

**ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING
AND BOROUGH DEVELOPMENT**

MAJOR PLANNING DEVELOPMENT COMMITTEE
Date: 22nd February 2010

The Major Planning Development Committee is asked to note and agree the following amendments to the Committee Report.

AGENDA ITEM N9	
Application Number	PP/09/02786
Address	Wornington Green, W10
1.0	Amendments to Conditions/Additional Conditions
	<p>1: Condition 2: substitute 'Major Planning Development Committee' for 'Planning Applications Committee'</p> <p>2: Condition 4 c) to become Condition 3 f)</p> <p>3: Condition 20 replace 'life access' with 'lift access'</p> <p>4: Delete Condition 44 (it is a duplication of Condition 43)</p> <p>5: Condition 3 replace as shown:</p> <p>Prior to commencement of Phase 1 of the development full particulars of the following shall be submitted to and approved in writing by the Planning Applications Committee and the development shall not be carried out otherwise than in accordance with the details so approved and shall be so retained:</p>

6: **Condition 3 c)** delete wording and replace with:

Samples of materials and detailed drawings (at Scale 1:20) of all top storeys to Blocks 1, 2, and 3. These details should include a reduction in the floor to ceiling heights of the top storeys of these buildings

7: **Condition 3 d)** add: **including details such as parapet line, string course and cornice;**

8: **Condition 3 b)** add: **'balconies'** (after **'balustrades'**)

9: **Condition 3 e)** add **' for all of Phase 1'**

10: **Condition 4:** replace as shown:

Full particulars of the following in respect of each ~~relevant part~~ **Phase 1** of the development shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development prior to the commencement of the relevant part of the ~~development~~ **Phase 1** and the development shall not be carried out otherwise in accordance with the details so approved and shall be so retained:

11: **Condition 4 a)** add **' to external cycle stores'**

12: **Condition 5:** insert as shown:

All planting, seeding and turfing, forming part of the approved details of landscaping, shall be carried out **on a phase by phase basis** in the first planting and seeding season following the first occupation of **that phase of the** development or the completion of the development **of each phase** whichever is the sooner and any trees or plants which, within a period of 5 years from the first planting and seeding season referred to above, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives its

written consent to any variation.

13: **Condition 6:** insert as shown:

During the implementation of this permission, no **trees identified within the tree retention strategy hereby approved within** the curtilage of the site shall be lopped, topped, or felled, or root pruned, without the prior written approval of the Executive Director, Planning and Borough Development

14: **Condition 7:** insert as shown:

The works shown on drawing No 50015401-TS-001 (**Rev L**) and the Existing Tree Condition and Tree Retention Strategy detailing tree removal, tree retention, tree protection and new planting during Phase 1 of the development hereby approved shall be completed in full. Any alterations to these drawings shall be submitted to and agreed in writing by the Executive Director, Planning and Borough Development prior to the commencement of the relevant part of the works and shall not be carried out otherwise in accordance with the details so approved.

15: **Condition 8:** insert as shown:

The tree protection scheme as indicated on Drawing No 50015401-TP-001 (**Rev F**) should be adopted and approved by the Executive Director, Planning and Borough Development prior to the commencement of works on site and shall not be carried out otherwise than in accordance with the details so approved.

16: **Condition 9 :** insert as shown:

Notwithstanding the details shown on Drawing 50015401-DT-011 Rev-~~D~~ **Rev E**, further details of the drainage system shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development prior to the commencement of works on site and the development shall not be carried out otherwise in accordance with the details so

approved.

17: **Condition 10** amend as shown:

A suitably qualified arboriculturist with membership of the appropriate professional body shall be appointed to supervise the tree protection measures throughout the ~~entire duration of the~~ development which have been submitted by the applicant and approved by the local planning authority throughout the entire duration of the development, **on a phase by phase basis**. These measures shall include all protective fencing around existing trees and excavations and storage of materials within the root protection areas. The **terms of the** appointment shall be confirmed in writing to the Executive Director, Planning and Borough Development prior to the commencement of development.

18: **Condition 11** amend as shown:

For each phase of the development, noise levels within habitable rooms shall comply with the recommendations of BS8233:1999 'Sound Insulation and noise reduction for buildings. The sound insulation of the facades of the buildings shall achieve the standard of sound insulation required, as defined in BS8233:1999. Details of the facade construction, including glazing, with commensurate composite sound insulation performance predictions shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development, in consultation with the Director of Environmental Health prior to the commencement of the relevant part of the development and shall be installed prior to occupation of the relevant part of the development and be so retained. **Unless otherwise agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health.**

19: **Condition 12** amend as shown:

Prior to the commencement of works on site **for each phase** (including works of demolition) a 'Demolition and Construction Method Statement (DCMS) shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health **in respect of this phase** . The Method Statement shall detail and include measures in accordance with the best practicable means, used to minimise construction noise and vibration. The DCMS shall include reference to the paragraphs 8.93 - 8.96 of the submitted Environmental Statement Vol 1 (prepared by Campbell Reith Hill LLP) . The details so approved shall be implemented in full. **Unless otherwise agreed in writing by Executive Director, Planning and Borough Development in consultation with Director of Environmental Health.**

20: **Condition 14** amend as shown:

Prior to the commencement of works **for each phase** , a noise survey and report **relating to this phase** shall be submitted to and agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The report shall show how noise from building services plant when installed will comply with conditions ~~12 and 14~~ **11 and 13** and the Rating Noise Limits for electrical and mechanical plant in Table 8.24 of the submitted Environmental Statement Vol 1 (prepared by Campbell Reith Hill LLP). The measures in the report so approved shall be implemented in full **on a phase by phase basis** and be so maintained.

