Housing, as the owner of Joslings Close (to the east) with the desire to introduce some flexibility to the site layout. The decision was taken to extend the size of the site to include the existing play area at the end of Joslings Close, which would allow a reconfigured layout and create a better relationship between the Site and Joslings Close. This approach allows for pedestrian, cyclist and vehicular access from Joslings Close, with an improvement to the landscaping courtyard and its value at the centre of the scheme. As

noted above, a focused Public Exhibition was subsequently held for residents of Joslings Close to discuss the revised proposals.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised as a major development and has been publicised by way of a press notice and site notices. 145 neighbouring owners/occupiers in the neighbourhood were also notified by letter advising of the planning application.

2.2 One objection has been received, from a neighbouring property in Joslings Close. The objection received can be summarised as follows:

- This will affect my family (Planning Officer's response: No further details of this objection were provided so Officers are unsure what aspects of the scheme would affect this neighbour's family. Nonetheless, Officers have considered impact on neighbours in the report below)

2.3 One response was received in support of the application from Catalyst Housing Limited, who own the neighbouring Joslings Close. Comments can be summarised as follows:

- In principle, Catalyst supports the proposals, particularly the delivery of 45 new affordable homes for the Borough.
- We believe the proposals to be of a high-quality design and we accept that the ideal design solution is to extend the built form along Lavender Court, forming a crescent of development. We therefore acknowledge that the primary access for pedestrians and vehicles will come through our existing estate via Joslings Close as opposed to the Westway (A40), which abuts the site to the north. Whilst we do not object to this in principle, we ask that due consideration is given to our existing residents and that the long-term management of access is considered so as not to cause unnecessary disruption and disturbance.
- We note that the plans create a new amenity space, located at the end of Joslings Close directly adjacent to the new build development. We welcome this element of the proposed scheme and have been in discussions with A2 Dominion to ensure this landscaped space is for the benefit of all residents and not just to occupants of Lavender Court.
- We request that Catalyst are consulted further on the final details of the landscaped amenity both in relation to design and the programme of delivery.
- We trust that A2 Dominion and LBHF Officers will continue to work in partnership with us and allow us to comment on the drafting of the construction management plan, to ensure minimum disruption to our existing residents during the lifetime of the build.

2.4 One response has been received on behalf of the Future Academies Trust who owns and operates Phoenix High School. Comments states "We will study the proposed development at Lavender Court in further depth before providing our representations". (Planning Officers comments: So far no further comments have been received).

2.5 Planning matters raised by residents, businesses and consultees not commented on above will be discussed in the body of the report.

2.6 Disability Forum: The proposal was presented to the Disability Forum on 13 December 2017. The Disability Forum were generally supportive of the proposed development and welcomed the effort made by the applicant to address the comments

raised at an earlier pre-application meeting with the Forum on the 19th July 2017 which include provision of 4 wheelchair units and 4 disabled parking bays (one for each wheelchair unit). Following this meeting revised dwelling layouts were submitted which include the annotations to the wheelchair M4(3) units, which demonstrate compliance with the part M of the Building Regulations.

2.7 Thames Water: Thames Water would advise that with regard to sewerage infrastructure capacity and water infrastructure capacity that they have no objection to the proposal. A condition is recommended with regards to a piling method statement to be submitted for approval. Informatives are also recommended.

2.8 Transport for London (TFL): The Site is on Western Avenue which forms part of the Transport for London Road Network (TLRN). TFL is the highway authority for the TLRN. Subject to the conditions on cycle parking and a satisfactory construction logistics plan, which ensures that the TLRN is not harmed, TFL raise no objection.

### 3.0 PLANNING CONSIDERATIONS

3.1 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.

3.2 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).

3.3 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). Several strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

#### National Guidance

3.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012. The NPPF sets out the Government's approach to planning matters and is a material consideration in the determination of this planning application. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied. A central theme running through the NPPF is a presumption in favour of sustainable development whilst ensuring that heritage assets are conserved.

#### Draft London Plan

3.5 The new draft London Plan was published on 29 November 2017. The Plan is out to consultation until 2 March 2018. An Examination in Public (EiP) is due to be held in autumn of 2018, and publication of the new Plan is expected in the autumn of 2019. It is therefore considered that the new draft London Plan should be given limited weight at this stage in determining this application. In the interim, consideration shall be given to the London Plan (Consolidated with Further Alterations 2016).

#### Council Local Plan (February 2018)

3.6 On 24 January 2018, the Council resolved to adopt the Hammersmith & Fulham Local Plan (2018) ("the new Local Plan"). The adoption of the new Local Plan will take

effect on 28 February 2018. From this date, the policies in the new Local Plan together with the London Plan will make up the statutory development plan for the borough. On adoption of the new Local Plan, policies also referred to in the report in respect of the Core Strategy (2011) and the Development Management Local Plan (2013) will no longer be relevant for the purposes of planning decision making in the borough. For completeness, the policies in the new Local Plan together with the policies in the Core Strategy and Development Management Local Plan are set out and referred to in this report as at the time of drafting this report, they are still valid. The new Local Plan is supported by a replacement Supplementary Planning Document and this document will be a material consideration in determining planning applications. The updated SPD document will also be adopted on 28 February 2018 and will supersede The White City Opportunity Area Planning Framework will also be revoked upon adoption of the new Local Plan.

#### Assessment of the proposed development

3.7 The principle issues to be assessed in the submitted development proposal are considered to consist of:

- Land Use: Principle of the residential land use; involving the loss of the existing residential flats.
- Housing: In terms of tenure, density, housing mix and layout.
- Design and appearance: The impact of the development on the street scene and character and appearance of the conservation area
- Highways: Traffic generation and parking.
- Residential Amenity: Impact on amenity of neighbouring occupiers in the locality, in terms of outlook, privacy and daylight and sunlight impacts.
- Environmental issues: Including flood risk and water drainage, land contamination, sustainability/energy, air quality and noise.

#### PRINCIPLE OF REDEVELOPMENT

3.8 The NPPF supports the delivery of mixed and balanced communities, with the key focus being on growth, regeneration and development. It supports the effective use of land by reusing land that has been previously developed (brownfield land).

#### 3.9 Residential-led development

3.10 The proposal represents an opportunity to make better use of land where residential uses are already well established. At the national level, the NPPF advocates policy that seeks to significantly boost the supply of housing (paragraph 49), and states that: "housing applications should be considered in the context of the presumption in favour of sustainable development"

3.11 The London Plan (2016) policy 3.3 (Increasing Housing Supply) states that there is a pressing need for more homes in London and that boroughs should seek to exceed the minimum target through the intensification of brownfield land. Policy 3.3B states that an annual average of 42,000 net additional homes should be delivered per annum in London. Within this overall aim, Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham (excluding an increment in provision in the Earls Court West Kensington Opportunity Area). Policy 3.3D of the London Plan states that boroughs should seek to achieve and exceed the housing targets set out in Table 3.1 of the plan. Draft Local Plan Policy H01 (Housing Supply) states that the council will work with partner organisations and landowners to exceed the London Plan (2016)

minimum target of 1,031 additional dwellings a year up to 2025 and to continue to seek at least 1,031 additional dwellings a year in the period up to 2035.

3.12 The existing site has been let by LBHF as 23 self-contained residential units to a range of occupiers with differing housing needs. Some existing occupiers have been residents for short period of time, and others for a number of years. As such the existing use is Class C3 residential use and therefore planning permission is not required for the change of use.

3.13 Policy 3.14 of the London Plan (2016) states that the 'loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities within at least equivalent floorspace'. Similarly, Policy DM A1 of the Development Management Local Plan (2013) resists the loss of permanent residential accommodation without replacement (measured by floorspace).

3.14 Whilst the existing accommodation on site is let by the Council on an affordable basis, this is not controlled by way of any Section 106 Agreement or condition. Accordingly, the relevant policy test is whether the existing housing is replaced at existing or higher density, with at least the re-provision of equivalent floorspace. There is no requirement for that equivalent re-provision of floorspace to be provided on an affordable basis. Rather the provisions of London Plan Policy 3.12 and LBHF Core Strategy Policy H2 apply to the provision of affordable housing, in short that the maximum reasonable amount of affordable housing should be sought when negotiating individual private residential schemes.

3.15 The London Plan (2016) Policy 3.11 directs LPAs to set affordable housing targets that meet strategic affordable housing targets and reflect the Borough's contribution to meeting such needs. LBHF's adopted Core Strategy seeks the provision of at least 40% affordable dwellings. More recently, the Mayor of London has published the Affordable Housing and Viability SPG (August 2017) seeking at least 50% affordable housing provision within developments on public land (without public subsidy)

3.16 The existing site is outdated and under-developed, and can accommodate a significantly higher number of residential units. Notably, the Cabinet Report (March 2017, para 5.2) identifies that 'the building is no longer fit for purpose and does not offer the standard of accommodation expected by the Council'. The existing residential accommodation on the Site does not meet modern housing quality requirements in so far as:

- None of the units meet the minimum National space standards for 1b1p and 1b2p flats.
- There is an overall lack of storage space for residents.
- Only 4no. units have step-free access. Therefore, at least 19no. units do not comply with Building Regulations M4(2) requirement for step-free access to the dwelling.
- No balconies are provided for any dwellings.
- No private outdoor space is provided on-site.
- No play space area/equipment is provided on-site.
- The building was constructed prior to the adoption of the London Plan (2016) and Housing SPG (2016) and therefore does not comply with the sustainable design and construction requirements, and minimum targets for carbon dioxide emissions are required by these policy documents.
- No water conservation measures are installed in the current premises.

- The Westway provides the only pedestrian route from the existing building to the surrounding area.
- No cycle storage is available on-site.
- No recent works or refurbishment have been undertaken to the flats. LBHF Housing department have advised that most kitchens are 19+ years old, bathrooms are 34+ years old and in very poor condition and need of replacement.
- There is no insulation within the roof or cavity walls, causing issues for existing residents.
- The entry corridor requires demolition and rebuilding. The internal pipework requires replacement due to constant leaking.

3.17 It is therefore considered acceptable that redevelopment proposals are brought forward and are appropriate to replace the existing poor quality residential units.

3.18 The application proposes a 100% affordable housing scheme on the site. The development will replace the existing 23 units with 45no. affordable units that meet modern standards. This equates to a 49% increase in the number of units on site, based on the overall quantum.

3.19 With regards to internal floorspace in line with Policies 3.14 and LBHF Policy DM A1, the existing residential floorspace of 1,008.86sqm (GIA) is proposed to be replaced with 3,775.33sqm (GIA) of residential floorspace. The development proposal therefore equates to a 73% increase in residential floorspace on the Site, in accordance with the provisions of regional and local policy in relation to the requirement to provide existing floorspace and maximise the provision of affordable housing.

3.20 In conclusion, the proposal is for 45 residential units which would contribute to the borough's housing target and be compatible with the existing residential use on the site and surrounding area. All the residential units would be affordable, providing a mix of affordable rent and shared ownership. The proposal accords with Policy 3.3 of the London Plan, Policy H1 and H2 of the Core Strategy and Policy DM A1 of the DM LP, and Policy H01 of the Draft Local Plan. The proposals also provide play space provisions and disabled parking spaces, detailed further in this report. Therefore, on balance, the proposed use of the land for residential led development is considered to be acceptable in planning terms, subject to detailed consideration set out below.

Housing:

3.21 At the regional level, the London Plan emphasises the need for more homes in the capital at a range of tenures and of a range of sizes. As such there are several planning policies that seek to support the development of residential properties across the city.

3.22 London Plan Policy 3.9 (Mixed and Balanced Communities) states that a more balanced mix of tenures should be sought in all parts of London, particularly in neighbourhoods where social renting predominates and there are concentrations of deprivation.

3.23 London Plan Policy 3.9 goes on to state that communities, mixed and "balanced by tenure and household income, will be promoted across London through incremental small scale, as well as larger scale developments which foster social diversity, redress social exclusion, and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods. They must be supported by effective and attractive design,

adequate infrastructure and an enhanced environment". The supporting text to policy 3.9 notes that infill schemes on predominantly social housing estates should primarily be targeted for intermediate and market housing.

3.24 London Plan Policy 3.10 outlines that homes "should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision".

3.25 London Plan Policy 3.10 defines affordable housing as: "social rented, affordable rented and intermediate housing (para 3.61), provided to eligible households whose needs are not met by the market. ..."

3.26 London Plan Policy 3.11 (Affordable Housing Targets) sets a London wide affordable housing target of at least 13,200 more affordable homes per year. The policy advises that 60% of new affordable housing should be provided for social or affordable rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The London Plan addresses the introduction of affordable rent, with further guidance set out in the Housing SPG. Regarding tenure split the Mayor's position is that both social rent and affordable rent should be within the 60%.

3.27 Core Strategy Policy H2 (Affordability) sets a borough wide target that 40% of all additional dwellings should be affordable in schemes of 10 or more units.

3.28 Draft Local Plan Policy HO3 (Affordable Housing) provides more detailed guidance on the level of affordable housing, stating that housing schemes should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities. Stating that at least 50% of housing units should be affordable, of which 60% should be social or affordable rent and 40% should be for intermediate housing.

3.29 The proposal would deliver 100% affordable housing with 24 units for affordable rent and the remaining 21 units for shared ownership in the borough (a split of 53% / 47%), and the site would be leased to A2 Dominion on a 250 year lease (LBHF would retain the freehold). The residential units would be managed by A2 Dominion (who would be responsible for complying with the legal agreement) and the Council would have 100% nomination rights into these dwellings. The applicant would also be required to comply with the H&F's Local Lettings Policy (LLP) which prioritises residents on the housing register. Whilst the development doesn't meet the preferred 60%/40% split, the proposal provides 100% affordable housing on the site and would positively contribute to the affordable housing targets in line with both London and local plan policies and result in a mixed and balanced community on the site, in accordance with London Plan policy 3.9, Core Strategy policy H2 and Draft Local Plan policy HO3.

#### Housing - Density

3.30 Regarding the proposed density, the NPPF (paragraph 47) states that in order to boost significantly the supply of housing, local planning authorities should set out their own approach to housing density to reflect local circumstances.

