

7 March 2012

**Fulham Football Club, Craven Cottage**

in the London Borough of Hammersmith &amp; Fulham

planning application no. 2012/00038/FUL

**Strategic planning application stage 1 referral (new powers)**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Redevelopment of Riverside stand to increase stadium capacity by approximately 4,300 seats providing a total resultant capacity of 30,000 seats. The proposals also involve new river wall, new river walkway, 1,000 sq.m. retail space (with restrictions) and four new residential units.

**The applicant**

The applicant is **Fulham Stadium Limited** and the Architect is **KSS**.

**Strategic issues**

The application raises a number of strategic matters including impact on the Blue Ribbon Network, urban design, climate change and transport matters.

**Recommendation**

That Hammersmith & Fulham be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 104 of this report; but that the possible remedies set out in paragraph 106 of this report could address these deficiencies.

**Context**

1 On 30 January 2012, the Mayor of London received documents from Hammersmith & Fulham Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 9 March 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1C of the Schedule to the Order 2008:

Category 1C

*1. Development which comprises or includes the erection of a building of one or more of the following descriptions—*

- (a) the building is more than 25 metres high and is adjacent to the River Thames;*  
*(c) the building is more than 30 metres high and is outside the City of London*

3 Once Hammersmith & Fulham Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

6 The site relates to the existing football ground at Craven Cottage, home to Fulham Football Club since 1896. The existing ground is on a site approximately 2.4 hectares and includes four individual stands.

7 The site is bounded by Stevenage Road, Bishops Park, the River Thames and Thames Pathway which wraps around the site as part of the pedestrian route that links the pathway north and south of the ground. The A219 Fulham Palace Road is located 380 metres north of the site and forms part of the Strategic Road Network (SRN). The nearest section of the Transport for London Road Network (TLRN) is the A4 Hammersmith Flyover, located 1.9 kilometres west of the site.

8 Public transport accessibility level (PTAL) is measured on a scale of 1 to 6 where 6 is most accessible. This site has a relatively low PTAL of between 1 and 2. Putney Bridge London Underground Station is 1.6 kilometres away and offers services on the Wimbledon branch of the District line. Hammersmith Underground station (Hammersmith and City/Circle and Piccadilly/District lines) is located 2.1 kilometres from the site. There are four bus services within 380 metres of the site on Fulham Palace Road; bus route 424 operates Monday to Saturday, but not on a matchday and terminates adjacent to the stadium.

9 The ground is in the setting of existing residential development to the north and east, These are mixed in terms of scale, with the east representing two/three storey terraces. Bishops Park is located to the south (grade II listed). It is also within the Fulham Reach Conservation area and adjacent to the Bishops Park and Crabtree Conservation Areas. Within the ground the Jonny Haynes Stand, Craven Cottage and the turnstile blocks to the north and south are grade II listed. Fulham Palace is further south and also includes a number of listed buildings and is a Scheduled Ancient Monument.

## **Details of the proposal**

10 Full planning permission is sought for the partial redevelopment and expansion of the Riverside stand to increase the capacity of the ground by approximately 4,300 to 30,000 seats.

11 The main element of the application relates to the retention of the existing Riverside stand and construction of a new upper tier that will wrap around the existing stand and create new hospitality space, new Riverside facade, new roof and associated retail accommodation (1,000 sq.m.). The retail will be limited to up to 100 sq.m. of use class A1 and use of part of the lower concourse for events on up to 30 days per calendar year. The proposals also include four

residential units, new River Thames wall, and Riverside walk way. The stand capacity changes are set out below as described in the planning statement:

Figure 1 existing and proposed capacity

Seating Type	Existing Capacity	Proposed Capacity
<b>Craven Cottage</b>		
Balcony Hospitality Seating	72	72
<b>Total</b>	<b>72</b>	<b>72</b>
<b>Hammersmith End Stand</b>		
General Admission	7,627	7,942
Hospitality Boxes	170	50
<b>Total</b>	<b>7,797</b>	<b>7,992</b>
<b>Johnny Haynes Stand</b>		
General Admission	5,761	5,704
Wheelchair Users & Companions	34 (17 + 17)	46 (23 + 23)
Press Positions	97	97
<b>Total</b>	<b>5,892</b>	<b>5,847</b>
<b>Putney End Stand</b>		
General Admission	7,142	7,080
Wheelchair Users & Companions	18 (9 + 9)	20 (10 + 10)
Hospitality Boxes	90	0
<b>Total</b>	<b>7,250</b>	<b>7,100</b>
<b>Riverside Stand</b>		
General Admission – Lower/Upper Tier	4,050	7,771
Wheelchair Users & Companions – Lower/Upper Tier	28 (14 + 14)	78 (39 + 39)
Wheelchair Users & Companions - Boxes	N/A	20 (8 + 8 + 4)
Directors/Corporate	563	830
Hospitality Boxes (including Chairman's box)	48	290
<b>Total</b>	<b>4,689</b>	<b>8,989</b>
<b>Total Capacity</b>	<b>25,700</b>	<b>30,000</b>