21: **Condition 16** amend as shown:

If ventilation systems are required in order to comply with the requirements of Condition ~~10~~, 11 shall comply with Document F1 of the Building Regulations 2000 (as amended). All ventilation systems installed shall have adequate sound attenuation properties that maintain the facade sound insulation as required by Condition ~~10~~-11.

22: **Condition 17** amend as shown:

Vibration Dose Values (VDVs) as defined in BS 6472-1:2008 shall not exceed those Table 1 of BS 6472. The measured or calculated VDVs generated as a result of vibration affecting the site shall be adjusted as necessary to allow for transfer functions from the ground to the foundations and to the upper floors of the proposed development. Where it is predicted that Vibration Dose Values will exceed those stated in Table 1, at any floor, mitigation measures to reduce vibration dose values to the levels stated in Table 1 BS 6472 shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The measures so approved shall be implemented in full **on a phase by phase basis** and so retained.

23: **Condition 19** amend as shown:

For each applicable phase of the development (ie any phase providing uses within Classes A1, A2, A3, A5 and/or Class B1) Prior to the commencement of the relevant part of the development, a Servicing Management Plan in respect of the non residential floorspace (within Classes A1, A2, A3, A5 and/or Class B1) shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways. The submitted plan should include the following:

- how delivery vehicles and servicing will be managed on site
- the hours of deliveries and servicing, timed to avoid peak traffic hours
- how deliveries will be controlled to ensure that the development does not adversely affect the highway
- an explanation of the controls on the types and sizes of vehicles accessing the site to ensure they are appropriate to the local area and environmentally acceptable in terms of exhaust and noise emission. No articulated vehicles will be accepted
- the plan should comply with the London Lorry Control Scheme operated by London Councils and with any other heavy goods vehicle controls
- details (including a plan) showing when and where legal on street servicing can take place

The development shall not be carried out otherwise in accordance with the details so approved and shall be so maintained.

24: **Condition 20** amend as shown:

Prior to the commencement of the relevant part of the development, details of the following shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways and **each phase of** the development shall not be carried out otherwise in accordance with the so details so approved and shall be so maintained. The details should demonstrate:

- how the development would meet the Councils minimum cycle parking standards for both the residential and non-residential uses;
- the provision of suitable showering and changing facilities **for the non residential uses**
- how the ~~life~~ **lift** access to the basement to Blocks **1, 2 and 3** is suitable for cycles.

25: **Condition 21** amend as shown:

The net internal area (NIA) of the garages to **the residential properties in** Munro Mews hereby approved shall be 2.7 metres in width and 5 metres in length and be so retained

26: **Condition 22** amend as shown:

A Car Park Management Plan shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways prior to commencement of each Phase of the development. The Car Park Management Plan should include the following:

- how **the off street** car parking spaces shall be allocated between tenure types;
- confirmation that the parking provision and its allocation respects the Council's maximum car parking standards, taking into account the provision of new on street parking;
- that all **off street** car parking spaces should be used for the residents of the estate only, except for those spaces reserved for service vehicles;
- how electric car charging points **for the off street parking** will be provided and managed.

The development shall not be carried out otherwise than in accordance with the details so approved and shall be so maintained.

27: **Condition 23** amend as shown:

For each phase of the development, prior to commencement of the relevant part, a detailed safety audit of all new roads and junctions **within that phase** shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways prior to the approval of the detailed design of the roads and junctions that are contained in the Safety Audit so approved.

28: **Condition 24** amend as shown:

No more than 99 **123 off street** car parking spaces shall be permitted in Phase One and no more than 344 **378 off street** car parking spaces shall be permitted in total (Phases 1-5) of the development hereby approved and shall be allocated for use by occupiers of the **affordable and** market residential units.