3.31 London Plan Policy 3.4 (Optimising Housing Potential) and Core Strategy Policy H3 and policy H4 in the Draft Local Plan seek to ensure that development proposals achieve the optimum intensity of use compatible with local context, design principles



and with public transport capacity, with consideration for the density ranges set out in Table 3.2 of the London Plan. Policy DM A2 of the DM LP support this.

3.32 The site has a Public Transport Accessibility Level (PTAL) of 3 using Transport for London's methodology and falls within an 'urban setting'. This indicates a guideline density range of (200-450) HR/Ha. as set out in the London Plan. The proposed development would contain 159 habitable rooms and the site area of 0.23ha, which translates into a density of approximately 691 HR/Ha. Whilst the proposal is above the guideline density range, the matrix should not be applied mechanistically where a scheme shows exemplary design and layout. In this instance the proposed development makes optimal use of the site and delivers 100% affordable housing. Finally, the density is considered appropriate for the site, given accessibility to public transport, its location on a busy Strategic Route, and is not dissimilar to some of the adjacent buildings on the Westway. In conclusion, whilst the proposed density is higher than the recommended guide, Officers consider the proposed development would not result in an excessive built environment, provides a satisfactory quality of residential environment and an acceptable level of accommodation for future occupiers of the development. The proposed residential density is therefore acceptable and would broadly accord with London Plan policy 3.4, Core Strategy Policy H3, Local Plan Policy DM A2 and the guidance within the Mayor's Housing SPG.

#### Housing Mix

3.33 The NPPF requires new development to deliver sustainable, inclusive, and mixed communities in accessible locations. To achieve mixed communities, the NPPF advises that a variety of housing should be provided in terms of size, type, tenure, and price and a mix of different households such as families with children, single-person households, people with disabilities, service families and older people.

3.34 London Plan Policy 3.8 (Housing Choice) together with the Mayor's Housing SPG requires new development to offer a range of housing sizes and types. Policy 3.9 seeks to secure that communities are mixed and balanced by tenure and housing income across London.

3.35 Borough Wide Strategic Policy H4 of the Core Strategy (Meeting Housing Needs) states that: "there should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation. The precise mix in any development will be subject to the suitability of the site for family housing in terms of site characteristics, the local environment and access to services". Draft Local Plan Policy HO5 recommends a mix of residential accommodation subject to viability, locational characteristics and site constraints and will therefore be considered on a site by site basis.

3.36 Policy DM A3 of the DM LP (Housing Mix) states that: "all new housing provided as part of new major development should provide a mix of housing, including family housing. In respect of the affordable rented provisions which are relevant in the case of this submission, developments should aim to meet the following mix subject to viability, locational characteristics, and site constraints being considered on a site by site basis. The policy normally expects approximately 50% of social and affordable rented housing and 85% of intermediate housing to be 1 or 2 bed units with the remainder being 3 bed or larger units.

3.37 The proposed development would provide a mixed affordable tenure scheme, comprising a mix of 21 x one bedroom and 24 x two bedroom apartments:

Affordable rented proposed:

1 bedroom flats: 5

2 bedroom flats: 19

Total no: 24 flats

Shared Ownership proposed:

1 bedroom flats: 16

2 bedroom flats: 5

total no: 21 flats

3.38 The proposal provides an opportunity for disabled residents to have access to housing in the borough. Four 2 bed (3 person) flats are designed as fully wheelchair adapted units, which would all be located on the ground floor.

3.39 The proposed unit mix has been brought forward following detailed discussions between the applicant and the H&F Housing team who have identified a high demand for one and two bedroom units in the local area. The existing site comprises 23no. 1-bed units. The development proposals, whilst not providing for family units (defined by LBHF as 3+ bedrooms), does increase the mix of housing provided on this site. The proposed mix of 1 and 2 bedroom units is also considered appropriate to the site's context and location on the Westway. As such, it is considered that the proposals would deliver a suitable affordable housing mix which meets the demand and the need to deliver a higher proportion of two bedroomed properties.

3.40 The proposed development would deliver new affordable rented and intermediate housing on a council-owned site and is therefore considered to meet planning policy objectives. The development proposal has been carefully designed to optimise the delivery of new homes whilst respecting the constraints of the site and surroundings. The proposal would add to the blend of housing without resulting in the saturation of the social housing tenure in the area.

3.41 Considering the above mix, it is considered that the proposed affordable rented/shared ownership tenure scheme is acceptable and would be broadly compliant with local housing policies in the Adopted Local Plan along with the London Plan policies which permit new housing to meet local needs in accordance with the relevant planning policies.

#### Housing Layout and Quality

3.42 Housing quality is a key consideration in the assessment of applications for new developments. The London Plan seeks the delivery of new housing that is of a high quality of design. London Plan Policy 3.5 'Quality and Design of Housing Developments' says that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. Table 3.3 accompanies Policy 3.5 of the London Plan and provides minimum sizes for residential units. The Housing SPG (2016) sets out the Mayor's Housing Standards, incorporating the latest national technical standards.

3.43 Borough Wide Strategic Policy H3 within the Core Strategy and Policies HO4 and HO11 in the Draft Local Plan require all housing developments to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient, meet satisfactory internal and external space standards, and provide a good range of housing types and sizes.

3.44 Policy DM A2 of DMLP states that all new housing must be of high quality design and take account of the amenity of neighbours and must be designed to have adequate internal space in accordance with the London Plan. Policy DM A9 of the DMLP recognises that design and quality of all new housing is of a high standard and will meet the needs of future occupants and respect the principles of good neighbourliness'. SPD Housing Policy 8 (iv) states that 'north facing (i.e. where the orientation is less than 50 degrees either side of north should be avoided wherever possible).

3.45 Residential unit sizes within the proposed development meet or exceed the minimum space standards. The size of the proposed 1 bed (2 person) flats would be between 50 and 60.26 sqm (minimum 50 sqm required). The 2 bed (3 person) flats would be between 63.70 sqm and 71.06 in size (minimum 61 sqm required). The 2 bed (4 person) flats would be between 71.06 in size and 77.27 sqm (minimum 70 sqm required). The two-wheelchair adaptable 2 bed (3 person) flats would be 73sqm in size (minimum 70 sqm required) and the wheelchair 2 beds (4 person) flats would be 73.3 sqm and 75.24 sqm in size (minimum 70 sqm required). The development is considered acceptable in this regard.

3.46 Dual aspect units have been designed where possible. All 45 proposed flats would be dual aspect or would face in a southerly direction. Every unit would contain good sized habitable windows serving bedrooms and every unit would have a private balcony or garden. In terms of the quality of the internal residential environments, these have been assessed in terms of daylight and sunlight levels and the results of which are set out in the submitted Internal Daylight Assessment. The assessment demonstrates that adequate levels of internal daylight will be met for 92% of the assessed rooms (including all bedrooms and kitchen/living rooms). Of the 9 rooms that will not achieve the Average Daylight Factor criteria, 6 bedrooms and 1 kitchen/living rooms will achieve daylight levels close to the ADF criteria (within 0.2% of the required criteria). The two rooms which fall below this are a Kitchen/Dining/Living room for the First Floor Flat A.1.3 (with 1.1%, where 2% is required) and Kitchen/Dining/Living room for the second floor Flat A.2.3 (with 1.7%, where 2% is required). However, both of these rooms contain large southerly facing French doors with well-proportioned open plan kitchen / living / dining areas. It is therefore considered that the proposed residential dwellings will experience good levels of daylight.

3.47 All the residential units are efficiently designed and considered to have a good level of outlook and good internal standards of daylight and sunlight. The development would contain good floor to ceiling heights. The residential units are designed to 2.5m height, complying with the London Plan. Overall, officers are satisfied that the proposal would provide an acceptable standard of accommodation for its residents.

External Amenity Space and Play Space

3.48 The Mayor's Housing SPG states that private open space should be provided for all new housing and sets a standard of 5 sqm for 1 and 2 person dwellings and an extra 1 sqm for each additional occupant. The standard recognises that in some cases site constraints may make it impossible to provide private open space for all dwellings.

3.49 Core Strategy Policy H3 and Draft Local Plan policy HO4 promotes shared amenity space in large residential developments. Policy OS1 seeks to ensure the provision of quality accessible and inclusive open space and children's play space. Policy BE1 seeks good quality public realm and landscaping.

3.50 The proposed development provides private amenity space in the form of private gardens and balconies for all the flats. The gardens and balconies have been designed to be usable outdoor spaces and range between 5 - 108.9 sqm, which accords with and exceeds the minimum size guidelines.

3.51 Policy 3.6 of the London Plan requires that adequate play space for children is required. The GLA's 'Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012) requires the provision of play space for children within new residential development commensurate with the child yield of the development, and identifies different needs for children of different ages. LBHF DMLP Policy DM E2 and emerging Policy OS3 resists the loss of existing children and young people's play space or development that results in an increased deficiency in the availability of such play space.

3.52 The child yield calculation for the proposed development is set out below.

Age Group	Number of Children
Under 5s	14
5 - 11	5
12+	2
Total	21

3.53 The above would equate to a play space requirement of 206.7sqm within the scheme. The proposals include the redevelopment of the existing play space at the end of Joslings Close and the provision of a new larger play area of 227sqm to the east of the proposed building. The proposed play area results in an increment of more than 50% of the existing play space located at the end of Joslings Close. On this basis, in that the development will provide an overall increase in play space provisions, the scheme does not conflict with adopted Policy DM E2 and emerging Policy OS3 of the Draft Local Plan, Policy 3.6 of the London Plan, and the GLA's 'Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012).

3.54 Overall, Officers consider the amenity and play space provided acceptable in this case, in compliance with Policies 3.5 and 3.8 of the London Plan, Policy H3 of the Core Strategy (2011), Policies DM A2, DM A9 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

Accessibility

3.55 London Plan Policy 3.8 and 7.2, Core Strategy Policy H4, Policy DM A4 of the DM LP, SPD Design Policy 1 (Inclusive design), Draft Local Plan Policy HO6, SPD Design Policy 2 (Access to facilities inside a building) requires new residential development to be built to M4 (2) "Accessible and Adaptable Dwellings" and/or M4 (3) "Wheelchair Use Dwellings" of The Building Regulations 2010. London Plan Policy 3.8 'Housing Choice' requires 90% of dwellings to meet M4 (2) Building Regulations requirements and 10% designed to be easily adaptable to meet the needs of wheelchair users.

3.56 All the residential units have been designed in compliance with the spatial requirements and minimum room circulation space sizes, complying with Part M of the Building Regulations. All the flats would have level access and all upper floors would be accessible by a lift. Two lifts would be provided in total (one for each core) which meets the requirements of Part M of the Building Regulations. The lift and lift thresholds are adequately sized for wheelchair access. At every floor, the lift door opens onto a clear width of more than 1.5m, with generous hallways of more than 1.5m width. Furthermore, communal stairs would be provided in both cores with handrails on both sides, and good quality lighting. All the flats will be level throughout. Doors, corridor widths, kitchens and sanitary facilities have all be designed according to Building Regulations M4 (2). Refuse stores are located at ground level and two vehicular access points to the four disabled parking bays provided.

3.57 The development includes 10% (4) fully adapted wheelchair units. The four wheelchair units are sufficiently sized to be wheelchair accessible and meet the current London Plan policy 3.8 which requires developments to comply with Building Regulations M4(3) in respect of wheelchair accessible units. The four flats identified in the submitted plans and schedule of accommodation are Flats A.02, B.01, B.02 and B.03 would be located on the ground floor of the 4-storey (rear) block. The flats are designed to be (easily adaptable / fitted out), which will be controlled through the legal agreement. In total four off-street accessible parking spaces would be provided. The refuse store would be located on the ground floor to simplify access for residents including wheelchair users.

3.58 The applicants have also discussed the proposals, on two occasions, with the H and F Disability Forum who have confirmed that they are satisfied with the current proposals.

3.59 The proposal accords with the provision of an inclusive environment, London Plan Policy 3.8, Core Strategy Policy H4, DM LP Policies DM G1, DM A9 and DM A4 and SPD Design Policies 1 and 2.

#### Noise levels for new units

3.60 The London Plan Policy 7.15 state that the layout of adjacent dwellings and the location of lifts and circulation spaces should seek to limit the transmission of noise to sound sensitive rooms within dwellings. Draft Local Plan policy CC11 sets out that noise (including vibration) impacts will be controlled by measures and applicants will be expected to carry out noise assessments and provide details of the noise levels on the site. This policy is supplemented by DMLP Policies DM A9 and DM H9, both of which seek to ensure that development does not result in noise and disturbance to existing and future occupiers. SPD Amenity Policy 24 requires consideration to be given to all noise generating development, including plant, machinery, and equipment and where the proposed use or activities have the potential for people to generate noise.

3.61 The application is also supported by a Noise Impact Assessment prepared by KR Associates. It has assessed the current noise environment of the Site and the mitigation measures required to ensure appropriate internal noise levels will be met in accordance with British Standard 8233:2014. The recommended mitigation measures include specified glazing, whole housing ventilation and specific materials for upper floor ceilings. The assessment concludes that subject to these mitigation measures, the external noise levels would not have a significant adverse effect on the internal and external noise levels on the proposed residential dwellings. Conditions are recommended regarding details of external noise from machinery and ant-vibration mounts measures to be submitted for approval. Subject to these conditions, the proposal accords with London Plan Policy 7.15, DMLP Policies DM A9 and DM H9 and SPD Amenity Policy 24.

### Fire Safety

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

### Secure by Design

3.63 London Plan Policy 7.3, Core Strategy BE1 and DMLP Policy G1, and Policy DC2 of the Draft Local Plan requires new development to respect the principles of Secure by 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.

3.64 The Applicant undertook pre-application discussions with the Crime Prevention Officer. The principle matter raised was the desire to prevent access to the Site from the Westway, with the Officer encouraging the provision of only one pedestrian access/egress to the site and a preference that this should be from Joslings Close. The development scheme proposes the closure of the existing vehicular access from the Westway. All vehicular, cyclist, pedestrian and servicing access would come from Joslings Close providing the opportunity to enhance/share an amenity area/courtyard. Access to the Westway is proposed to be limited for pedestrian access from residents of the northern block only. As such, the proposals address the Officer's comments in that only one principle access point is proposed and which is not from the Westway. Full details of how the proposed development will incorporate crime prevention measures to provide a safe and secure environment would be secured by condition if permission were to be granted.