## Case history

12 There is a mix of planning history on the site, however the key case relates to application 2000/0930/P also known as the ‘Snell scheme’. This permission was for a new 30,000 seat stadium including a restaurant, café, club shop, sports injury clinic, beautician, club museum, nursery and conference/hospitality space. It also included the erection of a five storey building with 16 residential units a new River walk and a new floodlight strategy. whilst permission was granted it was never implemented. This application pre-dated commencement of the Mayor’s planning powers in July 2000.

13 Other permissions include 2003/02744/FUL for additional work to the north and south stands increasing capacity to 22,000. This has been implemented and was considered by the former Mayor on 19 December 2003 and broadly supported. Planning reference 2006/03377/FUL was for further extensions to stands taking capacity to 25,690. Planning reference 2007/03866/FUL (Project 30) was for works to the Riverside stand increasing capacity to 30,000. The case was considered by Hammersmith & Fulham Committee where a resolution to grant permission was made. The permission was however never issued and the 106 not signed.

14 The applicant engaged in a scoping meeting on 1 August 2011 and followed up with a formal pre-application meeting held on the 24 November 2011. At the meeting the GLA raised a number of matters include design, views, heritage impacts, impacts on the River Thames, including construction in to the River Thames and the environmental and navigational impacts. Other matters regarding access, transport and climate change were also raised.

## **Strategic planning issues and relevant policies and guidance**

15 The relevant issues and corresponding policies are as follows:

- World city role *London Plan*
- Blue Ribbon Network *London Plan; PPS25, RPG3B*
- Biodiversity/Geodiversity *London Plan; the Mayor’s Biodiversity Strategy; PPS9; draft PPS Planning for a Natural and Healthy Environment; draft London’s Foundations (Geodiversity) SPG*
- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG, Housing Strategy; draft Revised Housing Strategy; Interim Housing SPG; draft Housing SPG*
- Affordable housing *London Plan; PPS3; Housing SPG, Housing Strategy; draft Revised Housing Strategy; Interim Housing SPG; draft Housing SPG; Affordable Rent draft SPG; draft Early Minor Alteration to the London Plan*
- Urban design *London Plan; PPS1*
- Tall buildings/views *London Plan; RPG3A, Revised View Management Framework SPG; revised draft View Management Framework*
- Historic Environment *London Plan; draft World Heritage Sites SPG; PPS5; Circular 07/09*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
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- Ambient noise *London Plan; the Mayor’s Ambient Noise Strategy; PPG24*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; Mayor’s Climate Change Mitigation Strategy; Mayor’s Climate*

- Transport *Change Mitigation and Energy Strategy; Mayor’s Water Strategy; Sustainable Design and Construction SPG*
- Parking *London Plan; the Mayor’s Transport Strategy; PPG13;*
- Crossrail *London Plan; Assembly draft Early Minor Alteration to the London Plan; the Mayor’s Transport Strategy; PPG13*
- Equal opportunities *London Plan; draft Mayoral Community Infrastructure Levy; Crossrail SPG*
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London’s diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM); Equalities Act 2010*

16 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2011 Hammersmith & Fulham Core Strategy, the Unitary Development Plan as saved 2011 and the 2011 London Plan.

17 The Early Minor Alteration to the London Plan is also relevant material considerations:

### **Principle of development**

18 The application site has no specific land use designation in the London Plan however policy 2.1 ‘London in its global, European and United Kingdom context’ establishes the Mayor’s commitment to ensure that London retains and extends its global role. The current football ground plays a continuing role in London’s function as a World City in terms of its continued contribution to the Premier League, association football and in terms of its role in hosting International sporting events including International football friendly matches and Champions League and European football.

19 In terms of the World City Role, the continued contribution of the Premier League and those London Clubs currently representing at that level contributes significantly to London’s World City status which is consistent with the Mayor’s aspirations set out in policy 2.1 of the London Plan.

20 Policy 3.19 ‘Sports facilities’ of the London Plan affirms the Mayor’s Sports Legacy Plan, which aims to increase participation in and to tackle inequality of access to sport and physical activity in London, particularly amongst groups/areas with low level of participation.

21 More specifically, the policy states that development proposals that increase or enhance the provision of sports and recreational facilities will be supported; those that result in a net loss of sports and recreation facilities, including playing fields should be resisted. The policy adds that temporary facilities may provide the means of mitigating any loss as part of proposals for re-provision. It reiterates the objective that, wherever possible, the multi-use of facilities for sport and recreational activity should be encouraged and that the provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to local community or biodiversity.