29: **Condition 25** amend as shown:

Prior to the commencement of each phase of the development, a Car Park Phasing Plan shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways. The Car Park Phasing Plan shall be submitted on a block by block basis. The whole of the car parking spaces contained in the Car Park Phasing Plans hereby approved shall be ~~The whole of the car parking spaces hereby approved shall be~~ provided before the dwellings are occupied and the spaces shall thereafter be permanently retained for the parking of vehicles in connection with the residential use of the dwellings and for no other purpose except for those spaces reserved for service vehicles which have been identified in the approved Car Parking Management Plan **unless otherwise agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways.**

30: **Condition 26** amend as shown:

A site investigation and risk assessment must be undertaken to assess the nature and extent of any contamination on the site prior to commencement of each phase of the development hereby approved. This must be undertaken by competent persons and a written report of the findings must be produced. The risk assessment shall assess the degree and nature of any contamination identified in the site investigation

and assess the risk posed by any contamination to human health, controlled waters and the wider environment. The written report must be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health prior to remediation works commencing. This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*. The development must not be carried out otherwise in accordance with the details so approved **unless otherwise agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health.**

31: **Condition 27** amend as shown:

If required a detailed remediation scheme must be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health prior to commencement of each phase of the development hereby approved. The scheme hereby approved should be capable of enabling the site to be suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. Each of the phases of the development shall not be carried out otherwise in accordance with the details so approved. **Unless otherwise agreed in writing by Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health.**

32: Condition 28 amend as shown:

For each of the phases of the development, following completion of measures identified in the remediation scheme that has been approved by the local planning authority, **where it has been necessary** a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and should be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health and the measures contained in the report shall be implemented in full.

33: **Condition 29** amend as shown:

In the event that contamination is found at any time when carrying out the development hereby approved that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An additional investigation and risk assessment must be undertaken in accordance with the requirements of ~~condition 25~~, **Condition 26** and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of ~~condition 26~~, **Condition 27** which is subject to the approval in writing of the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health.

34: **Condition 30** amend as shown:

Prior to commencement of the development hereby approved, an additional air quality impact assessment is required to be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The air quality assessment must show how air quality will change during the construction and operational phase of the development alone and in combination with other cumulative developments and include a baseline comparison. The

London Council's 'Air Quality and Planning Guidance' should be reported in the recommended format. The report should detail the parameters and measures undertaken to reduce the impact on the local environment. The assessment shall show any mitigation measures with regard to exposure to air pollution levels exceeding the national air quality objectives and how the impact of the development on the local environment will be reduced. Any such measures so approved shall be implemented in full **on a phase by phase basis**. Further air quality assessments detailing all of the above requirements shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health prior to the commencement of each subsequent phase of the development.

35: **Condition 31** amend as shown:

Prior to the commencement of the development **of Phase 1** hereby approved and at each subsequent phase of the development a low emission strategy shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The low emission strategy should address all traffic generated during the operational phase and energy and heating plant. The strategy should be in line with guidance contained in the Wornington Green and Air Quality Supplementary Planning Documents. The Low emissions strategy should also take into account the London Councils (2007) Air Quality and Planning Guidance and Defra guidance on Low Emissions Strategies -. A comparison of emissions from both the transport component and boiler plant from the existing development and the new development should be produced to compare current and future levels. Whole site calculations should be produced and a comparison of emissions per unit. The low emission strategy should include measures such as reduced parking levels, permit free, installation of electric charging points and the allocation of car club spaces.

36: **Condition 32** amend as shown:

No boilers shall be brought into use until details of the fuel type to be used and a boiler maintenance schedule have been submitted to and approved in writing **on a phase by phase basis** by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. All boilers must be exempt appliances under the Clean Air Act 1993 and meet the equivalent of NOx5 rating. The development shall not be carried out otherwise than in accordance with the details so approved.

37: **Condition 33** amend as shown:

Prior to the commencement of works **within each phase of the development** a risk assessment shall be undertaken based on guidance in the London Best Practice Guidance to control dust and emissions from construction and demolition, and be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The development shall not be carried out otherwise in accordance with the details approved.

38: **Condition 34** amend as shown:

Prior to the commencement of **development of Phase 1** ~~the development~~ and at each subsequent phase of the development, a detailed Waste Strategy shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Directorate for Waste Management, Culture and Leisure and this shall include the following:

- locations of bin storage areas and collection points (showing which storage areas would serve which blocks);
- capacity of storage areas (including how many residents would be served by each area);
- identify ~~and~~ **any** spare future capacity for bin storage

areas;

- routes through estate for collection vehicles and a management plan for the maintenance of these routes;
- vehicle turning areas and associated dimensions;
- routes to be negotiated by waste crews and residents including details of road and pavement finishing;
- measures undertaken for on site management of waste strategy;

The development shall not be carried out otherwise in accordance with the details so approved.

39: Condition 35 amend as shown:

Prior to the commencement of development of **Phase 1** a scheme of sound insulation, designed to prevent the transmission of excessive airborne and impact noise between the ground floor commercial uses (lock ups within Use Class B8) ~~to Wornington Road~~ (in Block 1) and the residential use at first floor levels and above has been submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The sound insulation shall be installed and maintained only in accordance with the details so approved. The residential dwelling(s) shall not be occupied until the approved scheme has been fully implemented.

40: Condition 36 amend as shown:

Prior to commencement of development of **Phase 1** a scheme of sound insulation, designed to prevent the transmission of excessive airborne and impact noise between the ground floor commercial uses and the residential uses at first floor level and above of Block 2) has been submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The sound insulation shall be installed and maintained only in accordance with the details so approved. The residential dwelling(s) shall not be occupied until the approved scheme has been

fully implemented.