## DESIGN AND TOWNSCAPE CONSIDERATIONS

## Policy

3.65 National, regional, and local planning policies have been considered when assessing the design aspects of the development proposals. The proposals have been assessed against the NPPF and London Plan (2016) policies 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6; policy BE1 of the Core Strategy (October 2011); and policy DM G1 and DM G7 of the Development Management Local Plan (July 2013). The proposals have also been assessed against the Planning Guidance SPD Design Policies 1, 2, 3, 30, 44, 45, 46, 48, 49, 60, 61 and 62. Consideration has also been given to Draft Local Plan Policy DC1 and DC2.

3.66 Planning Guidance SPD Design Policies 1, 2 and 3 provided detailed 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.

## National Policy

3.67 The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental, and social planning policies; it identifies that the purpose of the planning system is to contribute to the achievement of sustainable development. In terms of development management, the NPPF advises that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development. The overarching principle of the NPPF is a presumption in favour of sustainable development, which the Government has advised should be at the heart of the planning system and, which should be seen as a 'golden thread' running through both plan making and decision taking.

3.68 The NPPF emphasises the importance of good design in determining applications. It states that: "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people and that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area."

3.69 It further states that: "Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

3.70 In relation to matters of detailed design, 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."

3.71 Turning to built heritage guidance, the NPPF requires that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal."

3.72 Regional policy contained within the London Plan (2016) provides the spatial strategy and policy context to guide development in London. It sets out a wide range of policies relevant to this application, including design and heritage.

3.73 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.

3.74 Policy 7.1 seeks to achieve lifetime neighbourhoods by way of creating good quality neighbourhoods. Policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design. Policy 7.4 relates to local character and seeks to ensure that development has regard to the form, function and structure of an area, place or street and the scale, mass, and orientation of surrounding buildings. Policy 7.5 relates to public realm setting out that development should make the public realm comprehensible at a human scale, using gateways, focal points, and landmarks as appropriate to help people find their way. Policy 7.6 sets out that architecture should make a positive contribution to a coherent public realm, streetscape, and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. Sub-section B of policy 7.6 sets out the criteria for considering whether proposed architecture makes a positive contribution, including matters relating to (a) architectural quality, (b) appropriately defines public space, (c) details and materials that complement local character, (d) do not cause unacceptable harm to amenity of surrounding land and buildings, (e) incorporate best practice in resource management, (f) provide high quality indoor and outdoor spaces, (g) be adaptable, particularly at ground level, (h) meet principles of inclusive design, and (i) optimise site potential. 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.

#### Local Policy

3.75 Borough Wide Strategic Policy BE1 states that:

"All development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places."

3.76 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.'

3.77 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'. Draft Policy H04 mirrors the wording of existing Core Strategy H3 stating that the council will expect all housing development to respect the local setting and context, provide a high quality residential environment and be well designed and energy efficient. The policy also states that new housing will be expected predominantly low to medium rise, although there is recognition that other typologies of residential development may be suitable for its context and some high-density housing with limited car parking may be appropriate in locations with high levels of public transport accessibility.

3.78 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.

3.79 Draft Local Plan Policy DC2 (Design of New Build) states that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting.

3.80 Draft Local Plan Policy DC8 (Heritage and Conservation) states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. this is supported by Key Principle Policies CAG1, CA G2, CAG3, CAG5,CAG6 of the Draft Planning Guidance SPD.

3.81 The application relates to a part two, part three storey 1960s concrete framed dark brick building, which was originally built as an old people's home. The building was built as infill development several decades after the completion of the adjacent Wormholt Estate. The site falls away to the rear and is enclosed by dense tree planting to the south and west on adjacent land. To the west is Hayter House, a four-storey flat block and to the east the more recent Joslings Close development which consists of a four-

storey block along the south side of Westway and two storey houses along the southern boundary with Phoenix High School. To the south is the Phoenix High School site, developed since the 1950s.

3.82 The site is located in the Wormholt & Old Oak Conservation Area. There is no intervisibility between the site and the Grade II listed former Wormholt Library building, now Ark Conway Academy, further west along Westway.

#### Principle of demolition of existing building

3.83 The building is not of any architectural or historic interest and does not make a positive contribution to the character and appearance of the Conservation Area. The form of the building, its flat roof and materials are not characteristic of the Conservation Area. The quality of the detailed design and the materials of the building are low. It has a squat appearance, fails to respond to the height of its neighbours along Westway and fails to provide enclosure to the streetscene. The staggered plan form of the building and the lack of a continuous street frontage fails to provide an active frontage along Westway. There is an opportunity to improve the character and appearance of the streetscene through a more intensive development on the site.

3.84 Therefore there are no objections to the demolition of the existing building, subject to a satisfactory replacement building being secured.

#### Design of replacement building

3.85 The proposed building consists of a five storey plus basement block fronting Westway and a connected, almost 'T' shaped, four storey block to the rear. The design makes efficient use of the site, including the fall in ground levels towards the south of the site. The site includes the play area of the adjacent residential development at Joslings Close, which will enable a larger and better equipped shared play area accessible to residents of both Joslings Close and the new development to be provided in the courtyard of the new development.

3.86 The frontage block would be staggered in plan form to allow the retention of the Category A Lime tree fronting the Westway. The block would directly abut the flank wall of the Joslings Close development, providing a continuous street frontage to Westway, which is currently lacking. The front elevation would be articulated by windows to individual flats and the communal access walkways, providing natural surveillance to the Westway. The flank elevations would be enlivened with recessed panels. The development would be arranged around a sheltered courtyard incorporating a sheltered play area, benefiting from natural surveillance from all blocks. The rear 'T' shape block would follow a similar design language to the frontage block. Flats on the lower floor would benefit from private rear gardens and upper level flats would have private projecting balconies facing south or west. The flat roofs to the development would allow the incorporation of sustainability measures including a 'blue' roof and solar panels. The development would be in brick, with a darker tone for the frontage building and a lighter tone for the 'T' shaped block to the rear. The Design and Access Statement refers to PVCu windows, but a condition (17) would secure powder coated aluminium windows.

3.87 The site would incorporate disabled parking spaces on the site of the existing Joslings Close playground, but would otherwise be free of vehicular traffic. Servicing

and refuse collection would be provided from Joslings Close, enabling the existing crossover onto the Westway to be removed and the pavement reinstated (secured by a legal agreement)

3.88 The frontage block would incorporate a pedestrian entrance from the Westway and the design incorporates the opportunity for residents of the whole development to have pedestrian access to the Westway, to provide convenient access to bus stops and local schools. Pedestrian access would be available to all blocks from the central courtyard, which incorporates a shared play space for the occupants of the new building and Joslings Close. Pedestrian access would be available from the central courtyard to Joslings Close, which would provide a more pleasant walking route to bus stops and services on Bloemfontein Road than the route along the Westway.

3.89 The legal agreement would secure pedestrian access for residents of the new development to the disabled parking spaces in Joslings Close in perpetuity.

3.90 The legal agreement would also provide public access to the new play space in perpetuity for residents of Joslings Close, whose play space is being removed and replaced with parking spaces as part of the development. The extent of the accessible area would be defined on a plan and included in the legal agreement. The play area shall be delivered prior to the occupation of the residential units.

#### Heritage assets and townscape

3.91 The Conservation Area is a designated heritage asset and para 132 of the NPPF requires great weight to be given to the conservation of designated heritage assets. The significance of the Wormholt & Old Oak Conservation Area lies primarily in the architectural style, domestic scale, layout and landscaping of the cottage estates.

3.92 The part of the Conservation Area along this section of the southern side of Westway consists of residential developments which are not typical of the scale, style or typology of the houses on the early twentieth century cottage estates that are characteristic of the bulk of the Conservation Area.

3.93 The proposal would be visible in views along Westway including from outside the two storey houses opposite which form part of a tongue of the Wormholt Estate between Westway and the London Underground Central Line. The proposal would form part of the string of flat blocks along a long stretch of the southern side of Westway, both within and outside the Conservation Area, which are well separated from the cottage housing by the three-lane carriageway of Westway. The site clearly has a different context and forms part of a different element of townscape to the planned layouts and domestic scale of the cottage estates. The increased height and massing would not be harmful to the character and appearance of the streetscene or the Conservation Area and would provide a continuous and more active frontage to the south side of Westway, increasing the potential for natural surveillance of the streetscene.

#### Conclusion on Design and Conservation

3.94 The special interest of the Conservation Area would not be harmed in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3.95 The proposals are in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 Core Strategy Policy BE1, Draft Local Plan policies HO4, DC1, DC2 and DC8, Policies DM G1 and DM G7 of the DMLP, and Planning Guidance SPD Design Policies 30, 44, 45, 46, 48, 49, 60, 61 and 62, and Key Principle Policies CAG1, CA G2, CAG3, CAG5, CAG6 of the Draft Planning Guidance SPD.

3.96 The application is recommended for approval subject to conditions on:

- The demolition works hereby permitted shall not be undertaken before: (i) a signed building contract for the redevelopment of the site and (ii) written notice of the start date for the demolition process (Condition 6)
- Details of a temporary site hoarding including elevations and materials (Condition 5).
- Details including colours and samples of all external materials, including a brick sample panel to be erected onsite (Condition 16)
- Details of fenestration including window opening style (Condition 17)
- Details of all hard and soft landscaping and boundary treatments, including material samples and planting schedules (Condition 18).
- Details of tree protection measures to be submitted for approval (Condition 29)
- Details of a landscaping maintenance plan to be submitted for approval. Any planting removed within 5 years shall be replaced with planting of the same height and species (Condition 28)
- Details of children's play space equipment (Condition 45)
- Details of SUDS (Condition 40)
- Details of solar panels including angle relative to the surface of the roof (Condition 21)
- Details of external lighting (Condition 38).
- Details of Secure by Design (Condition 27).
- No PD for satellite dishes (Condition 23).
- No PD for external alterations, flues and plant (Condition 22).
- No railings, balustrades, screens or other means of enclosure to be erected around flat roofs (Condition 44)
- Removal of the crossover and reinstatement of the pavement on Westway (secured by a legal agreement).

Impact on Trees:

3.97 London Plan Policy 7.19 'Biodiversity and Access to Nature' and Policy 7.21 'Trees and Woodland' are concerned with protecting biodiversity and trees. The policies require that if a tree is to be removed, it should be replaced following the principle of 'right tree, right place'.

3.98 The DMLP Policy DM E4 'Greening the Borough' seeks to protect existing trees and maximise planting; and SPD Sustainability Policies 14, 21 22 and SPD Design Policy 56 encourages the planting of additional trees.

3.99 An Arboricultural Impact Assessment has been submitted with the application. The Lime tree fronting the Westway adjacent to Hayter House is a Category A tree and is 17m tall, it is of significant amenity value. The Robinia tree fronting the Westway close to the entrance to the site is also 17m tall but is in poor condition. The remaining trees on the site do not provide significant amenity value. As such 8no. trees (including

the Robina tree fronting the Westway) are proposed to be felled to facilitate the development. It is proposed to replace the existing trees with the following trees.

Species:	height	width	girth
3 Tilia cordata Greenspire	500-700	n/a	30-35
1 Koelreuteria paniculata	500-600	300-400	n/a -
6 Betula utilis jacquemontii	350-400	150-200	n/a

3.100 The Council's Arboricultural Officer has assessed the proposals and considers that the replanting proposals will re-provide the visual amenity that will be lost. The Arboricultural Officer welcomes the retention of the large Lime tree fronting the Westway, and is satisfied with the Arboricultural Impact Assessment and Tree protection plan submitted. A condition is also attached requiring the developer to agree a management plan for the large Hornbeam hedge/screen on the western boundary with the Hayter House, to ensure that privacy between these sites is maintained. Subject to these conditions the proposal complies with 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).

#### Residential Amenity:

3.101 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.

3.102 The proposed scheme is in close proximity to existing residential properties on to the east, west and north. Therefore, impacts on residential amenity will need to be carefully considered. To the south of the site is Phoenix Academy Gym, and therefore there would be no residential amenity impacts to this site.

#### Outlook

3.103 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'.

3.104 The proposal would replace existing buildings which are the equivalent of 2 to 3 storeys in height, with a new 6 storey building fronting the Westway, adjacent to the existing building on Josling Close, and a 4-storey building to the rear (south). The above criteria relate, more specifically, to where properties are housed back to back with neighbouring properties. As this is not the case in this instance, on-site judgement

would be required to assess the impact of the proposal on neighbouring properties; though the above criteria might act as a guide.

3.105 With regards to Hayter House to the West, the stand of existing mature hornbeam hedge on the boundary, which would be retained would also preclude any view beyond the rear line of the gardens. Consequently, the application of the 45-degree sense of enclosure test becomes somewhat redundant, as in reality the new building will not be largely visible at all from this position. Officers consider the new 6 storey building, owing to its position on the frontage of the site, on the Westway, would not result in any harmful loss of outlook or increased sense of enclosure to Hayter House.

3.106 With regard to the proposed 4 storey rear block a 45-degree angle line taken from the centre point of each east facing window at Hayter House shows that the proposed new building would not intersect this line.

3.107 With regards to residential amenity in Joslings Close, owing to the location of the new building, Officers are satisfied that there would be no loss of outlook to residential neighbours. A 45-degree angle line taken from the centre point of the windows in Joslings Close show that the proposed new building would not intersect this line. As such Officers are satisfied that there would be no harm in terms of any material loss of outlook to neighbours of Joslings Close.

3.108 For properties on the northern side of Westway, given the separation distance of 46m from the new development, Officers consider that the proposed new six storey building, would not result in any significant loss of outlook to neighbouring properties on the northern side of Westway.

3.109 As such, Officers are satisfied that there would be no material harm in terms of loss of outlook to residential neighbours. The proposal is in accordance with policy DM G1 and SPD Housing Policy 8, criteria 1.

#### Daylight and Sunlight

3.110 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'.

3.111 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. The study is based on various numerical tests considering the potential impacts of the proposed development on daylight and sunlight on existing neighbouring buildings.