22 Locally the site is identified in Annex 2 of the Core Strategy in the hierarchy of open spaces as ‘outdoor sporting facilities’ - OS41 ‘Fulham Football Club, Stevenage Road’ (0.28 hectares) (shown in error as site OS14 on the proposals map).

23 Core Strategy policy CF1 sets out that *“the council will work with its strategic partners to provide boroughwide high quality accessible and inclusive facilities and services for the community by: supporting the continued presence of the major public sports venues for football and tennis,*

*subject to the local impact of the venues being managed without added detriment to local residents”*

24 Whilst the club expansion in terms of seating capacity may be supported in principle, a number of concerns have been raised regarding the impacts of the proposed extension adjacent to and into the River Thames and its potential impacts on river users, in particular rowing clubs that use this part of the Thames and the effects on navigation. The Mayor’s policy on sports facilities needs, therefore, to be considered in terms of the wider impacts on other sports and recreation that may be affected by the proposed development. The specific impacts relate to the Blue Ribbon Network policies which are considered in further detail below.

#### Blue Ribbon Network

25 The London Plan identifies the ‘*Blue Ribbon Network*’ as London’s strategic network of water spaces, including the River Thames, canals, tributary rivers, lakes, reservoirs and docks; alongside smaller water bodies. It recognises the strategic and multi-functional role of the network as a transport corridor; for drainage and flood management; as a source of water; for the discharge of treated effluent; and in providing a series of diverse and important habitats, green infrastructure, heritage value, recreational opportunities, important landscapes and views.

26 Thus, from a strategic land use perspective, the principle of constructing out into the River Thames should be assessed against London Plan policies 7.24 to 7.29 on *the Blue Ribbon Network*; the latter policy relates specifically to the River Thames.

27 Policy 7.24 aims to ensure that the Blue Ribbon Network contributes to the overall quality and sustainability of London by prioritising uses of the water space and the land around it safely for water-related purposes, particularly for passenger and freight transport. Policies 7.25 and 7.26 affirm the Mayor’s commitment to secure an increase in the use of the Blue Ribbon Network for passenger and tourist river services and to transport freight; and his support for the principle of providing additional cruise liner facilities on the River Thames.

28 Policy 7.26 requires development proposals to ensure the protection of existing facilities for waterborne freight traffic. In particular part B d) notes that ‘*Development proposals close to navigable waterways should look to maximise water transport for bulk materials, particularly during the demolition and construction phases*’.

29 Policy 7.27 requires development proposals to enhance the use of the Blue Ribbon Network by supporting waterway infrastructure and recreational use. In particular part A b) notes that development proposals ‘*protect and improve existing access points to and alongside the Blue Ribbon Network.*’

30 London Plan policy 7.28 ‘*Restoration of the Blue Ribbon Network*’ also specifically states (part A) that:

*Development proposals should restore and enhance the Blue Ribbon Network by:*

- a) taking opportunities to open culverts and naturalise river channels.*
- b) increasing habitat value; development which reduces biodiversity should be refused.*
- c) preventing development and structures into the water space unless it serves a water related purpose (see paragraph 7.84).*
- d) protecting the value of the foreshore of the Thames and tidal rivers.*
- e) resisting the impounding of rivers.*
- f) protecting the open character of the Blue Ribbon Network.’*

31 Of relevance in paragraph 7.84 is that *'The BRN should not be used as an extension of the developable land in London nor should parts of it be a continuous line of moored craft'*

32 With respect to the River Thames, policy 7.29 acknowledges its status as a strategically important and iconic feature that should be protected and promoted. To that end, development proposals within the Thames Policy Area identified in Local Development Frameworks are required to be consistent with the published Thames Strategy for the particular stretch of river concerned.

33 In addition to the above London Plan policy 7.6 'Architecture' and policy 7.7 'Tall and large scale buildings' picks up on microclimate impacts. In particular policy 7.6 B d) notes *"buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings."* And policy 7.7 D notes that *"Tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference"*

34 This suite of policies along with others in the Plan set out that the development should not compromise navigation, hydrology, flood risk and biology of the River Thames.

35 The proposal supports London Plan policy 7.27 A b) by improving access along the waterways, through the completion of a missing link of the Thames Path identified in the Council's Proposals Map. The proposed use of the Thames for transport of bulk construction materials and also demolition material is also in line with policy 7.26 B d).