41: **Condition 37** amend as shown:

Prior to commencement of development **of Phase 1** details of the proposed door mechanism showing method of closing of the entrance doors to the market lock ups at ground floor level of Block 1 shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Directorate of Waste Management, Cultural and Leisure Services. The residential units at first floor level and above the lock up units in Block 1 should not be occupied until the details so approved have been implemented in full.

42: **Condition 41** amend as shown:

The proposed **temporary (in Phase 1) and permanent (in Phase 2)** Combined Heat and Power plant and biomass boiler shall be maintained in accordance with manufacturers' instructions and shall be made available for use prior to the occupation of any of the proposed residential units.

43: **ADD Condition 44:**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or any order revoking and re-enacting that Order, development within Part 1 Schedule 2 Class A, B, C, D, E, F, H and Part 24 Class A is not permitted in relation to the proposed town houses in Blocks 2 & 3, and the Mews houses in Block 1

Reason - To ensure a satisfactory standard of external appearance to the proposed buildings and to safeguard the visual amenity of the area.

44: **ADD Condition 45**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 or any order revoking and re-enacting that Order, development within Part 1 Schedule 2 Class H and Part 24 Class A is not permitted.

Reason - To ensure a satisfactory standard of external appearance to the proposed buildings and to safeguard the visual amenity of the area.

45: **ADD Condition 46:**

The main roofs to the town houses located in Blocks 2 & 3 hereby approved shall not be used at any time for roof terraces, and no water tank, or other roof structure, shall be erected on top of the roofs hereby approved.

Reason - To protect the privacy and amenity of neighbouring properties and to safeguard the visual appearance of the buildings from additional clutter at high level. (R079)

46: **ADD Condition 47:**

Prior to commencement of Phase 2 of the development an additional Design Code document containing the principles and parameters to inform Phases 2-5 including guidance on unit layouts and/or space standards in relation to the residential accommodation shall be submitted to and approved in writing by the Planning Applications Committee, and the development shall not be carried out otherwise than in accordance with the details so approved.

Reason - To ensure that the proposals put forward for phases 2-5 of the development meet the aspirations of the London Plan and the Borough's Unitary Development Plan to deliver high quality development.

47: **ADD Condition 48:**

Notwithstanding the details on the drawings hereby approved, all internal doors, entrances and lift doors to the residential accommodation within Blocks 1, 2 & 3 shall have a minimum clear opening width of 900mm and so maintained. These works shall be implemented prior to the occupation of any residential unit within a completed Block.

Reason - To ensure that the development provides adequate accessibility to all.

48: **ADD Condition 49:**

No loudspeakers, relay equipment, music or musical instruments shall be played or used within the any of the non residential uses provided within any of the phases of the development hereby approved (ie those uses within Classes A1, A2, A3, A5, B1 and D1 of the Town and Country Planning Use Classes Order 1987 (as amended)) so as to be audible outside the premises.

Reason - To safeguard the amenities of occupiers of neighbouring properties.

49: **ADD Condition 50:**

The non residential uses provided within any of the Phases of the development hereby approved (ie those uses within Classes A1, A2, A3, A5 and/or Class B1 of the Town and Country Planning Use Classes Order 1987 (as amended)) shall not be carried out between the hours of 23:00 hours and 07:00 hours the following day

Reason - To safeguard the amenities of occupiers of neighbouring properties.

50: ADD Condition 51:

Prior to commencement of Phase 1 of the development detailed drawings (at least Scale 1:50) of the Portobello Road elevation of Block 2 in respect of the floor to ceiling heights (above ground floor level) , top storey and chamfered corner details to the front elevation and footprint shall be submitted to and agreed in writing by Executive Director, Planning and Borough Development and the development shall not be carried out otherwise in accordance with the details so approved.

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that all the details of the development are satisfactory.

51: ADD Condition 52:

All residential accommodated included within Blocks 1, 2 and 3 of Phase 1 of the development hereby approved shall have an internal floor to ceiling height of 2700mm except for the final storey of accommodation to these Blocks excluding the Portobello Road elevation of Block 2 and be so retained unless otherwise agreed by Executive Director, Planning and Borough Development.

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that all the details of the development are satisfactory.

52: ADD Condition 53:

Prior to the commencement of Phase 2 of the development, details of the means of access to the off street car park, the layout of Block 6 and access to all residential blocks in Phases 2-5 of the development shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development.

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that all the details of the development are satisfactory.

53: ADD Condition 54:

All off street parking to be provided within Phases 2-5 of the development hereby approved shall be provided within a full basement storey.

Reason - To ensure a satisfactory standard of external appearance.

54: ADD Condition 55:

Prior to commencement of Phase 1 of the development, details of all security measures (including CCTV and security to the off street parking areas) shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development and these measures so approved shall be implemented in full prior to the occupation of Blocks 1,2 or 3.

Reason - To ensure a satisfactory standard of safety and security and to ensure compliance Policy CD39.