3.112 The Daylight, Sunlight and Overshadowing Report (Syntegra Consulting, October 2017) submitted provides an assessment of the proposed development on

existing surrounding buildings, including an assessment of Hayter House and Joslings Close

3.113 In urban and city centre areas, the BRE guidelines should be applied flexibly. There are circumstances that will exist where a greater degree of obstruction to light can on occasion, be acceptable or alternative targets may be applied. The BRE guide recommends that windows and rooms within only residential properties need to be assessed, and does not require any assessment on commercial or business properties.

3.114 The assessment demonstrates that, whilst the levels of daylight for some existing rooms in Hayter House (between ground and second floor) would be affected by the proposed development, the impact will be minor. All the impacted windows on the first and second floor at Hayter House have passed the VSC criteria without balconies and overhangs above them. Although 11 windows on the ground floor at Hayter House still had relative VSC levels of less than 0.8, the VSC values improved significantly without balconies and overhangs (ranging from 24.83% to 26.94%, where 27% VSC is considered acceptable under the BRE guidance). Therefore, Officers agree with the report's conclusion, that the presence of the balconies/overhangs is the main factor in the relative loss of light rather than the size of the proposed scheme.

3.115 Further to the above, additional No-Sky Line (NSL) test has been carried out in order to prove the compliance with BRE guidance as all the impacted windows on the ground and first floor at Hayter House serve habitable rooms (living rooms and bedrooms). The No-Sky Line (NSL) results demonstrate that all assessed rooms on the ground and first floor at Hayter House will pass the BRE NSL criteria with proposed development.

3.116 With regards to Sunlight, the report demonstrates that although the levels of sunlight for some of the surfaces at Hayter House will be affected by the proposed development, the impact will be minor. As all the impacted windows at Hayter House have passed the (Average Probable Sunlight Houses (APSH) test without balconies/overhangs. Officers agree with the report's conclusion that the presence of the balconies/overhangs is the main factor in the relative loss of light rather than the size of the proposed scheme.

3.117 Regarding loss of daylight and sunlight to properties on Joslings Close the BRE report demonstrates that there would be no harmful loss of daylight or sunlight to properties on Joslings Close. Regarding overshadowing, the report demonstrates that the existing amenity area/garden/open spaces located at Hayter House and Joslings Close would not be adversely affected by the proposed development.

3.118 In summary, although some of the neighbouring windows in Hayter House would be impacted by the proposed development, all the windows meet or achieve closely the daylight targets set out in the BRE Guide, and 100% of the assessed windows would meet the sunlight targets without the balconies/overhangs of Hayter House. The presence of the balconies/overhangs at Hayter House is the main factor in the relative loss of light rather than the size of the proposed scheme. 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. On balance, the overall impact of the proposed development on neighbours is considered acceptable and not harmful to surrounding properties at Hayter House, Joslings Close and Westway.

## Privacy

3.119 Part 2 of Planning Guidance SPD housing Policy 8 and Key Principle HS7 Criteria iii) of the Draft Planning Guidance SPD 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'.

3.120 With regards to impact on existing residential properties, all new windows proposed would be in accordance with Housing policy 8, criteria 2 as the new windows would be more than 18, away from existing residential windows on the Westway, Hayter House and Joslings Close.

3.121 New privacy screens are also proposed to identified balconies to prevent overlooking into the new dwellings on the south and west facing elevations. A condition (19) is attached requiring details of these privacy screens to be submitted for approval. Subject to this, no objection is raised to the proposed balconies.

## Noise and disturbance - balconies

3.122 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 and Key Principle HS8 of the Draft Planning Guidance SPD 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'.

3.123 The proposed balconies would range between 5 - 8 sqm. Officers consider that due to their limited size, the balconies would be unlikely to result in any harmful noise and disturbance to a degree that would justify refusing planning permission. As such no objection is raised under noise and disturbance grounds under Criterion 3 of Housing Policy 8, and Key Principle HS8.

## TRAFFIC GENERATION AND CAR PARKING

3.124 Policy 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13 of the London Plan sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

3.125 Core Strategy Policy T1 supports The London Plan. Policy DM J3 relates to housing with reduced parking whilst Policy DM J4 of the DM LP requires new



development to incorporate ease of access by disabled people and people with mobility impairment. Policy J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policy DM J2 of the DM LP requires new development to accord with the car parking standards set out in the London Plan. Policy J2 stipulates maximum residential parking standards and requires 1 to 2 bedroom units to have less than 1 car park space per unit, and 3 bedroom units to have 1 - 1.5 car park spaces per unit. This policy further states that 'All developments in areas with good public transport accessibility should aim for significantly less than 1 space per unit'. Policy DM J5 seeks to increase opportunities for cycling and walking. Policy DM J6 relates to development affecting the borough's road network. These are supported by SPD Transport Policies 3, 6, 12, 22 and 33.

3.126 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". 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. With regards to car parking, with regards to 1 and 2 bedroom units. Draft Local Plan Policy T4, requires a maximum provision of less than 1 space per unit.

3.127 All pedestrian and vehicle access would be from Joslings Close with the existing vehicle access from the A40 Westway closed and the footway reinstated including a full height kerb. However, a pedestrian link would be provided to the A40 Westway for the North Block.

3.128 Access for cars, delivery and servicing vehicles and emergency vehicles would be from Joslings Close, which will be extended westwards to the Lavender Court site boundary, providing access to eight new parking spaces of which four will be accessible for wheelchair users.

3.129 The existing site has 4 car parking spaces for the existing 23 flats. 8 car parking spaces (including 4 spaces for the 4 wheelchair units) are proposed. The above parking standards Policies aim for a low level of parking provision. The provision of 8 parking spaces for 45 units is considered to be in accordance with these policies. All of the proposed residential dwellings would be subject to a legal agreement, which would prohibit future occupiers from acquiring a car parking permit. Accordingly, given the location of the site (PTAL 3), which offers moderate public transport accessibility and easy access to shops and services in Shepherd's Bush Town Centre and East Acton, this is considered to be an appropriate approach in this case, and would not result in any material increase in on-street car parking stress in the vicinity of the site. With a low level of parking spaces, the Transport Assessment submitted demonstrates that the development would generate the same number of car trips as the existing situation in both the AM and PM peak. There will therefore be no further impact on the local highway network as a result of the proposals, in accordance with the above mentioned local and regional policies.

#### Provision for Pedestrians

3.130 The pedestrian environment around the site is in a fair condition but enhancement works would be beneficial, especially with the projected increase in pedestrians. The crossover serving the existing site from the Westway would become

redundant and as such this would need to be removed and the pavement re-instated. This would be funded by the developer and secured through the legal agreement

### Cycle Parking

3.131 London Plan Policy 6.9 requires secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards and contribute positively to an integrated cycling network. The London Plan (Table 6.3) requires a minimum of 1 cycle parking space for all 1 bed units and 2 cycle parking spaces for any residential unit with more than 1 bedroom. The development proposals provide 72 cycle parking spaces associated to the 45 residential units, together with 2 short-stay visitor cycle parking spaces, in accordance with the London Plan (Table 6.3). Resident cycle parking is proposed in secure dedicated cycle storage areas within close proximity to building entrance/exit point. The cycle parking provision for the development proposals would therefore be in accordance with the above-mentioned policies. A condition is attached to ensure that this storage area is implemented before the development is occupied and is maintained for the life of the development (condition no. 32).

### Refuse storage

3.132 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, and Policy CC7 of the Draft Local Plan sets out the Council's Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

3.133 An enclosed refuse and recycling storage area is shown towards entrance of the site. This would include 5 Eurobins for refuse and 4 Eurobins for recycling, which is in accordance with the above-mentioned policies. A condition is attached to ensure that this storage area is implemented before the development is occupied and is maintained for the life of the development (condition no. 33).

### Impact of building works

3.134 A Demolition Management Plan (DMP), a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) would be required to ensure that there is no harmful impact on neighbours and on the local highway network. The DMP and CMP shall include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The CLP shall be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. These would be secured by conditions 3 and 4, in accordance with DMLP policies DM H5, DM H8, DM H9, DM H10 and DM H11, and London Plan Policy 6.3.

### Travel Plan

3.135 The applicant is required to submit baseline travel surveys and subsequent travel surveys at years 1, 3 and 5 as suggested in their initial Travel plan already

submitted. As part of the Travel Plan the Council would encourage the inclusion of a car club in accordance with Planning Guidance SPD (2013) Transport Policy 8. Additional cycle parking spaces would also be encouraged if considered necessary. Greater promotion of the London Cycle Hire Scheme and its proximity to the scheme should also be provided to future occupiers to encourage more sustainable forms of transport. The Travel Plan would be secured through S106, which would identify the timeframe, approval process, implementation and ongoing monitoring and the associated costs.

## ENVIRONMENTAL CONSIDERATIONS

### Flood Risk and Surface Water Drainage

3.136 The impact of the proposed development on water resources, drainage and surface water run-off have been considered, along with an examination of the potential for flood risk.

3.137 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.

3.138 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.

3.139 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. Emerging Draft Local Plan Policy CC3 and CC4 carry these requirements forward within the emerging policy.

3.140 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 the use of water efficient fittings and appliances. SPD Sustainability Policies 1 and 2.

3.141 In terms of flood risk, the site is in the Environment Agency's Flood Zone 1. This indicates a low risk to flooding from the River Thames. The new building has no subterranean basement levels, so groundwater and sewer flood risks are also low. The site is not in a surface water flooding hotspot, so this flood risk is also low. As such, a Flood Risk Assessment is not considered necessary, however it is still a requirement for surface water to be managed on the site.

### Sustainable drainage

3.142 A SuDS Strategy has been submitted for the site, in the form of attenuation storage via a blue roof and permeable paving. However, Officers require further information regarding to this in order to comply with the London Plan and Local Plan policies on sustainable drainage. A management and maintenance plan of the SUDs scheme is also required. The applicant's drainage specialist has been in discussion with the Council's Flood Risk Officer regarding this and Officers are satisfied that, on this

occasion, these details could be satisfactorily dealt with by condition. Subject to the submission of details by way of condition of the drainage and attenuation measures to be implemented, Officer's 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 SPD Sustainability Policies 1 and 2, and policies CC3 and CC4 of the Draft Local Plan.

## Land Contamination

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

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

3.145 Core Strategy Policy CC4 (including Policy CC9 of the Draft Local Plan) states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.146 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 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.

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

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

3.149 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

## Sustainability and Energy

3.150 At the heart of the NPPF is 'the presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision making'.

3.151 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 and Draft Local Plan Policies CC1 and CC2 which promote sustainable design, adaption to climate change and carbon emissions reductions, together with DMLP Policies DM H1 and DM H2. SPD Sustainability Policy 25 requires major planning applications to provide details of how use of resources will be minimised during construction and Policy 29 requires submission of a detailed energy assessment.

3.152 Policy 5.2 requires an overall reduction in carbon emissions over minimum building regulation levels following the energy hierarchy and this is achieved through applying the following hierarchy:

- Be Lean: Use less energy.
- Be Clean: Supply energy efficiently.
- Be Green: Use renewable energy.

## Sustainability

3.153 As required, a Sustainability Statement has been provided with the application. In addition to the sustainable energy and carbon reduction measures (outlined below), the Sustainability Statement confirms the inclusion of water efficient fixtures and fittings to reduce water consumption. These measures will help to place less of a burden on the fresh water infrastructure and reduce water bills for the residents. Use of building materials that are characterised by reduced environmental impact will be specified including preference for use of local materials and suppliers, where viable, to reduce transport distances and support the local economy. Opportunities to re-use and/or recycle materials will be identified and pursued, where feasible. Space and provision has been allowed for separate waste storage and recycling facilities. Good waste management practices on site during demolition / construction will help to reduce disposal costs, avoid creation of waste and increase recycling of materials. Emissions will be minimised by implementing sustainable travel measures and using low NOx boilers. Noise mitigation measures will be included.

3.154 Overall, the sustainability performance of the proposed development is considered to be acceptable. The implementation of these measures will be secured by condition (41). Officer's consider that the development meets the requirements of the London Plan Policy 5.3, DMLP Policy DM H2 and Draft Local Plan Policy CC2 and follows the Mayor's SPG closely, implementing measures wherever possible to provide a high level of sustainability.

## Energy:

3.155 As required, an Energy Statement has been provided with the application. The approach followed in developing the approach to generating and using energy in the new development is in line with the London Plan's Energy Hierarchy. Passive design measures have been used to optimise use of natural light and solar gain; energy efficiency measures such as improved insulation levels, energy efficient lighting, improved airtightness to reduce heat loss, use of an efficient communal heating system and inclusion of solar PV panels.

3.156 Annual emissions of CO<sub>2</sub> from regulated energy use are calculated to reduce from a baseline of 44.9 tonnes for a Building Regulation compliant scheme to 28.2 tonnes by including the proposed energy efficiency and low/zero carbon measures. This represents an improvement of 37.2% which meets the minimum requirement of a 35% reduction in CO<sub>2</sub> emissions through use of on-site measures.

3.157 The Statement notes that as the proposal is a major residential development, it is required to be "zero carbon" in line with the London Plan. To do this, it will be necessary for the developer to make a payment in lieu to the council to offset the remaining CO<sub>2</sub> emissions. Officers calculate that is required which should be secured via s106 Agreement. No objection to the proposals in terms of energy and carbon reduction aspects subject to the implementation of the measures as outlined and payment of £50,760, to be used by the council to implement carbon reduction measures.

3.158 The CO<sub>2</sub> reduction proposals meet the requirements of London Plan Policy 5.2 and Local Plan requirements which are in line with the London Plan, although the targets can only be met with the use of a carbon offset payment to supplement the on-site measures. However, this approach is acceptable. A condition securing the submission of a revised Energy Assessment is considered a reasonable approach to ensure the inclusion and delivery of the measures set out, as well as the obligation within the s106 legal agreement to secure the payment of the identified carbon offset payment. 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 Policy CC1 of the Draft Local Plan, and Sustainability Policy 25 and Policy 29.

## Air Quality

3.159 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).

3.160 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.

3.161 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.

3.162 Core Strategy Policy CC4 and Draft Local Plan policy CC10 explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives.