36 The scale and level of encroachment of the proposed development is however more significant than that of the previous proposals. This brings it into potential conflict with part A c) and part A f) of policy 7.28 of the London Plan and the applicant has to justify the development against these policy requirements. The test regarding A f) – open character of the Blue Ribbon Network – of policy 7.28 is set out in further detail in the 'river views' section of this report. The initial consultation responses however raise concerns that there may be significant impacts to sailing and rowing to this part of the River Thames as a result of the proposed development.

37 At this stage GLA officers understand from conversations with the Port of London Authority and the Environment Agency that the results of several investigations related to waterway aspects of the application are still not available. In particular details about the following should be provided.

- the impacts of the development on wind speed/direction - and the resulting impacts on the behaviour of the water.
- the tie-in of the new flood defence wall with the existing wall at either end of the site
- the on-site ecological mitigation works to compensate for building out over the foreshore.
- the impacts of the piled structures into the water on hydrology.
- the navigational safety of the structure for river users including the safety of recreational vessels.

38 Further information and discussion is therefore required as part of this ongoing analysis of information. This must be undertaken before the case is referred back to the Mayor for final determination.

Ecological assessment/biodiversity

39 London Plan policy 7.19 requires proposals for new development to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible; prioritise assistance towards the achievement of targets identified in biodiversity action plans (BAPs), and/or improve access to nature in areas deficient in accessible wildlife sites; and ensure that they do not adversely affect the integrity of European sites. Proposals should be resisted where they would have a significant adverse effect on European or nationally designated sites, or on the population or conservation status of protected species, or a priority species or species identified in a UK, London or appropriate regional or borough BAP.

40 On Sites of Importance for Nature Conservation, development proposals are expected to:

- Give the highest protection to sites with existing or proposed international designations (SACs and SPAs) and national designations (SSSIs and NNRs), in line with the relevant EU and UK guidance and regulations.
- Give strong protection to sites identified by the Mayor and the borough councils as having of metropolitan importance for nature conservation (SMIs).
- Give sites for borough and local importance for nature conservation, the level of protection commensurate with their importance.

41 The policy further states (part E) that in considering proposals that would directly, indirectly or cumulatively affect a site of recognised nature conservation interest, the following hierarchy would apply:

- Avoidance of adverse impact to the biodiversity interest.
- Minimising the impact and seeking mitigation.
- Seeking appropriate compensation only in exceptional cases, where the benefits of the proposal clearly outweigh the biodiversity impacts.

42 The River Thames is designated as a 'Site of Metropolitan Importance for Nature Conservation'. Similar to the case for development into the River, officers are still in the process of reviewing the Environmental Statement and may therefore provide further comment through this process of review.

#### Flood risk

43 A flood risk assessment has been carried out for the proposal. The site is within Flood Zone 3 (flood event with a greater than 0.5% chance of occurring each year – a 1 in 200 year event). Current flood defences, including flood defence walls, embankments and gates (including the Thames Barrier), afford the borough protection against a tidal flood event that has a 0.1% annual probability (1 in 1000 year event) of occurring. The site is not within any fluvial floodplain. Therefore the applicant considers fluvial flood risk of the site as negligible.

44 The applicant also notes that in terms of the existing River wall, the Environment Agency has categorised its condition as grade 2 (good), on a scale of 1 very good and 5 very poor. The most recent condition survey has identified a number of defects in the wall, but none were considered to be significant. As reported in the planning statement levels of the proposed defences will be at or above the statutory defence level (5.54m AOD). As the new river wall will replace an existing wall with defects it will increase the current and future standard of protection within the area.



45 In conclusion the applicant considers the impact on flood risk to be negligible. The GLA is awaiting further comment from the Environment Agency and therefore any advice will be reported to the Mayor should he be required to make a decision at the final determination stage.

## **Housing and affordable housing**

46 London Plan policy 3.13 'Affordable housing thresholds' sets out that '*Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes, applying the density guidance set out in Policy 3.4 of this Plan and Table 3.2*'

47 Policy H2 of the Council's Core Strategy sets out that '*On sites with the capacity for 10 or more self-contained dwellings affordable housing should be provided*'.

48 The current proposal includes four residential units. Whilst previous iterations of a Riverside scheme have included up to 16 residential units this current scheme proposes a total number of units which fall below the threshold for affordable housing contributions. The primary function of the site is to maintain its use as a sporting facility and therefore its 'capacity' for residential accommodation in the context of London Plan policy 3.13 is limited whilst its primary function is retained. The approach is therefore broadly acceptable. A number of other policy matters regarding Lifetime Homes, space standards and wheelchair accessible accommodation are considered in the planning statement and can be secured by suitable planning conditions.