55: ADD Condition 56:

Prior to commencement of Phase 1 of the development details of the heat insulation between the lock ups (within Class B8) at ground floor level of Block 1 and the temporary energy centre located at basement level of Block 1 shall be submitted to and agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Directorate of Waste Management , Cultural and Leisure Services . The details so approved shall be implemented in full prior to the use of lock ups (within Class B8) in Block 1 commences.

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that all the details of the development are satisfactory.

56: ADD Condition 57:

The non residential floorspace provided by the development (within Classes A1, A2, A3, A5 and/or B1 of the Town and Country Planning Use Classes Order 1987 (as amended)) at ground floor level to the Portobello Road elevation of Block 2 shall have an internal floor to ceiling height of 3500mm and be so retained

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that all the details of the development are satisfactory.

57: ADD Condition 58:

The lock ups (within Class B8) provided by the development at ground floor level in Block 1 to Wornington Road shall have an internal floor to ceiling height of 3500mm and be so retained.

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that all the details of the development are satisfactory.

58: ADD Condition 59:

The commercial units hereby approved within A1, A2, A3, A5 and/or B1 Use Classes shall not at any time be used or occupied otherwise than as separate units each providing a maximum floorspace of 400 sq.m. (GEA) including units which result from any amalgamation of commercial units within the development hereby approved

Reason - To ensure that neighbourhood centres are not harmed as a result of increased floorspace outside of a neighbourhood centre and to prevent increased servicing requirements.

59: ADD Condition 60:

Development of any phase of the development other than phase 1, shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Executive Director, Planning and Borough Development I consultation with the Environment Agency. In drawing up the final details of the drainage scheme, the provision of SUDS measures should be no less than those identified in the drainage surface water addendum document and the details shown on drawing 9797 C190 unless otherwise agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Environment Agency. The scheme shall also include details as to how the drainage system will be managed and maintained in perpetuity. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason - To minimise the risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the drainage network.

60: **ADD Condition 61:**

Development of any phase other than Phase 1, shall not begin until details and calculations demonstrating the following runoff rates and provision of attenuation volumes for the 100 year rainfall event have been achieved:

- **Proposed runoff rates for Phase 2 shall be limited to 7l/s and no less than 120m³ of attenuation storage is to be provided.**
- **Proposed runoff rates for Phase 3A shall be limited to 7l/s and no less than 102m³ of attenuation storage is to be provided.**
- **Proposed runoff rates for Phase 3B shall be limited to 29l/s and no less than 371m³ of attenuation storage is to be provided.**
- **Proposed runoff rates for Phase 4A shall be limited to 7l/s and no less than 99m³ of attenuation storage is to be provided.**
- **Proposed runoff rates for Phase 4B shall be limited to 17l/s and no less than 233m³ of attenuation storage is to be provided.**
- **Proposed runoff rates for Phase 5 shall be limited to 7l/s and no less than 189m³ of attenuation storage is to be provided.**

The details above shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details by completion of each phase of the development.

Reason - To minimise runoff rates and volumes leaving the site which could result in an increased risk of flooding.

61: ADD Condition 62:

Prior to the commencement of Phase 1 details of a final surface water drainage scheme for the site, based on sustainable drainage principles set out in the Campbell Reith Surface water addendum and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

In drawing up the final drainage scheme for phase 1, the provision of SUDS measures shall be no less than that shown on drawing 9797 C190 unless otherwise agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Environment Agency and should include:

- Runoff limited to no more than 35l/sec for the 100 year event and provision of no less than 482m³ of attenuation storage.**
- Greenroofs on all proposed buildings.**
- Lined infiltration trenches.**
- Courtyard areas with substrate over basements.**
- No less than 30m³ of rainwater harvesting.**

Reason - To minimise the risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the drainage network.

62: ADD Condition 63:

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Executive Director, Planning and Borough Development in consultation with the Environment Agency which may be given for those parts of the site where it has been

	<p>demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details on a phased basis. If the proposed piling/earthworks exceeds a depth of 22m the method should be agreed with the Environment Agency.</p> <p><i>Reason - To avoid creating a pathway between the shallow, contaminated soils and the deep aquifer.</i></p>
2.0	<p>Points of Clarification in report</p>
2.1	<p>In paragraph 4.9 of the main report the density of the development is stated as being 519 hr/ha (using the GLA methodology). This figure was based on a total of 932 residential units across the whole development. The number of units has decreased to 919 as a result of changes to the heights. This results in an amended density figure of 512 hr/ha (using GLA methodology) which is still within the density range identified in table 3A.2 of the London Plan and complies with policy 3A.3.</p>
2.2	<p>In paragraph 2.3 of the main report the schedule of proposed land uses includes an error relating to the percentage of open space proposed in phases 2-5. The table is amended to show the correct figure of 49.9% (see following page).</p>