3.163 DMLP Policy DM H8 states the Council will seek to reduce the potential adverse air quality impacts of new major developments by:

- Requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and considers the potential for exposure to pollution levels above the Government's air quality objective concentration targets;
- Requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives; and
- Requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality.

3.164 The impact of transport emissions during the demolition, construction, and energy plant emissions during the operational phase will have an impact on local air quality. The development site is within the borough wide Air Quality Management Area and in an area of poor air quality due to road traffic conditions. The proposal would introduce additional receptors into an area of poor air quality. Given its location adjacent to the Westway a condition is attached requiring details of mechanical ventilation to be submitted for approval.

3.165 The on-road and off-road vehicle emissions from the demolition and construction phases of the development will have an impact on local air quality. It is proposed that an Air Quality Dust Management Plan is secured by condition in addition to the Construction Logistics Plan and Servicing and Deliveries Plan and that these must include how low emissions vehicles (non-diesel) will be used during the demolition and construction phases to minimise the impact of these vehicle emissions on local air quality. The details of the Ultra-Low NOx Gas fired boilers are also required to be submitted for approval by condition.

3.166 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 CC10 of the Draft Local Plan

#### Planning Obligations and Community Infrastructure Levy

3.167 Under Section 106 of the Town and Country Planning Act 1990, as amended, local planning authorities have the power to enter planning obligations with any person interested in land in their area for the purpose of restricting or regulating the development or use of land.

3.168 In accordance with Regulation 122 of the CIL Regulations, and paragraph 204 of the NPPF', a planning obligation should only be sought where they meet all of the following tests:

- Necessary to make the Proposed Development acceptable in planning terms;
- Directly related to the Proposed Development; and
- Fairly and reasonably related in scale and kind to the Proposed Development.

3.169 Paragraph 203 of the NPPF supports that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

3.170 In relation to planning obligations, the Community Infrastructure Levy Regulations 2010 (as amended) state that planning obligations should only be sought where they meet all of the following tests: be necessary to make the Proposed Development acceptable in planning terms; directly related to the Proposed Development; fairly and reasonably related in scale and kind to it (Paragraph 204 of the NPPF and Regulation 122 of the CIL Regulations).

#### Community Infrastructure Levy

3.171 The CIL Regulations 2010 came into effect in April 2010, and the Mayor's CIL Charging Schedule was adopted in April 2012. The Hammersmith and Fulham Borough CIL charging schedule was published on 20th May 2015 and came into force on 1st September 2015. Each body (Mayoral and London Borough) is permitted to adopt CIL pursuant to the CIL Regulations.

3.172 Subject to further details, both Borough or Mayoral CIL are unlikely to be liable for payment considering the proposed housing tenure being affordable housing.

#### S106 Agreement

3.173 The application involves the redevelopment of a site to provide a high quality affordable housing led scheme. 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.

#### Application Heads of Terms

3.174 To mitigate the impact of the development the following heads of terms are secured:

- Confirmatory Deed (to ensure that future owners of the site are bound by the terms of the s106 agreement).
- Affordable housing in terms of affordable housing mix, tenure, number, rent levels (if possible) and nomination rights in favour of the council in perpetuity.
- Provision of 4 wheelchair adaptable units, 4 wheelchair disabled parking spaces and pedestrian access for residents of the new development to the disabled parking spaces in Joslings Close in perpetuity.



- Provisions of public access to the new play space in perpetuity for residents of Joslings Close and the new flats on Lavender Court. The extent of the accessible area should be defined on a plan.
- Prohibition of future residents to obtain parking permits as secured through section 16 of the Greater London (General Powers) Act 1974.
- Carbon off-setting payment of £50,760 (as currently calculated).
- Provision of an apprenticeship/training scheme in construction, including a contribution of £19,800.
- S278 agreement for off-site highway works near the site, which include the of removal of the crossover and re-instatement of the pavement on the Westway.
- Commitment to meet the costs of the Council's Legal fees.

## 5.0 CONCLUSION & RECOMMENDATION

5.1 Officers consider that the proposed 100% affordable housing development providing a mix of affordable rent and intermediate housing is acceptable. The development would contribute to much needed housing by maximising the development potential of the site with resulting in unacceptable impacts to neighbouring residents.

5.2 Officers consider the design to be of an acceptable standard and provides residential units in line with policy requirements. Overall the proposals are considered to accord with Local Plan context and other material considerations including NPPF policies for delivering a wide choice of high quality homes and achieving sustainable development.

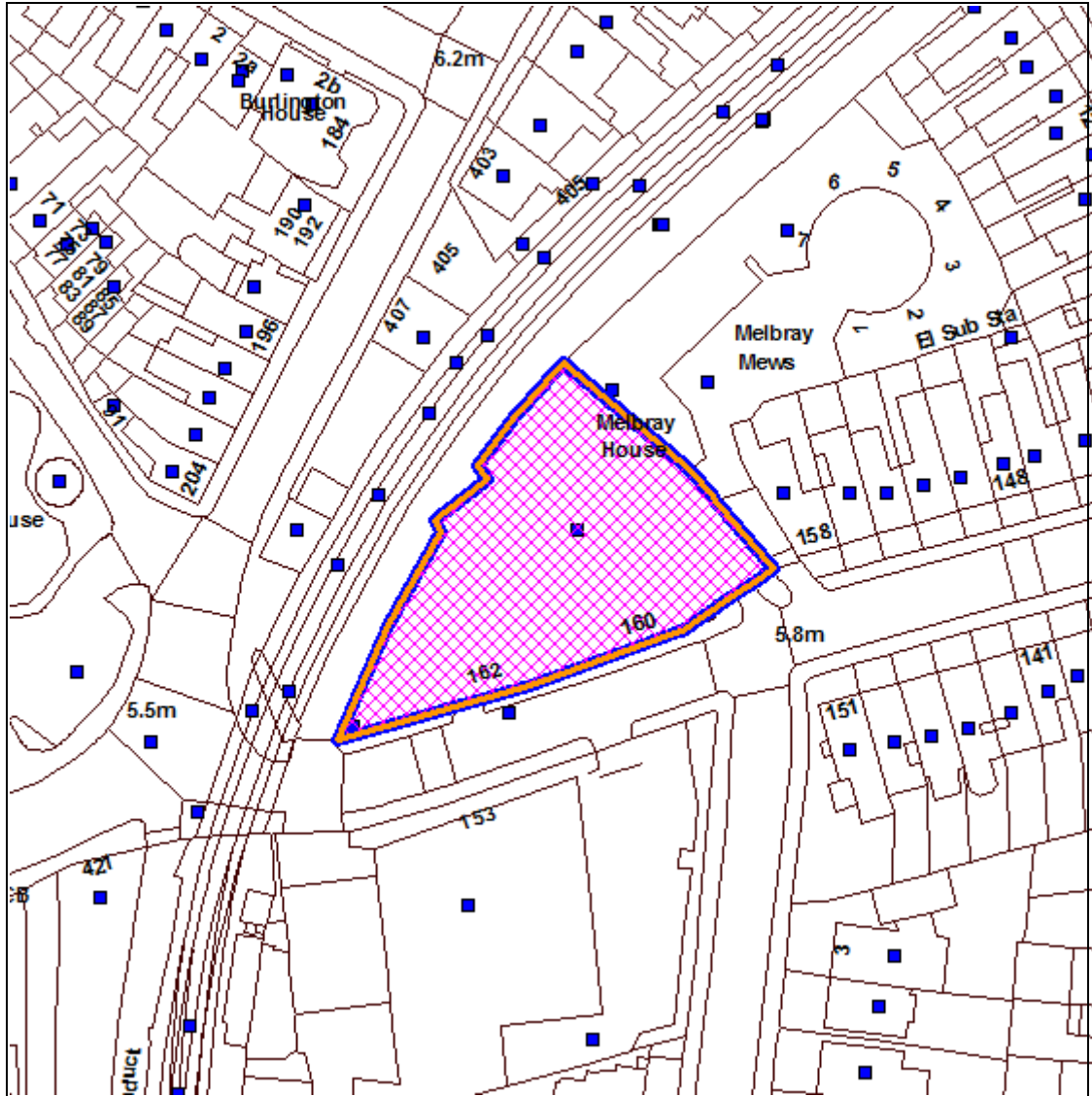
5.3 Accordingly it is recommended that the proposed development be granted planning permission subject to the conditions listed and the completion of a s106 agreement securing the heads of terms contained within this report.

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

**Ward:** Parsons Green And Walham

**Site Address:**

160 - 164 Hurlingham Road London SW6 3NG



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**For identification purposes only - do not scale.**

**Reg. No:**

2017/04609/FUL

**Case Officer:**

Graham Simpson

**Date Valid:**

14.12.2017

**Conservation Area:**

Constraint Name: Hurlingham Conservation Area - Number 4

**Committee Date:**

06.02.2018

**Applicant:**

Sandown Properties Ltd  
C/o agent

**Description:**

Demolition of the existing single storey light industrial premises, with the exception of the facade to 160 Hurlingham Road, and erection of a part 2 and part 3 storey building to provide office floorspace (Use Class B1) together with cycle parking, refuse storage and landscaping.

Drg Nos: P\_01A; 02A; ; 03A; 04A; 06A; 13A; 14A; 16A;21A; 22A; 23A; 24A; 25A; 26A; 31A; 32; 33A;

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: P\_01A; 02A; ; 03A; 04A; 06A; 13A; 14A; 16A; 21A; 22A; 23A; 24A; 25A; 26A; 31A; 32; 33A.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy BE1 of the Core Strategy (2011), Policy DM G1 and G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

- 3) The development hereby permitted shall not commence until a Demolition Management Plan and a Demolition 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 noise, vibration, lighting, a dust management plan in accordance with the Mayor's SPG, 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 demolition vehicles, any vehicle holding areas, access arrangements and delivery locations on the site, details of a Low Emission Vehicle Strategy, provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Demolition Management Plan and Demolition Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM H9, H10 and H11 of the Development Management Local Plan (2013) and policies CC11 and CC13 of the emerging Local Plan 2017.

- 4) The development hereby permitted shall not commence (save for demolition and site clearance works) until a Construction Management Plan and a detailed 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 noise, vibration, lighting, a dust management plan in accordance with the Mayor's SPG, 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 detailed Construction Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM J1 and DM J6 of the Development Management Local Plan (2013) and Policies T1, CC11 and CC13 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policy BE1 of the Core Strategy (2011), Policy DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance, in accordance Policy BE1 of the Core Strategy (2011), Policy DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policy BE1 of the Core Strategy (2011), Policies DM G1 and G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification), no aerials,

antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the buildings in accordance with Policy BE1 of the Core Strategy (2011), Policies DM G1 and G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

- 11) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of:

a.) The sound insulation of the floor/ ceiling/ walls separating the office building from neighbouring dwellings. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  is enhanced by at least 15dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain noise within the office building and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises;

b.) 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; and

c.) 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/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013) and policies CC11 and CC13 of the emerging Local Plan 2017.

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

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

Development Management Local Plan (2013) and policies DC1, DC2, DC8 and DC9 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011), Policy DM G1, DM G4 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, DC8 and DC9 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011), Policy DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

- 15) The extent of demolition shall not exceed that shown on the approved drawings D\_01; 02; 03; 13; 14; 15; 16; 21; 22; 23; 24; 25; 26 and the Hurlingham Road facade shall be retained in accordance with the approved drawings (refer to drawing nos. of proposed elevations).

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed

building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2011), Policy DM G1 of the Development Management Local Plan (2013) and policies DC1 and DC2 of the emerging Local Plan 2017.

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

To ensure suitable entry into the building for disabled people. In accordance with Policy BE1 of the Core Strategy (2011) and Policy DM G1 and DM G4 of the Development Management Local Plan (2013) and SPD Design Policy 1, 2 and 25 of the Supplementary Planning Document (2013) and policies DC1 and DC2 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss



of privacy and noise and disturbance, in accordance with Policy DM H9, DM A9 and DM G1 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013) and Policies DC1, DC2 and HO11 of the emerging Local Plan 2017.

- 24) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the commercial development hereby approved, as indicated on the approved drawing no. P\_42A and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy 6.9 and Table 6.3 of the London Plan (2016), Policy DM J5 of the Development Management Local Plan (2013) and Policy T3 of the emerging Local Plan 2017.

- 25) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing P\_42A.

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), Policy DM H5 of the Development Management Local Plan (2013) and Policies DC8, CC6 and CC7 of the emerging Local Plan 2017.

- 26) The development shall be implemented in accordance with the recommended flood mitigation measures in the Flood Risk Assessment dated 24 November 2017 and Construction Method Statement dated November 2017 as hereby approved by the local planning authority. In line with advice from Thames Water, a non-return valve or other suitable device shall be installed to avoid the risk of the sewerage network surcharging wastewater to basement/ground level during storm conditions. The recommended mitigation measures shall be permanently retained thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan (2016), Policy CC1 and CC2 of the Core Strategy (2011), Policy DM H3 of the Development Management Local Plan 2013 and Policy CC3 of the emerging Local Plan 2017.

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

submitted to and approved in writing by, the Council and implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan (2016), Policy CC2 of the Core Strategy (2011) and Policy CC3 of the emerging Local Plan 2017.

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

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), Policies BE1 and CC1 of the Core Strategy (2011), Policies DM G1 and DM H1 of the Development Management Local Plan (2013) and Policies DC1, DC2, DC8, CC1 and CC2 of the emerging Local Plan 2017.

- 29) The development hereby permitted shall not be occupied before implementation of the sustainable design and construction measures detailed in the submitted Sustainability and Energy Statement. All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016), Policies BE1, CC1 of the Core Strategy (2011), Policies DM G1, DM H2 of the Development Management Local Plan (2013) and Policies DC1, DC2, DC8, CC1 and CC2 of the emerging Local Plan 2017.

- 30) Prior to the commencement of development an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers 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 site specific AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) of the Majors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road 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), Core Strategy 2011 Policy CC4, Policy DM H8 of the Development Management Local Plan (2013) and Policy CC10 of the emerging Local Plan 2017.