## **Urban design**

49 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

### Views and the historic environment

#### *Heritage assets*

50 London Plan policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor. London Plan policy 7.4 Local character is also relevant and notes that "*Buildings, streets and open spaces should provide a high quality design response that:*

- a) Has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.*
- b) Contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area.*
- c) Is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings.*
- d) Allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.*

*e) Is informed by the surrounding historic environment.”*

51 Policy 7.8 C and D Heritage assets and archeology are also relevant and sets out that *“Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate”* and *“Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail”*.

52 These policies are underpinned by the guidance set out in PPS5 regarding heritage assets and the tests set out in policy HE9.

53 The application is supported Chapter F and G of the Environmental Statement which deals with heritage and townscape impacts. This is supplemented by Appendix G1 which provides three verified views of the proposal and four non verified CGI’s.

54 There is limited analysis regarding the existing merits of the heritage assets including detailed analysis of the listing description, the significance of listed heritage assets or relevant Conservation Area Character Appraisals that would normally inform the design approach.

55 The Conservation Area Character Appraisal for Fulham Reach and Bishops Park provides some but limited detail and both date from 1996. Similarly Crabtree Conservation Area Character Appraisal dates from 2001.

56 The summary of importance provided by the listing description for the Johnny Haynes Stand however notes:

*“Of special interest as a well-preserved early surviving example of a football grandstand by Archibald Leitch (1866-1939), the foremost football stadium designer of the early C20. The facade is unusual in that it was a conscious attempt to give ornate treatment to a building type which was usually austere and functional”* (source English Heritage listing number 1079754)

57 Similarly, for the cottage itself the summary of importance notes *“Of special interest as an integral part of early football ground and as the only surviving pavilion in a senior British football club”*. (source English Heritage listing number 1358582).

58 The key tests relevant in this case are set out in the London Plan policy 7.8 C, policy HE9.2 of PPS5 where there is substantial harm to the heritage asset and policy HE9.4 where the harm is less than substantial. As noted above there are three verified views and four supporting views taken from the river and Greswell Street.

59 View 3 shows the listed stand in its existing context and as proposed in the context of the new stand. The new Riverside stand becomes significantly visible in the setting of the listed stand from Greswell Street/Woodlawn Road. It is however difficult to determine the extent of any harm on the heritage assets, including the conservation areas, without further verified views from the surrounding streets. The cross section shown on page 37 – Section 4.11 of the Design and Access Statement is helpful in understanding the design rationale, however further test views are needed to establish the overall impact. Section 4.12 for example shows that the previous scheme included a much lower roof line and by implication reduced impact on the setting of the listed stand from surrounding streets.

60 In terms of views from Bishops Park, these are generally acceptable as the existing Putney Stand, south stand, provides the main foreground, the main new addition being the roof structure which would not harm the setting of the Park or its character and appearance.

61 Notwithstanding the above, the applicant should review the townscape analysis and provide additional views of the proposal in the setting of the conservation areas and both the listed stand and Craven Cottage. This will help to determine the impact on heritage assets

62 It is important to note as set out in PPS5 that the principle of increasing capacity at the ground will help to retain its function – the function of the listed stand – as integral to the continuing operation of the site as a football stadium and the history associated with the club. Whilst the continued operation is important, the policy tests to justify any harm arising still needs to be met. It is therefore important to fully test the impacts on the setting to establish the extent of any harm arising and the case for such harm. Further discussion and analysis is therefore required.

63 The removal of the high level western flood lights will help to improve nighttime environment locally and in views from the River.

#### *River views*

64 In general the new stand is a substantial addition to the setting of the River Thames in the context of the existing views shown in 7, 8, 9 and 11. The Townscape Analysis does not however assist in comparing existing conditions to proposed conditions as these are set out in different parts of the document; view 15- Pre-construct visualisation appears to represent view 14 of the existing conditions view earlier in the document and the approach to comparison is made further difficult as the extent of the view (i.e the camera extent) differs between existing and proposed conditions.

65 It is however apparent from site inspection that the River is open generally and various buildings appear along its path. The extent of Bishops Park and the Palace provide a bank of trees that picks up on the end of the existing stadium and will continue to do so as part of the new stadium proposals. The encroachment into the River Thames is still being considered as set out earlier in this report and whilst the new stand is a substantial addition into the setting of the River Thames, the open character - London Plan policy 7.28A f) - of the River Thames would still be apparent, helped in part due to the London Wetland Centre and Barn Elms Playing Fields on the opposite bank in Richmond.

66 In design terms the proposal provides new link and active edge to the Thames Path and a new active frontage that will add interest to users of the River and from the opposite bank. Views of the listed stand are limited under existing conditions given the foreground view is predominantly the existing Riverside stand. The setting of the Fulham Reach Conservation Area when viewed from the River will be broadly preserved given the existing stand largely turns its back on the River Thames. The Fulham Reach Conservation Area Character Appraisal notes the “*significant ‘recreation’ presence of Fulham Football Ground which defines the southern boundary of the Conservation Area*”. The Bishops Park Conservation Area Character Appraisal notes “*The open grassed area with pitches south of the Fulham Football Ground provides for formal recreation and is important due to its open aspect and landscape quality in relation to the development to the north and east*”.