	Existing		Proposed Phase 1		Indicative Phases 2 to 5		Total	
	Units (%)	Hab Rm (%)	Units (%)	Hab Rm (%)	Units (%)	Hab Rm (%)	Units (%)	Hab Rm (%)
Affordable (social rented and shared ownership)								
1 bed	209 (39%)	418 (25.7%)	79 (43.2%)	158 (30.3%)	212 (55.1%)	424 (40.5%)	291 (51.2%)	582 (37.1%)
2 beds	154 (29%)	462 (28.5%)	60 (32.8%)	180 (34.6%)	96 (24.9%)	288 (27.6%)	156 (27.5%)	468 (29.9%)
3 beds	130 (24%)	520 (32%)	37 (20.2%)	148 (28.4%)	61 (15.8%)	244 (23.3%)	98 (17.3%)	392 (25%)
4+ beds	45 (8%)	225 (13.8%)	7 (3.8%)	35 (6.7%)	16 (4.2%)	90 (8.6%)	23 (4%)	125 (8%)
Total	538 (100%)	1625 (100%)	183 (100%)	521 (100%)	385 (100%)	1046 (100%)	568 (100%)	1567 (100%)
Market								
1 bed	0	0	47 (33.3%)	94 (22.4%)	24 (11.4%)	48 (7.5%)	71 (20.2%)	142 (13.4%)
2 beds	0	0	67 (47.6%)	201 (48%)	157 (74.8%)	471 (74.2%)	224 (63.8%)	672 (63.8%)
3 beds	0	0	27 (19.1%)	124 (29.6%)	29 (13.8%)	116 (18.3%)	56 (16%)	240 (22.8%)
4+ beds	0	0	0	0	0	0	0	0
Total	0	0	141 (100%)	419 (100%)	210 (100%)	635 (100%)	351 (100%)	1054 (100%)
Total	538	1625	324	940	595	1681	919	2621
% Affordable	100%	100%	56.5%	55.4%	64.7%	62.2%	61.8%	59.8%
% Market	0%	0%	43.5%	44.6%	35.3%	37.8%	38.2%	40.2%

Social / shared ownership mix								
Shared ownership (all 1 beds)	0 (0%)	0 (0%)	9 (4.9%)	18 (3.5%)	21 (5.5%)	42 (4%)	30 (5.3%)	60 (3.8%)
Social	538 (100%)	1625 (100%)	174 (95.1%)	503 (56.5%)	364 (94.5%)	1004 (96%)	538 (94.7%)	1507 (96.2%)
Affordable	538	1625	183	521	385	1046	568	1567

Non residential land uses (GEA)								
	Units	Floor area (m ²)	Units	Floor area (m ²)	Units	Floor area (m ²)	Units	Floor area (m ²)
Commercial (A1, A2, A3, A5 & B1)	-	861*	-	400	-	2704	-	3104
Market Lock ups	20	250	20	300	0	0	20	300
Community facilities (incl. adventure playground)	-	1871 #	-	0	-	1883	-	1883
Open space (incl. Ball court)	-	9186	-	4602 (50.1%)	-	4584 (49.9%)	-	9186
Total non residential floor area	-	12168	-	5339	-	8980	-	14473

*Figure from Schedule F of the Planning Application Form and not verified by RBKC.
 # Represents the floor area of the Venture Centre . This does not include the other social and community uses which exist on the site

3.0	Additional Representations Received
3.1	<p>An additional 33 representations have been received in relation to the scheme and a petition. The representations received include further letters of objection and 13 letters of support with the remainder being comments. The petition received has 540 signatures in relation to the Wornington Green Estate Proposal. The additional objections were made on the following grounds;</p> <ul style="list-style-type: none"> • Noise and disturbance during the day during the construction, including dust and air pollution. • Loss of local community. • The loss of the park and trees as a result of the development. • The loss of garages on Munro Mews. • Retail units being located below residential units. • The heights, architectural quality and design of the proposed buildings. • The scale and appearance of the blocks proposed. • Low levels of sunlight/daylight within the development and the effect on neighbouring buildings. • Less bedrooms are proposed than existing. • The relocation of the park will result in a loss of community facilities. • Loss of privacy to residents along Portobello Road. • There will be an over-supply of commercial floorspace. • Lack of notice regarding the development. • No justification for total redevelopment. • Possibility of restaurant uses increasing noise and traffic including unsociable hours. • The scheme being unviable. • Increased traffic as a result of the reconnection of the junction of Portobello Road, Wornington Road to Ladbroke Grove. • Lack of external storage. • Security within the proposed blocks.