- 31) 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 NOx 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 NOx and particulates from on-site and off-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 SPG 'Sustainable Design and Construction' (April 2014) guidance. It must also identify mitigation measures as appropriate to reduce building emissions to below GLA benchmark levels. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained as such.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013) and Policy CC10 of the emerging Local Plan 2017.

- 32) Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system with NOx filtration shall be submitted to and approved in writing by the Council. This report shall specify air intake and air extract locations at roof level and the design details and locations of windows on all habitable floors for Class B1 use to demonstrate that they avoid areas of NO2 or PM exceedance e.g. New Kings Road (A308) and Hurlingham Road. The whole system shall be designed to prevent summer overheating and minimise energy usage. Chimney/boiler flues and ventilation extracts shall be positioned a suitable distance away from ventilation intakes, openable windows, balconies, roof gardens, terraces and receptors. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications, and shall be the responsibility of the primary owner of the property. The development shall not be occupied until the details as approved have been fully implemented and hereafter permanently retained and maintained.

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

Development Management Local Plan (2013) and Policy CC10 of the emerging Local Plan 2017.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013) and Policy CC9 of the emerging Local Plan 2017.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013) and Policy CC9 of the emerging Local Plan 2017.

- 35) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk

assessment a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2016, policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013) and Policy CC9 of the emerging Local Plan 2017.

- 36) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013) and Policy CC9 of the emerging Local Plan 2017.

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

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013) and Policy CC9 of the emerging Local Plan 2017.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2011), policy CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM H7 and DM H11 of the Development Management Local Plan (July 2013), SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document 2013 and Policy CC9 of the emerging Local Plan 2017.

- 39) Prior to occupation of the commercial units, a Servicing and Deliveries Management Plan shall be submitted to and approved in writing by the Council. Details shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays and quiet loading/unloading measures. The measures/scheme shall be implemented in

accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently complied with and maintained in line with the agreed plan.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies DM H9 and H11 of the Development Management Local Plan (2013) and Policies T1, T2, CC11, CC13 and OS2 of the emerging Local Plan 2017.

- 40) Prior to commencement of development (excluding site clearance and demolition) details for construction of a green infrastructure (including details of planting species and maintenance) shall be submitted to and approved by the local planning authority. The green infrastructure shall be constructed and planted up in full accordance with the approved details within the first available planting season following completion of buildings. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of these buildings shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with policy BE1 of the Core Strategy (2011), policy DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013), and policy OS5 of the emerging Local Plan 2017.

- 41) The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for 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 which:
- a.) provide details on all structures;
  - b.) provide details on the use of tall plant/scaffolding;
  - c.) accommodate the location of the existing London Underground structures;
  - d.) there should be no opening windows or balconies facing the LU elevation;
  - e.) demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land;
  - f.) demonstrate that there will at no time be any potential security risk to our railway, property or structures;
  - g.) accommodate ground movement arising from the construction thereof;
- and
- h.) mitigate 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 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 the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2016.

42) The demolition hereby permitted shall not be undertaken before:

- a building contract for the redevelopment of the site in accordance with this planning permission has been entered into; and
- notice of demolition in writing and a copy of the building contract has been submitted to the Council.

To ensure full compliance with the planning application hereby approve and to safeguard the character and appearance of the conservation area, in accordance with Policy BE1 of the Core Strategy 2011, Policy DM G1 and DM G7 of the Development Management Local Plan 2013 and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

43) Brick sample panel to be erected onsite for approval of Council's Conservation Officer prior to commencement of development and development to be implemented in accordance with approved sample panel

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with policy BE1 of the Core Strategy, policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013) and (2011) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

44) Details of the all works to the retained Hurlingham Road façade of the Building of Merit including the method statement of paint removal to façade of Building of Merit shall be submitted to the Council for its approval prior to commencement of development and development to be implemented in accordance with approved details.

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with policy DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013), policy BE1 of the Core Strategy (2011) and Policies DC1, DC2, and DC8 of the emerging Local Plan 2017.

45) The development shall not commence (excluding works of site clearance and demolition of existing building), until details of any proposed external artificial lighting, including security lights have been submitted to and approved in writing by the Local Planning Authority and no occupation shall take place until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the `Guidance Notes for The Reduction of Light Pollution 2011 (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, in accordance with policies 5.11, 7.3 and 7.13 of the London Plan, policies BE1 and CC4 of the Hammersmith and Fulham Core Strategy (2011), policies DM E1, DM E4, DM G1, DM H10 and DM H11 of the Development Management Local Plan (July 2013) and the Council's Supplementary Planning Document (2013) and policy CC12 of the emerging Local Plan 2017.

- 46) No part of the development hereby approved shall be used or occupied until a scheme for the control and operation of the proposed lighting within the office building, during periods of limited or non-occupation, has been submitted to and approved in writing by the Local Planning Authority, and the approved details have been implemented. The internal lighting shall be 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 (2013), SPD Sustainability Policy 25 of the Planning Guidance Supplementary Planning Document (July 2013) and policy CC12 of the emerging Local Plan 2017.

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

- 1) 1. Change of Use: It is considered that the proposed change of land use of part of the site is acceptable. The loss of part of the existing Class B1 floorspace and creation of a Class B1 premises are acceptable and in accordance with the NPPF (2012), Policies 4.2 and 4.3 of the London Plan (2016), Policy B and LE1 of the Core Strategy (2011) and Draft Local Plan Policies Policy E1.  
  
2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The proposed development would be compatible with the scale and character of existing development. The proposal would preserve the setting of the Conservation Area and would preserve those parts of the Building of Merit which have the greatest significance. The development would therefore be acceptable in accordance with the NPPF (2012), 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan (2016), Policy BE1 of the Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 21, 22, 24, 60, 61, 62 and 63 of the Planning Guidance Supplementary Planning Document (2013), which seek a high quality in design and architecture, the preservation of heritage assets and require new developments to have regard to the pattern and grain of existing development and Draft Local Plan Policies Policy DC1, DC2 and DC8.  
  
3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies DM G1, H9, H11 and A9 of the Development Management Local Plan (2013) and SPD

Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013) and Policies HO11 and DC2 of the Draft Local Plan.

4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan (2011) Policy 7.3 and Policy DM G1 of the Development Management Local Plan 2013 (2013). The proposal would provide ease of access for all people, including disabled people, in accordance with Policy 3.8 of the London Plan (2016), Policy H4 of the Core Strategy (2011), Policy DM DM A9, DM G1 of the Development Management Local Plan (2013) and SPD Design Policies 1 and 3 of the Planning Guidance Supplementary Planning Document (2013) and Policy HO6 of the Draft Local Plan.

5. Transport: There would be no significant adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will secure provision of cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2012), Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (2016), Policies T1 and CC3 of the Core Strategy (2011), Policies DM J1, DM J2, DM J5, DM A9 and DM H5 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 5 and 12 and SPD Sustainability Policies 2, 3 and 12 of the Planning Guidance Supplementary Planning Document (2013) and Draft Local Plan policies T2, T3, T4, T5 and T7.

6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Further necessary details have been secured by condition. Details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2012), Policies 5.11, 5.12, 5.13, 5.14 and 5.15 London Plan (2016), Policies CC1 and CC2 of the Core Strategy (2011), Policy DM H3 of the Development Management Local Plan (2013) and SPD Sustainability Policies 1 and 2 of the Planning Guidance Supplementary Planning Document (2013) and policies CC3 and CC4 in the Draft Local Plan.

7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan (2011), Policy CC4 of the Core Strategy (2011), Policies DM H7 and H11 of the Development Management Local Plan (2013), and SPD Amenity Policies 2, 3, 4, 5, 7, 8, 12, 13, 14, 15, 16 and 17 of the Planning Guidance Supplementary Planning Document (2013) and policy CC9 in the Draft Local Plan.

8. Air Quality: Subject to additional air quality, mechanical ventilation and fresh air intake details, the proposal will ensure neutral air quality outcomes in accordance with Policies 3.2, 5.3 and 7.14 of the London Plan (2016) and Policy DM H8 of the Development Management Local Plan (2013) and Policy CC10 of the Draft Local Plan.

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

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

Application form received: 28th November 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  
LBHF – Draft Planning Guidance Supplementary Planning Document (SPD)  
LBHF – Draft Local Plan

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Thames Water - Development Control	10.01.18
Environment Agency - Planning Liaison	08.01.18
Historic England London Region	18.12.17
Transport For London - Land Use Planning Team	08.01.18
London Underground Limited	29.12.17

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
36 Hopefield Avenue London NW6 6LH	04.01.18
6 Ranelagh Avenue London SW6 3PJ	04.01.18
145 Hurlingham Road London SW63NH	05.01.18
53 Napier Avenue FULHAM London SW6 3PS	05.01.18
18 Alderville Road London SW6 3RJ	09.01.18
100 Hurlingham Road London SW63NR	04.01.18
8 Edenhurst Avenue Fulham SW6 3PB	04.01.18
6 Ranelagh Avenue London SW6 3PJ	04.01.18
129 Hurlingham Road London SW6 3NJ	04.01.18
54 Hurlingham Road London SW6 3RQ	05.01.18
42 Hurlingham Road London SW6 3RQ	05.01.18
49 Napier ave London SW6 3PS	10.01.18
51 Napier Avenue London SW6 3PS	14.01.18
Ground Floor Flat 121 Hurlingham Road SW6 3NJ	04.01.18
158 Hurlingham Road Fulham SW6 3NG	07.01.18
133 Hurlingham Road London SW6 3NH	01.01.18
27 Napier Avenue London SW6 3PS	09.01.18
146 Hurlingham Road Fulham SW63NG	08.01.18
53 Napier Avenue Fulham London SW6 3PS	08.01.18
154 Hurlingham Road London SW6 3NG	09.01.18
154 Hurlingham Road London Sw63ng	07.01.18
154 Hurlingham Road London sw6 3ng	09.01.18
50 Hurlingham Road London SW6 3RQ	05.01.18
18 Alderville Road London SW6 3RJ	09.01.18
134 Hurlingham Road Fulham SW6 3NF	10.01.18
156 Hurlingham Road London SW6 3NG	12.01.18
Napier lodge 1a Napier avenue London sw63ps	08.01.18

6 Napier Avenue London SW6 3PT	11.01.18
56 Hurlingham Road London SW6 3RQ	10.01.18
16 Napier Avenue London SW6 3PT	02.01.18
56 Hurlingham Road London SW6 3RQ	11.01.18
4 Grimston Road Fulham London SW63QP	24.12.17
10 Grimston Road London SW6 3QR	08.01.18
28 Ewald Road Fulham SW63ND	09.01.18
156 Hurlingham Road London SW6 3NG	12.01.18
41 Foskett Road London SW6 3LY	13.01.18
202 new kings road London sw6 4nf	08.01.18
154 Hurlingham Road London Sw63ng	07.01.18
Danehill Lodge Tanyard Lane Danehill RH17 7JW	10.01.18
1 Edenhurst Avenue London SW6 3PD	09.01.18
145 Hurlingham road London SW6 3NH	04.01.18
145 Hurlingham road London SW6 3 NH	06.01.18
Ground Floor Flat 158 Hurlingham Road London SW6 3NG	02.01.18
5 Edenhurst Avenue London Sw6 3PD	04.01.18
148 Hurlingham Road London SW6 3NG	06.01.18
53 Napier Avenue London SW6 3PS	07.01.18
149 Hurlingham Road London SW6 3NH	03.01.18
11 Napier Avenue, London SW6 3PS	04.01.18
146 Hurlingham Road London SW6 3NG	08.01.18
146 Hurlingham Road London SW6 3NG	04.01.18
6, Ranelagh Avenue London SW6 3 PJ	04.01.18
23 Napier Avenue London Sw6 3ps	04.01.18
56 Hurlingham Road London SW6 3RQ	30.12.17
3 Edenhurst Avenue London SW6 3PD	05.01.18
9 Edenhurst Avenue London sw6 3pd	07.01.18

## 1.0 SITE DESCRIPTION

1.1 This triangular-shaped application site (0.014 ha) is on the north side of Hurlingham Road near the intersection with New Kings Road. The existing buildings on site consist of three late-19th century, single storey, light industrial units which were all built as part of one development. The site is bordered by an access road and railway line viaduct to the north and west respectively. To the east is a row of terraced residential properties at 138-158 Hurlingham Road, and Melbray Mews, which provides accommodation to several small businesses and some residential dwellings. On the opposite side of Hurlingham Road adjacent to the railway tracks is a retail showroom. A service lane runs alongside the train viaduct and a number of small businesses, including a hand car wash, are located under the railway arches. The site is located within the Hurlingham conservation area. It is also within Flood Risk Zones 2 and 3, and has a PTAL level of 6a which makes the site highly accessible by public transport.

1.2 No. 160 Hurlingham Road is a Building of Merit and is included in the Hurlingham Conservation Area.

1.3 Relevant planning history:

160 Hurlingham Road has no relevant planning history.  
162 Hurlingham Road

1.4 In 1999 a Certificate of Lawfulness was granted for the existing use of the premises as warehouse and offices in connection with a printing business.

1.5 In 2007 permission was granted for the creation of a new of a larger entrance.

1.6 In 2009 permission was granted for a change of use from Class B1/B8 (Office/Storage) to Class B2 (General industrial) in connection with the extension of an existing garage use at 160 Hurlingham Road.

#### 164 Hurlingham Road

1.7 In 2009 permission was granted for the change of use from Class B1/B8 (Office/Storage) to Class B2 (General industrial) to enlarge the existing garage use at 160 Hurlingham Road.

1.8 In 2017 permission was refused for the demolition of the existing single storey light industrial premises, with the exception of the facade to 160 Hurlingham Road, and erection of a part 2, part 4 and part 5 storey building plus basement to provide office floorspace on basement to fifth floor (Use Class B1) and flexible retail/restaurant (Use Class A1/A3) floorspace on part of the ground floor (112sq m); including associated cycle parking, refuse storage and landscaping, on the following three grounds:

- 1) Visual amenity due to bulk and height which would result in an over dominant development.
- 2) The proposed roof terraces by reason of their size, elevated position and close proximity to the neighbouring residential properties, would be unneighbourly.
- 3) Insufficient information was provided to adequately demonstrate that the proposed use would have an acceptable vehicular and pedestrian traffic impact.