67 The tree lined view of the listed Bishops Park and Bishops Park Conservation Area picks up the link between the two conservation areas and its presence as a recreation in the character of the conservation area will remain. The significance of the Bishops Park, its openness and tree line as a feature in views and its setting will also be generally preserved in River views.

68 View 18 from Hammersmith Bridge shows minor change in terms of the roofline being visible in the backdrop of the view. View 19 from Putney Bridge has not been provided and should

be submitted along with the additional information on views requested earlier in this report in relation to the other impacts on heritage assets.

#### Layouts and access

69 The layouts are broadly supported in terms of the creation of an active edge at ground level and the creation of a new River Walkway along this part of the River Thames. There is however limited analysis regarding detailed matters of disabled access. At pre-application the design team was encouraged to set up consultation with local disabled groups and it is understood that a Disabled Supporters Club and an Access Group is being taken forward to help ensure the proposals for the club are fully accessible to disabled people. This is fully supported. These terms should be secured as part of any future permission. The GLA would welcome further discussions regarding terms of reference for such a consultation group.

70 The matter of residential amenity to the existing properties should be lead by the Council in terms of any overlooking from new apartments and other matters such as overshadowing.

### **Climate change mitigation**

71 Chapter 5 of the London Plan sets out the approach to climate change and requires developments to make the fullest contribution to minimizing carbon dioxide emissions. The policies collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and incorporating renewable energy technologies with a target of 20% carbon reductions from on-site renewable energy. The policies set out ways in which developers must address mitigation of and adaptation to the effects of climate change.

#### **Energy**

##### Be Lean

###### *Energy efficiency standards*

72 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include the use of lighting controls and mechanical ventilation with heat recovery where applicable. The demand for cooling will be minimised through the use of the use of natural ventilation and high performance glazing. Based on Table 8 and 10 in the strategy submitted, the development is estimated to achieve a reduction of 10 tonnes per annum (7%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development.

##### Be Clean

###### *District heating*

73 Due to the nature of the site, i.e. periodic use for football matches, the applicant has not investigated whether there are any existing or planned district heating networks within the vicinity of the proposed development. This is accepted in this instance. The applicant is not proposing to install a site heat network. This is accepted in this instance.

###### *Combined heat and power*

74 The applicant has investigated the feasibility of CHP. However, due the intermittent nature of the heat load, CHP is not proposed. This is accepted in this instance

## Be Green

75 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 350 sq.m. roof mounted solar photovoltaic (PV) panels. A drawing showing indicative, potential PV location has been provided. A reduction in regulated carbon dioxide emissions of 19 tonnes per annum (15%) will be achieved through this third element of the energy hierarchy. This should be secured by planning condition.

## Summary

76 The estimated regulated carbon emissions of the development are 115 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account. However, the applicant needs to state the baseline regulated emissions to confirm the projected savings. Savings modelled equate to a reduction of 29 tonnes of carbon dioxide per year in regulated emissions compared to a 2010 Building Regulations compliant development. The on-site carbon dioxide savings fall short of the targets within Policy 5.2 of the London Plan.

77 While it is accepted that there is little further potential for carbon dioxide reductions onsite, in liaison with the Council and the GLA the applicant should ensure the short fall in carbon dioxide reductions is met off-site. London Plan policy 5.2 E states that *“The carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere”*.

## **The impacts of noise and vibration**

78 Policy 7.15 of the London Plan requires development proposals to contribute to the reduction of noise by:

- Minimising the existing and potential adverse impacts of noise on, from, within or in the vicinity of developments.
- Separating new noise-sensitive developments from major noise sources where practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation.
- Promoting new technologies and improved practices to reduce noise at source.

79 The applicant submitted a noise and vibrations assessment as part of the environmental statement accompanying the application. The GLA has commissioned noise consultants to review the impacts from noise arising from the development.

80 Further comments may be provided before the application is considered by the Mayor at the final determination stage.

## **Climate change adaptation**

81 The London Plan promotes key adaptation principles in Chapter 5 that promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects; minimise solar gain in summer; contribute to flood risk reductions, including apply sustainable drainage principles; minimise water used; and protect and enhance green infrastructure and urban greening. Specific policies cover overheating, urban greening, living roofs and walls and water.

82 A sustainability statement supports the application and demonstrates general compliance with the relevant London Plan policies on sustainable design and construction and climate change adaptation.