<p>3.2</p> <p>Response to objections</p>	<p>Noise and disturbance during the construction and increased dust and air pollution, has been considered and a number of conditions have been recommended to mitigate against the potential effects of the redevelopment of the estate. Additional modelling work has also been carried out in relation to Air quality which has been assessed and conditions are recommended to ensure that measures are put in place to mitigate potential effects. Please also see the attached response from the Director of Environmental Health regarding noise during construction.</p> <p>The potential loss of the local community has been discussed in paragraph 8.3 of the main report.</p> <p>The loss of the park and trees has been discussed in paragraphs 8.4 & 8.5 of the main report.</p> <p>In terms of the loss of garages along Munro Mews, the development includes the reprovision of the Market Trader Lock-ups as discussed in paragraph 8.5 of the main report. The garages on the eastern side of Munro Mews do not form part of the application.</p>
<p>3.3</p>	<p>Residential units located above retail units is considered to be a positive element, removing residential units from a potentially busy street frontage and giving privacy to the occupiers. This is considered to be acceptable and is discussed generally in section 6 of the report.</p> <p>The height, scale and appearance of the buildings in the development has been discussed in more detail in the Senior Urban Design Officer's comments in section 4.22 of the main report.</p> <p>The levels of daylight/sunlight have been discussed in paragraphs 8.11, and section 6.0 of the main report.</p> <p>The number of bedrooms proposed in the affordable social rented units is based upon the existing housing need as discussed in paragraph 4.10. At the current time the proposal will meet the current housing need for the estate and is considered to be acceptable. A revised housing needs assessment will be required at each phase of the development so that the amount of units can be assessed as</p>

	<p>the housing needs change across the development.</p>
3.4	<p>The relocation of the park has been discussed in paragraph 8.4 of the main report.</p> <p>Privacy has been addressed in paragraph 6.8 of the main report.</p> <p>The commercial uses proposed have been discussed in more detail in paragraphs 4.18, 4.19 & 4.20 and are considered to be acceptable in the proposal.</p> <p>The application has been carried out in accordance with the Town and Country Planning (General Development Procedure) (Amendment) (No. 2) (England) Order 2009 and the appropriate statutory consultation has taken place. It is however accepted that the time period for making a representation on an application of this size with the level of information submitted is short, but is within the guidelines in the above order.</p>
3.5	<p>The justification for the development is stated in section 1.3 of the adopted SPD for the site. It was concluded by an appraisal panel that the redevelopment of the estate was the only realistic option to ensure the delivery of better housing. This was assessed by the Council's Overview and Scrutiny Committee on the Public Realm, who also concluded that redevelopment was the best way to proceed.</p> <p>The justification overall is related to the quality of the housing and the need for all Affordable Social Rented housing to be up to 'Decent Homes' standards by 2014 in accordance with the Government's Decent Homes Agenda as stated in Chapter 1 of the adopted SPD for the site.</p> <p>The impact of commercial uses on traffic has been assessed by the Director of Highways and Transportation. This is discussed in the body of the main report in section 5 and is considered to be acceptable. A condition has been recommended requesting a service management plan is submitted and approved.</p> <p>The financial viability of the scheme has been assessed</p>

	<p>independently by the (VOA) Valuation Office for London, and the HCA have committed to adding additional funding to the scheme to ensure its delivery. The assessments carried out are considered to be sufficient in evidencing the viability of the scheme.</p>
<p>3.6</p>	<p>Increased traffic as a result of the junction linking Portobello Road, Wornington Road & Ladbroke Grove has been discussed in section 5 of the main report.</p> <p>External storage space is discussed in paragraph 8.6.</p> <p>The security measures proposed for the blocks has not been given in detail at this stage. A condition is recommended requiring a scheme of security measures to be submitted in relation to entrances, CCTV and core access.</p>
<p>3.7 Amenity Societies</p>	<p>The Golborne Forum, the Open Door Friendship Centre, the Kensington Society and the Open Space Society have submitted additional comments relating to the application. In summary, there is still concern regarding the following: The building fronting Portobello Road part of block 2 is unsympathetic to the surrounding buildings and would result in a loss of amenity. In addition the blocks to the northern end of Portobello Road are also likely to have an impact and will overshadow the Open Door Friendship Centre. The loss of trees as a visual amenity on the estate, the increased levels of density, a request for an increased provision of open space and social and community use floorspace in the form of Athlone Gardens and the Venture Centre to be included. The number of larger family sized units provided in the redevelopment, and internal and external storage facilities. Additional comments relating to traffic, the impact of additional commercial floorspace on the Golborne Road Market, and the absence of a flood risk assessment. The Golborne forum does welcome the reduction in heights made in the amendments.</p> <p>These comments have been discussed in paragraphs 8.13 and in the Senior Urban Design Officer's comments paragraph 4.22 of the main report. The Flood risk assessment is located within the Environmental Statement submitted, however further information was submitted upon</p>

	<p>the Environment Agency's request which was received 15th February 2010. A number of conditions have been recommended to mitigate any possible flood risk within the development. The replacement of the open space is to be secured through Planning Obligation and a land agreement.</p>
4.0	<p>External Consultees</p>
4.1 CABE	<p>A formal response from CABE (Commission for Architecture and the Built Environment) was received 12th February 2010. A copy of the letter is attached in full. In conclusion CABE support the masterplan in principle, but suggest the massing of the railway block needs to be resolved and the approach to the park to be developed by the Local Authority before a planning application is determined. CABE also note that the planning authority will need to ensure that a design code sets out clear principles to control the quality of future phases.</p> <p>A condition is recommended to require an additional design code to be submitted for the development.</p>
4.2 GLA	<p>The GLA (Greater London Authority) Stage 1 Report as required for Strategic Planning Applications was received 12th February 2010. A copy of the stage 1 report is attached in full.</p> <p>The GLA state that the application does not comply with the London Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The maximum amount of affordable housing. 2. The affordable housing mix (loss of family housing). 3. Urban design and access (space standards and accessible unit layouts). 4. Securing the delivery of the open space is unclear. 5. The Play Space strategy falls short of the GLA's methodology for play provision. 6. The energy strategy is non-compliant, as it does not give a strategic approach or articulate how the network will grow as phases come forward. 7. Transport, in terms of the increase in overall number of car parking spaces on the site. <p>Response to points;</p>