1.9 Current proposal:

1.10 The proposal follows on from the previous refusal and preapplication discussions with officers and included the following: the demolition of the existing single storey light industrial premises, with the exception of the facade to 160 Hurlingham Road, and erection of a part 2 and part 3 storey building to provide office floorspace (Use Class B1) together with cycle parking, refuse storage and landscaping. The main changes are:

1. Reduction in the height of the proposed replacement building from a part 3, part 4, part 5 storey building to a part 2, part 3 storey building;
2. The quantum of floorspace has reduced;
3. The omission of all roof terraces, and the café/restaurant unit;
4. The lightwell under the colonnade on Hurlingham Road has been replaced with pavement lights to provide a wider pavement for pedestrians; and
5. Additional traffic and pedestrian information has been submitted.

#### 2.0 PUBLICITY AND CONSULTATION:

2.1 The application has been advertised by means of a site notice and a press advert. Individual notification letters were sent to the occupiers of 244 neighbouring properties.

At the time writing this report, 53 letters (52 objections and one neutral response) have been received and the grounds of objection can be summarised as follows:

- Height, scale and massing, out of context with the surrounding properties
- Fails to enhance or preserve the conservation area
- Loss of frontage
- Traffic, congestion and parking from employees, servicing and deliveries
- Noise and disturbance from office
- Overlooking and loss of privacy
- Increased sense of enclosure/loss of outlook
- Light pollution
- Loss of daylight/sunlight
- Increased air pollution

2.3 Environment Agency: No objection.

2.4 Thames Water: No objection subject to conditions.

2.5 Transport for London: No objection, subject to conditions.

2.6 Historic England: No objection.

### 3.0 CONSIDERATIONS

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 Local Plan 2013 (hereafter referred to as DM LP), the Planning Guidance Supplementary Planning Document 2013 (hereafter referred to as Planning Guidance SPD), and the emerging Local Plan 2017 (hereafter referred to as emerging LP 2017) include: the principle of the development in land use terms; quantum and intensity of development; heritage, design and appearance; existing residential amenities of neighbouring properties; and, traffic impact on the highway network.

#### Draft London Plan

The new draft London Plan was published on 29 November 2017. The Plan is out to consultation until 2 March 2018. An Examination in Public (EiP) is due to be held in autumn of 2018, and publication of the new Plan is expected in the autumn of 2019. It is therefore considered that the new draft London Plan should be given limited weight at this stage in determining this application. In the interim, consideration shall be given to the London Plan (Consolidated with Further Alterations 2016).

#### Council Local Plan (February 2018)

On 24 January 2018, the Council resolved to adopt the Hammersmith & Fulham Local Plan (2018) ("the new Local Plan"). The adoption of the new Local Plan will take effect on 28 February 2018. From this date, the policies in the new Local Plan together with the London Plan will make up the statutory development plan for the borough. On adoption of the new Local Plan, policies also referred to in the report in respect of the Core Strategy (2011) and the Development Management Local Plan (2013) will no longer be relevant for the purposes of planning decision making in the borough. For completeness, the policies in the new Local Plan together with the policies in the Core Strategy and Development Management Local Plan are set out and referred to in this report as at the time of drafting this report, they are still valid. The new Local Plan is

supported by a replacement Supplementary Planning Document and this document will be a material consideration in determining planning applications. The updated SPD document will also be adopted on 28 February 2018 and will supersede the White City Opportunity Area Planning Framework will also be revoked upon adoption of the new Local Plan.

#### LAND USE:

3.1 London Plan Policies 4.2 and 4.3, CS Policies B (Location of Employment Activities), LE1 (Local Economy and Employment), DM LP Policy B1 (Providing for a range of employment uses), Local Plan DM B3 (Local employment, training and skills development initiatives) and emerging Policy E1 of the Local Plan 2017 are relevant in the proposal. The site currently comprises three warehouse units at ground and part first floor level, which have been previously used for storage and distribution/mechanic workshops/industrial purposes. However, the site is predominantly vacant. The only remaining occupier at No. 160 Hurlingham Road is in the process of moving to other premises for which they have bought the freehold and that property will therefore soon be unoccupied. No.s 162-164 Hurlingham Road are currently let out for storage only. Owing to the internal condition of No.s 162-164, with no heating or ventilation, it is only used for a dry storage use which generates a minimal rent and no employment. It would require substantial investment in the buildings to upgrade them for any other use which is unlikely to be a practical proposition for any tenant or owner of the building. The applicant has agreed to contribute towards a jobs and business employment strategy to maximise employment, training and business benefits of the Development, which will be secured through a S106 agreement. Subject to this, it is considered that the proposal would comply with CS Policy LE1, DM LP Policy B3 and emerging LP 2017 Policy E1.

3.2 The existing site is underused and outmoded. The proposed development would result in the retention of employment uses on site as well as provide an upgraded modern facility with additional net employment generating floorspace within the borough. The proposal accords with CS Policy LE1 and B, DM LP Policy DM B1 and emerging LP 2017 Policy E1, and as such there is no objection to the principle of the proposal in land use terms.

#### HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

3.3 Among the core planning principles of the NPPF are that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore, proposals should conserve heritage assets in a manner appropriate to their significance.

3.4 London Plan Policy 7.1 'London's Neighbourhoods' requires that all new development is of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. London Plan Policy 7.4 'Local Character' requires development to 'have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.' London Plan Policy 7.6 'Architecture' relates to architecture and the design of developments. The policy says that 'development should be of a high quality of design, of a scale that is appropriate to its setting, and built using high quality materials. It

should complement the surrounding built form and should not cause unacceptable harm to the amenity of surrounding buildings'. Policy 7.8 D states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials, and architectural detail.

3.5 Core Strategy Policy BE1 'Built Environment', to be known as Policies DC1 and DC2 of the emerging LP 2017, requires all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets.

3.6 DMLP Policy DM G1 'Design of New Build', to be known as Policy DC2 of the emerging LP 2017, builds on the above-mentioned policies and other design and conservation policies, seeking new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting. Policy DM G7 'Heritage and Conservation', to be known as Policy DC8 of the emerging LP 2017, seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment including listed buildings.

3.7 Design Policy 21 of the Planning Guidance SPD sets out how the Council will assess proposals affecting Buildings of Merit. It states that:

Development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings 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; and
2. In the case of artefacts, they cannot practicably be retained in situ or, failing that, retained for re-use elsewhere within the site.

Height, massing and design of the proposed development

3.8 The proposal is for the erection of a 2 to 3-storey commercial building that involves the demolition of all structures on the site except for the retained frontage to 160 Hurlingham Road which is a Building of Merit. Along Hurlingham Road the elevation the new building would have three sections: a three storey element adjacent to the railway viaduct, a two storey middle section with a recessed second floor, and at 160 Hurlingham Road, a retained Building of Merit frontage with a new build recessed first and second floor behind a parapet of the retained facade.

3.9 The proposal sits between the railway viaduct to the north and east and the two storey residential properties to the east. The development would step up towards the railway and would generally have a greater scale to the rear. The development would visually step down and moderate between the new taller three storey building and the 2-storey terrace that abuts 160 Hurlingham Road. Along Hurlingham Road, the new building would include a colonnade over pavement lights and lightwells that would be covered with grilles so that no boundary treatment is required. The building entrance would be a recessed centrally located glazed lobby area.



3.10 The three parts to the Hurlingham Road elevation would have related vertical and horizontal elements and their combined massing would be broken up in scale by varying brick and stone tones.

3.11 The Hurlingham Road elevation is punctuated by a deep layering of the façade elements together with a variation of materials and decorative detailing which reflect distinct features of local, historic structures and buildings, such as bridges, arches and Victorian tenement blocks. The proposed materials comprise decorative brick cladding, steel frames, reconstituted stone, aluminium and glass, and the proposed layering and detailing, such as stone tiles with geometric patterns, reeded glass, decorative louvred doors and undulating aluminium cladding to the roof storeys to convey solidity and sturdiness. The materials would provide visual interest and complement the local character.

3.12 At the various roof levels, sedum roofs are proposed. No outdoor amenity spaces would be provided.

### Heritage Assets

3.13 160 Hurlingham Road is a Building of Merit, built in 1880s as single storey, commercial premises. Originally used as London General Omnibus Depot, it features visible stock brickwork with decorative cornices, red brick window arches and parapets flanked by octagonal domed finials. However, it has modern windows and entrances and the brickwork has been painted. It is part of a group of similar depot buildings which are not designated as Buildings of Merit. The rear of the depot buildings is plain and not of special interest. The group of buildings was included into the extension of Hurlingham Conservation Area in 2002 as it complements the character of the conservation area by reflecting changing patterns of uses and building styles on land that is impacted by railway corridors and benefits from the use of railway arches. The inclusion of the application site demonstrates the historic interaction and close relationship between residential and commercial uses in such locations.

3.14 The proposals involve the demolition of the buildings on site, with the exception of the façade of the Building of Merit. The proposals therefore would directly affect the character and appearance of the designated heritage asset Hurlingham Conservation area and the undesignated heritage asset No 160 Hurlingham Road.

3.15 The site lies within Hurlingham Conservation Area. The application site forms part of the extended conservation area. The existing buildings on site did not form part of the original Conservation Area. However, the existing depot buildings are considered incidental to the late Victorian urbanisation of the area when the expanding rail network provided spaces for commercial development along their corridors. The depot buildings are a characteristic townscape element of the historic development of the area although the types of such historic, commercial buildings can vary in style and scale.

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

3.16 The Council is required to undertake an assessment of the impact of the submitted proposals based on the significance of the heritage assets affected. In this case this relates to the impact of the proposal on both designated (Conservation Areas) and non-designated (Buildings of Merit) assets.

3.17 The issue of designation is an important one since it will affect which paragraphs in the NPPF, which of the Council's planning policies and which statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 are applicable in the assessment of the applications.

3.18 It is key to the assessment of the application that the decision-making process is based on the understanding of specific duties in relation to conservation areas required by the relevant legislation. A conservation area is defined in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as an area 'of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. The Council has produced a Conservation Area Appraisal for the conservation area which sets out the history of the area and its reason for designation. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant and in relation to Conservation Areas it states that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

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...".

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.

Paragraph 135 of the NPPF relates to the effect of an application on the significance of a non-designated heritage asset (in this case the Building of Merit) and states:

"...In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

Paragraph 136 of the NPPF states that:

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

### Assessment of the proposals

3.19 With regard to the selection criteria suggested by Historic England which is also to be applied to non-designated heritage assets, officers consider that the Building of Merit and the group of buildings have some merits relating to age, aesthetic value and group value. As a group, the buildings reflect characteristic commercial development patterns alongside railway corridors in the Victorian suburbs. Building type, architectural style and scale of such traditional commercial buildings vary in accordance with their originally intended purposes, such as the use as depots, warehouses and workshops.

Accordingly, there is a variety of commercial building types along Fulham's railway viaducts that equally would contribute to the character and appearance of the conservation area. Neither of such historic building types, including the depot buildings currently on site, were meant to be designed in keeping with the residential terraces of the area as in most cases they would reflect their commercial uses by different scales, styles and design.

3.20 Given the small scale and restrained prominence of the group of depot buildings including the Building of Merit within the townscape, the façade of the Building of Merit is the most characteristic and significant part of the group as it moderates between different building types and building lines in the most visually prominent location of the site. The rear elevations and interiors are plain and much altered. The proposed retention of the façade of the locally listed building is considered to be an acceptable approach in principle given the opportunities to enhance the appearance of the site, of the Building of Merit's facade and of the conservation area that would arise. This would also provide an opportunity to improve the activation and integration of the site into the neighbourhood. In the event of a high-quality replacement building being secured the loss of the less significant parts of the Building of Merit and the group of buildings would not cause harm to the significance of the conservation area with regard to paragraph 134 of the NPPF. With regard to paragraph 135 of the NPPF, the loss of the less significant parts of the Building of Merit and of the part of the group of buildings not including into the Building of Merit must be balanced against the merits of the proposed scheme.

3.21 The replacement building is designed to clearly express the traditional warehouse style that would complement the character of the location. The retained façade that is the most prominent part of the site in the streetscene would mark the existing change in building line and moderate between the adjacent 2-storey terrace and the taller part of the development to ensure that the increase in scale would not be perceived as overbearing in views along Hurlingham Road. In addition, the 3rd floor would be far recessed into the site and only be visible in the background of some views along Hurlingham Road. The top floor would only clearly be visible from the western side of the railway viaduct outside the conservation area where the scale of buildings generally is larger. The façade treatment is considered to be of high quality with appropriate depth, articulation and decorative detailing and is considered to contribute positively to the character and appearance of the conservation area. The contrast between the restored, retained façade and the new facades is considered to add visual interest and character.

3.22 The proposed demolition would result in the loss of a group of depot buildings that is not statutorily or locally designated as heritage asset but that contributes positively to the conservation area. However, the type, architecture and fabric of the buildings proposed to be demolished are not considered to be of significant visual townscape relevance that would strongly support their retention above the opportunity for a high-quality building that would make a positive contribution to the character and appearance of the conservation area and strengthen and uplift the commercial character of the edge of the area opposite the modern warehouse on the south side of Hurlingham Road.

3.23 With regard to the Building of Merit at 160 Hurlingham Road that forms part of the group of depot buildings, its historically significant part, the frontage, would be retained and incorporated into the development in recognition of its local listing, and thereby evidence of the historic development of the site would be preserved. The building's

structure and rear are not considered to be of sufficient special interest to request its retention. In balancing the scale of the loss of parts of the Building of Merit of lesser significance the proposals are not considered to cause harm to the undesignated heritage asset of the Building of Merit in this case. Overall, considering the quality of the new building and integration of the Building of Merit's façade, the development would not cause harm to the significance of the conservation area.

## Conclusion

3.24 The proposed new building is considered to be an opportunity to respect and reflect the character and integration of commercial sites on the edges of uniform, historic residential areas, and to lift the quality of the streetscene and townscape. In accordance with paragraph 136 of the NPPF, a condition is attached to the consent requiring the submission of a signed building contract for the replacement development before commencing demolition. Final details of the materials to be used in the external appearance of the building are conditioned for future approval.