83 As set out above, the proposals have been designed to reduce carbon dioxide emissions beyond building regulations through energy efficiency measures alone. This includes the use of natural ventilation and techniques to minimise the risks of overheating – particularly to the west facing glazed facade.

84 As already set out above regarding water, the Environment Agency's flood zone map shows that the existing site is in flood zone 3. Rainwater discharge will go directly to the River Thames, which is broadly supported. The Environment Agency has been consulted, any significant comments will be reported at the final determination stage.

## **Transport for London comments**

### Trip generation

85 The proposed car modal share is high. The applicant suggests that this can be reduced considerably through both travel planning measures; a target must be secured through the section 106 agreement as well as mechanisms to achieve and exceed it. TfL accepts that the Underground will be the primary mode of travel to and from the site. In summary TfL accepts the trip generation methodology as being compliant with London Plan policy 6.3.

86 One measure to reduce the car mode share is to expand the surrounding matchday controlled parking zone (CPZ). TfL suggests matchday CPZ restrictions are rolled out to Zone W, around Dawes Road; a section 106 contribution to implement and monitor should be paid to the Council.

### Highways

87 TfL has previously funded improvements to the Fulham Palace Road junction with Hammersmith gyratory which have recently been implemented. A programme of further improvements to the remaining Fulham Palace Road junctions has been agreed. As matchday traffic from the development cannot be accommodated on Lillie Road and Fulham Palace Road, TfL request a contribution is sought towards delivering a signal programme to smooth traffic flow, and to allow more crossing time through introduction of puffin crossings. This will connect the signals to the London Traffic Control Centre who will adjust signal timings on matchdays. This will assist in the smoothing of traffic flow and improvement of pedestrian safety on the network. These improvements will assist in delivery of London Plan policy 6.11.

### Pedestrians

88 There are a number of pedestrian pinch-points on the main access routes to the site particularly around the subway under Putney Bridge and the pathway between the Hammersmith stand and residential units to the west which leads to the River. TfL encourages the borough to investigate measures to improve the quality of the pathway, particularly in the subway. It is accepted that this could be in the form of a travel plan fund towards ongoing maintenance, although all necessary mitigation measures must be secured through the section 106 agreement. Additionally a contribution is sought towards Legible London signage as part of a wider signage strategy linked to the travel plan. These improvements will ensure consistency with London Plan policy 6.10.

## Cycling

89 The current cycling mode share for the stadium is 3.7% for a weekend game and this is predicted in the transport assessment to rise to 4.7% by 2026. It is unclear where this additional demand will be accommodated. Demand should be monitored through the section 106 travel plan fund, this must include an identified location.

## Car parking

90 TfL welcomes the car free nature of the proposal for the stadium use and residential use, with the exception of disabled spaces at the local school. TfL expects all future occupants of the residential units to be exempt from eligibility for on street parking permits; this should be secured by planning condition. This will ensure consistency with London Plan policy 6.13.

## London Underground

91 TfL considers that the London Underground District Line can accommodate the increased demand. There is however station capacity impacts which must be mitigated. The station ticket hall at Putney Bridge is limited in size and cannot easily be expanded. The current arrangement for fans wishing to use the station at full time requires a queuing system adjacent to the bus turnaround area. Passengers are allowed to enter the station in waves via the conventional ticket hall and the emergency exit staircases. The staircase is designed as an emergency exit and is uncovered with metal steps which can become a safety hazard when footfall is high, TfL request that the applicant funds the installation of a canopy over the staircases in order to enable safe use on match days, further discussions on design and the level of contribution is required to ensure consistency with London Plan policy 6.5.

## Travel planning and construction logistics

92 TfL expect the applicant to submit a full 10 year travel plan for the stadium including scenarios for match and non matchday situations prior to occupation of the proposed development. The plan will include associated funding and monitoring mechanisms to deliver if necessary the improvements as detailed above. TfL and the Council will need to agree a revised travel plan prior to determination. All travel information including Underground and rail running status will be relayed to spectators and visitors by scoreboard and PA announcements. The final travel plans should be secured, monitored, reviewed, and enforced through the section 106 agreement in consultation with TfL. This will ensure consistency with London Plan policy 6.3.

93 TfL welcomes the applicant's commitment to submit a delivery plan post planning; this should be included in the final travel plan. TfL requires more detailed negotiations with the applicant and the Council in respect of travel planning measures and mechanisms for payment and delivery which are required to be secured through the section 106 agreement.

94 In order to mitigate any adverse impacts of construction traffic on the local road network, a construction logistics plan (CLP) should be secured by way of a planning condition. This will ensure consistency with London Plan Policy 6.14. The Olympic Route Network (ORN) and Paralympic Route Network (PRN) will operate close to the site during the Olympic and Paralympic Games period between June and September 2012. Requests to utility companies to provide any additional water, gas, electricity or telecommunications connections should be made sufficiently well in advance of implementation.