1) The maximum amount of affordable housing has been assessed independently by the VOA in relation to the viability of the scheme. The VOA report concluded that the maximum amount of affordable housing was being provided. The GLA have been issued with this report since the Stage 1 was completed.

2) The affordable housing mix does require further justification. The proposed breakdown is for the whole of the outline planning consent, with detailed planning consent only sought for phase 1. The applicant's intention is to come back with detailed applications for later phases, which are likely to further revise the dwelling mix, and therefore change habitable room numbers too.

The reduction in habitable rooms arises from a larger than usual number of smaller flats, which therefore include a greater proportion of non-habitable rooms, such as bathrooms, and circulation space, than would larger flat sizes. The unit mix arises from a specific need of the scheme at this stage to demonstrably provide housing for all of the existing tenants of the estate. Amongst existing tenants, a number are under-occupiers, requiring smaller units than currently, and a number are over-crowded households, where adult family members have expressed a desire to be divided out into separate small units. The combination of these factors provides for a larger than typical number of smaller units in the initial mix proposal. The requirement to submit a Housing Needs assessment at each phase is to be secured through planning obligation.

3) The space standards for the dwellings are in accordance with the adopted SPD for the site and are to Parker Morris and HQI standards whichever the larger and a condition is recommended to secure these standards. The accessible units have been assessed by the Council's Access Officer and a condition is recommended to secure the provision of suitable space standards for accessible units.

	<p>4) The re-provision of open space on the site is to be secured by planning obligation and a separate land agreement.</p> <p>5) The combined improvements resulting from the creation of the new Open Space (Athlone Gardens) will provide sufficient play space for the development, and the new social and community use has additional outdoor space that can add to the play space offer. (See attached comments from Family & Children's Services).</p> <p>6) In terms of the energy strategy, a number of conditions are recommended requiring a feasibility study to be submitted assessing how the proposed energy centre, and infrastructure could connect to a wider network and the details of any proposed CHP plant and infrastructure including cabling.</p> <p>7) The increase in the number of parking spaces has been assessed by the Director of Highways and Transportation and is considered to be acceptable. At the time of writing the report, a meeting had been scheduled to further discuss this point with TFL (Transport for London). The outcome of this discussion will be reported to the committee.</p>
<p>4.3 EA</p>	<p>The EA (Environment Agency) has submitted revised comments to the application received 17th February 2010 in relation to the revised Flood Risk Assessment. The EA has no objection in principle to the development and recommend a number of conditions relating to flood risk mitigation, the provision of sustainable urban drainage measures as set out, details of run-off rates, surface water drainage and groundwater protection as set out in the conditions section of this addendum report.</p> <p>The revised Flood Risk Assessment has been assessed by Council Officers and in principle the proposals are acceptable. The applicants have stated that the design will ensure that these habitable spaces within basement accommodation are not at risk of flooding in the event of a storm, as the proposal includes flow control chambers, attenuation and rainwater harvesting tanks to reduce flood risk to basements.</p>

4.4 NHS PCT	The NHS Primary Care Trust have commented on the application and note that the increased population will have an impact on the provision of services. A financial contribution towards healthcare provision is sought through planning obligation to address this need.
5.0	Internal Consultees
5.1 Family & Children's Services	Family and Children's Services have commented on the application and have no in principle objection to the proposed development. The provision of a new park of equivalent size to the existing Athlone Gardens is welcomed and is the reprovision of social & community of equivalent size. It is noted that during building works, there will be major disruption to the park. It is important that the interim arrangements provide good quality play, especially for the younger age range of 0-8 year olds. The design of the reprovided open space and the interim open space during development is to be controlled by the council and will involve a separate consultation exercise. The design and consultation for the parks facilities do not form part of the submitted planning application.
5.2 Access Officer	The Council's Access Officer assessed the amended plans for the scheme in relation to the accessible units and in principle has no objection to the scheme. A condition is recommended to ensure minimum door widths are provided throughout the blocks to provide for full accessibility (refer also to GLA response).
6.0	'Building For Life' Assessment
6.1	Building for Life assessments measure the design quality of new housing developments. An independent Urban Design Officer assessed the scheme for the council and rated the development regarding the 20 criteria as set out. The development scored 'a 14.5 which is within the 'Good' grade in terms of Building for Life grading (see below), but does not reach Very good grade. 16 or more – Very good 14-15.5 – Good

	10-13.5 – Average 9.5 or fewer - Poor The full assessment is attached in full.
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