3.25 It is considered that the proposed design would not harm the existing character and appearance of the application site or surrounding development, and is therefore considered acceptable. It is considered that the proposal development would be a high-quality development which would make a positive contribution to the urban environment in this part of the Borough. It is also considered that on balance, considering the proposed retention of the front façade of the building of merit, and the redevelopment of the building behind would be considered acceptable in terms of scale and would not result in the loss of any the significant elements of the non-designated heritage asset. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 Core Strategy Policy BE1, Policies DM G1, DM G5 and DM G7 of the DMLP, and policies DC1, DC2 and DC8 of the emerging LP 2017 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

## RESIDENTIAL AMENITY

3.26 Policy DM G1, H9, H11 and A9 (to be known as Policies DC1, DC2, CC11, CC13 and HO11 in the emerging LP 2017) require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Policy 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

3.27 The nearest residential properties are those to the east within Melbray Mews, which although mainly commercial offices, does have some residential properties, and the immediately adjoining property at 158 Hurlingham Road. There is a row of terraced houses to the south east with the nearest being on the south-east corner of Hurlingham Road and Edenhurst Avenue (151 Hurlingham Road).

## Outlook:

3.28 SPD Housing Policy 8 (i) acknowledges that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground

level of the boundaries of the site where it adjoins residential properties. 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.

3.29 There are windows and a roof terrace in the rear elevation of 158 Hurlingham Road at first floor level. The windows and terrace are adjacent to the shared eastern boundary of the application site, where it is proposed to extend the existing boundary wall by 2.67m in height. The proposal would result in a loss of view, however in terms of outlook, the rear windows and terrace to No. 158 Hurlingham Road are angled away from the boundary reducing the potential impact from the proposal. It is considered that the proposal would not result in harm to a significant degree as to withhold planning permission. On site judgement demonstrates that adequate outlook would be retained.

Privacy:

3.30 SPD Housing Policy 8(ii) states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. In addition, it states that a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.

3.31 The proposal would not result in a loss of privacy or overlooking. There are no windows facing Melbray Mews to the east, and all terraces as proposed in the previously refused application have been removed from the current scheme. The proposed development complies with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 (to be known as policies HO11 and DC1 and DC2 of the emerging LP 2017) and SPD Housing Policy 8 (ii).

Noise and disturbance:

3.32 DM LP Policy H9 and H11 (to be known as policies CC11 and CC13 of the emerging LP 2017) relate to environmental nuisance and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. SPD Housing Policy 8 (iii) adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.

3.33 All the terraces as proposed in the previous refused application have been removed from the current scheme. It is therefore not considered that the development would be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance.

3.34 The proposed development would have no significant adverse impact on residential amenity in accordance with Policy DM A9, H9 and H11 of the DM LP (to be known as policies HO11, CC11 and CC13 of the emerging LP 2017) and SPD Housing Policy 3 and 8 regarding noise.

## Daylight and Sunlight:

3.35 An updated Daylight and Sunlight Report has been submitted by the applicant to assess the impact of the development on the surrounding properties including the recently completed single storey extension at 158 Hurlingham Road, and to consider the levels of sunlight and daylight within the proposed scheme. Officers have considered the report and concur with the conclusions that the proposal would not have any significant impact on any neighbouring properties.

3.36 The Report assesses 99 neighbouring windows. All windows meet Vertical Sky Component (VSC) standards. Where applicable all rooms pass the daylight distribution test, complying with BRE daylight requirements. The development meets the targets for annual probable sunlight hours (APSH).

3.37 The supporting report demonstrates that the gardens and amenity areas to the rear of 154 and 156 Hurlingham Road would retain adequate sunlight. In respect of the existing roof terrace at 158 Hurlingham Road a small portion (14%) of the area receives the minimum 2 hours of direct sunlight during the spring equinox on 21 March. This is below the minimum 50% criteria suggested in the BRE guidance. This is mainly because of the north facing orientation of the roof terrace which is also self-shaded by the main parent building of 158 Hurlingham Road. The results show that no part of the roof terrace will receive 2 hours of direct following the proposed development. Overall, due to the small amount of direct sunlight experienced on the first-floor terrace area to the rear roof terrace at No. 158 Hurlingham Road officers consider that it is unlikely that the proposal will result in undue material harm in this urban setting. Officers acknowledge that the BRE Guidelines should be applied flexibly as natural light is only one factor affecting site layout. On this basis, it is considered that overall daylight and sunlight submitted are satisfactory.

3.38 Officers consider that the habitable rooms, and neighbouring gardens would have sufficient access to daylight and sunlight after the development has been constructed complying with Policy DM A9 and DM G1 of the Development Management Local Plan 2013 (to be known as policies HO11 and DC1 and DC2 of the emerging LP 2017) and SPD Housing Policy 3 and 8 (ii) and guidance set out in the Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice".`

## Light pollution

3.39 DMLP Policy DM H10 (known as policy CC12 of the emerging LP 2017) seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination. The existing buildings would be replaced by up to three storey building. The office use is likely to feature a more continuous form of illumination due to the nature of its use. However, officers do not consider the level of illumination likely to be harmful or out of character with the location. A condition requiring a strategy securing how internal lights to be turned off when not required is recommended to mitigate against unnecessary harm to sensitive receptors (Condition 46). In addition, further details are sought for approval of all proposed external illumination in order to secure a positive environment without harmful impacts upon adjacent residents or harm to the character of the area (Condition 45). As such officers consider that the proposal accords with the requirements of Policy DM H10 of the DMLP (known as policy CC12 of the emerging LP 2017).

## HIGHWAYS

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

3.41 Core Strategy Policy T1 (Policy T1 of the emerging LP 2017) supports The London Plan. Policy DM J4 of the DM LP requires new development to incorporate ease of access by disabled people and people with mobility impairment. Policy J1 (Policy T2 of the emerging LP 2017) states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policy DM J2 of the DM LP (Policy T4 of the emerging LP 2017) requires new development to accord with the car parking standards set out in the London Plan. DM J6 (Policy T6 of the emerging LP 2017) relates to development affecting the borough's road network. These are supported by SPD Transport Policies 3, 6, 12 and 22.

### Car Parking:

3.42 The site benefits from excellent level of accessibility as reflected by its 6a PTAL rating enabling employees to access the site by a range of public transport facilities. Three bus routes (22, 424 and N22) operate along New Kings providing regular services to central London. Putney Bridge Tube Station is 250m to the south of the site providing regular services to central London and Wimbledon. Both bus stops and the station are within walking distance of the site for commuters.

3.43 The applicant has provided an updated Transport Statement which includes a Transport Statement Addendum detailing information on the modal split using similar high PTAL office uses. In this case the development would be car free. No parking on site is proposed and the site is within a CPZ with a single yellow line opposite part of the application site. The car free arrangement would be secured by a Section 106 agreement.

### Cycle:

3.44 Cycle parking should be provided in line with London Plan 2011 Policy 6.9 and Table 6.3. Policy DM J5 of the DM LP (Policy T3 of the emerging LP 2017) encourages increased cycle use by seeking the provision of convenient and safe cycle parking facilities. This is supported by SPD Transport Policy 29.

3.45 The proposed 105 long stay and 10 short stay cycle parking spaces is welcomed. The plans indicate provision of cycle parking would be made at basement level accessed via a cycle lift from ground floor level. The number of cycle spaces is considered satisfactory and is secured by Condition 25.

### Refuse:

3.46 London Plan Policy 5.16 outlines the Mayor's approach to waste management. Core Strategy Policy CC3, DM LP Policy H5 (Policy CC6 and CC7 of the emerging LP 2017) and SPD Sustainability Policies 3, 4, 7, 8, 9 and 10 sets out the Council's Waste Management guidance, requiring development to incorporate suitable facilities for the

storage and collection of segregated waste. The plans indicate the provision of refuse storage and recycling facilities at basement and ground floor level. Condition 26 ensures the provision of these arrangements. The proposals include a loading bay on Hurlingham Road adjacent to the service entrance. Refuse will be trolleyed from the storage area at basement level via a goods lift for collection. It is proposed that all deliveries will utilise the loading bay/yellow line. It is considered that this would be an acceptable arrangement.

#### Servicing and Delivery:

3.47 Following the previous refusal of planning permission, additional information has been provided to show comparisons between the existing quantum of traffic and the net increase anticipated as a result of the development. It is anticipated that the office proposals would likely attract 28 vehicle trips per day including deliveries, visitors and employees driving to the site, compared to an estimated 30 vehicular trips for the existing use. The Council's Highways team have reviewed this information and are satisfied that there are no grounds for objection.

#### Pedestrians

3.48 Under SPD Transport policy 17 "Where developments will have an impact on local pedestrian facilities and routes, a Pedestrian Environment Review System (PERS) assessment will be required. In this case a PERS assessment together with any relevant funding would be secured by section 106 agreement.

3.49 The delivery and servicing plan document would be secured through condition. In addition, the submission of a Travel Plan review and monitoring fees would be agreed and secured through S106 agreement.

3.50 Overall, subject to conditions and S106 obligations, the development is not expected to adversely impact on the local highway network. It is therefore considered that the proposed development would not give rise to any material impact on the surrounding highway network. It is considered that the proposal would therefore not conflict with policies DM J1 and DM J6 of the LP (Policies T2 and T6 of the emerging LP 2017) in this regard.

## ENVIRONMENTAL QUALITY

#### Flood Risk

3.51 As required, a Flood Risk Assessment (FRA) has been provided with the application. The application relates to the provision of office and other commercial space uses on the site, which are less vulnerable uses in terms of flood risk. Although the site is in Flood Zone 3, it is well protected from flooding from the River Thames by the existing flood defences in the form of the Thames Barrier and local river wall defences. If these were to be breached or overtopped, Environment Agency modelling shows that flood water would not be expected to impact on the site. Parts of the borough are known to have increased potential for elevated groundwater, but this site is not in such an area. In terms of sewer/surface water flood risk, the site is not in a flooding hotspot although as a basement is planned where it is intended to include facilities such as showers and toilets, there could be a risk of sewer surcharge flooding. Details of the inclusion of a cavity drainage system and associated sump/pumps to



remove any water ingress have been submitted. The submission provides details of the structural flood proofing measures for the basement, which are considered acceptable and would be secured through Condition 26.

#### Sustainable Urban Drainage Systems (SUDs):

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

3.53 It is not clear what level of attenuation is expected to be achieved by the SuDS measures and this will not be resolved until a contamination assessment has been carried out. Also, further information would be required on the maintenance provisions for the proposed SuDS. It is considered acceptable to attach a condition requiring the submission on the provision of a revised Drainage Strategy that deals with these points (Condition 27).

3.54 Overall, the proposed drainage and flood risk controls, as outlined in the submitted Drainage Strategy is acceptable subject to the confirmation of the issues highlighted above (Conditions 26 and 27).

#### Air Quality:

3.55 London Plan Policy 7.14, Core Strategy Policy CC4 and Policy DM H8 of DM LP (Policy CC12 of the emerging LP 2017) seek to reduce the potential adverse air quality impacts of new major developments by requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and requiring mitigation measures to be implemented to reduce emissions where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives.

3.56 The Council's Environmental Quality team have considered the proposal and have recommended a number of conditions relating to air quality, namely in relation to Air Quality Dust Management Plan, Low Emissions Strategy, and Mechanical Ventilation. This has been secured by Conditions 30-32.

#### Sustainable Design and Construction:

3.57 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 new 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. 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. Conditions 28 and 29 are attached to secure the implementation of the sustainability measures as outlined in the

Sustainability Statement and BREEAM assessment and require submission of a post construction BREEAM assessment to confirm that the measures have been implemented as required.

### Carbon Reduction

3.58 In terms of the 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 Heat Pumps are proposed and renewable energy generation is planned in the form of solar PV panels. The energy assessment shows an improvement of just over 36.8% in terms of CO2 emissions reductions compared to the minimum requirements of the Building Regulations 2013. The proposed sustainable energy measures therefore meet the required the London Plan target of a 35% reduction in emissions. Condition 28 is attached securing the implementation of the carbon reduction measures as outlined in the Energy Strategy.

### Contamination:

3.59 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and Policy DM H7 and H11 of the DM LP (Policy CC9 of the emerging LP 2017) 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.

3.60 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions would be attached covering the assessment and remediation of contaminated land if the application were to be approved (Conditions 33-38).

## COMMUNITY INFRASTRUCTURE LEVY

### Mayoral CIL

3.61 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at [www.london.gov.uk](http://www.london.gov.uk). The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3. An estimate of £ 366,757.40 plus indexation, based on the additional floorspace has been calculated.

### Local CIL:

3.62 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to

Council and approved 20 May and has formally taken effect since the 1st September 2015. Office developments are exempt from the Council's CIL.

## Planning obligations

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

3.64 Site-specific contributions would be included in the S106 agreement and would include the following:

- A S278 agreement towards highways works including improving surface treatments in the vicinity of the site.
- Travel Plan review and monitoring fees
- Pedestrian Environment Review System (PERS) assessment
- Contribution to a jobs and business employment strategy including the following:
  - o £44,980 for 'Business Engagement'
  - o £4,335 for 'Procurement'
  - o £2,500 for 'Jobs and employment'
  - o 3 apprentices
  - o 1 work placement (paid)
  - o 1 work experience
  - o Target of 10% local labour
- Commitment to meet the costs of the Council's Legal fees.

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

## 4.0 CONCLUSION

4.1 The proposed development would retain the most significant elements of the Building of the Merit and would create a well-designed mixed-use scheme that would preserve the setting of the Conservation Area and preserve the quality of the local townscape. The design, height and massing of the development would be compatible with the retained facade of the Building of Merit and the surrounding development. The development has an acceptable impact on neighbouring living and working conditions. The impact of the development subject to conditions would not have a significant impact on the highway, parking, flooding or the environment. As such the proposal is considered to be in accordance with relevant national guidance, London Plan policies, the Core Strategy, the Development Management Local Plan, Planning Guidance Supplementary Planning Document Policies, and the emerging Local Plan.

## 5.0 RECOMMENDATION:

5.1 For the above reasons, it is recommended that planning permission is granted subject to S106 agreement and conditions outlined in the report.

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