## Summary

95 In summary a number of issues need to be resolved before the application can be considered to be in line with the transport policies set out within the London Plan. This includes a contribution secured by way of the s106 agreement, to fund works at Putney Bridge station, implementation of Legible London signage, and a contribution towards the signalling upgrades on Fulham Palace Road. In addition the council should secure a robust and coherent travel plan. TfL should be closely involved in future discussions on the form and content of the travel plan and section 106 agreement.

## Equalities

96 The 2010 Equality Act places a duty on public bodies, including the GLA, in the exercise of their functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics and includes age and disability. The GLA in the discharge of its planning function must engage this duty, in so far as it is applicable to a particular case.

97 In this instance the proposal provides a mix of access opportunities for fans and the GLA is seeking conditions to ensure the continued function of the newly formed access group. Increasing capacity at the ground will also encourage further opportunity for supporters to access the ground.

## Community Infrastructure Levy

98 In accordance with London Plan *policy 8.3*, the Mayor of London proposes to introduce a London-wide Community Infrastructure Levy (CIL) that will be paid by most new development in Greater London. Following consultation on both a Preliminary Draft, and then a Draft Charging Schedule, the Mayor has formally submitted the charging schedule and supporting evidence to the examiner in advance of an examination in public. Subject to the legal process, the Mayor intends to start charging on **1 April 2012**. Any development that receives planning permission after that date will have to pay, including:

- Cases where a planning application was submitted before 1 April 2012, but not approved by then.
- Cases where a borough makes a resolution to grant planning permission before 1 April 2012 but does not formally issue the decision notice until after that date (to allow a section 106 agreement to be signed or referral to the Secretary of State or the Mayor, for example),.

99 The Mayor is proposing to arrange boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floor space respectively (see table, below). The proposed development is within the London Borough of Hammersmith & Fulham where the proposed Mayoral charge is £50 per square metre. More details are available via the GLA website <http://london.gov.uk/>.

100 Within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time, borough CIL charges for Redbridge and Wandsworth are the most advanced. The Mayor's CIL will contribute towards the funding of Crossrail.



Mayoral CIL charging zones Zone	London boroughs	Rates (£/sq. m.)
1	Camden, City of London, City of Westminster, Hammersmith and Fulham, Islington, Kensington and Chelsea, Richmond-upon-Thames, Wandsworth	£50
2	Barnet, Brent, Bromley, Ealing, Greenwich, Hackney, Haringey, Harrow, Hillingdon, Hounslow, Kingston upon Thames, Lambeth, Lewisham, Merton, Redbridge, Southwark, Tower Hamlets	£35
3	Barking and Dagenham, Bexley, Croydon, Enfield, Havering, Newham, Sutton, Waltham Forest	£20

## Local planning authority's position

101 The Officer recommendation is currently unknown.

## Legal considerations

102 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

103 There are no financial considerations at this stage.

## Conclusion

104 London Plan policies on Blue Ribbon Network, design, access, climate change and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of development:** Construction into the River Thames is inconsistent with London Plan policy 7.28. The micro climate impacts on existing users of the River Thames needs further consideration. This consideration links to the impacts on other existing sporting facilities in particular those users of the River Thames.
- **Ecological impacts:** Officers are still in the process of reviewing the Environmental Statement.

- **Urban design and access:** The harm to the setting of listed buildings and conservation areas needs to be further considered. The newly formed access group should include terms of reference as part of the section 106 agreement.
- **Climate change mitigation:** The carbon reduction fails to meet the target in the London Plan.
- **Noise and vibration:** The GLA has commissioned review of the impacts. Further comment may be provided.
- **Transport:** Financial contributions are required in terms of works to Putney Bridge station, legible London signage, signalling upgrades on Fulham Palace Road. Other conditions regarding a travel plan and construction logistics and servicing need to be agreed.

105 On balance, the application does not comply with the London Plan.

106 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Principle of development:** Further information is required regarding impacts on the River Thames and its users as set out in this report.
- **Ecological impacts:** Officers are in the process of reviewing the Environment Statement and may provide further comment in due course.
- **Urban design and access:** Further views in the context of the listed stand, cottage and conservation areas should be provided to determine the harm arising. The terms of reference for an ongoing access group should be set out in the section 106.
- **Climate change mitigation:** Carbon reduction targets need to be confirmed and the short fall in terms of the targets set out in London Plan policy 5.2 should be met off site in discussion with the Council and the GLA.
- **Noise and vibration:** The GLA has commissioned review of the impacts. Further comment may be provided.
- **Transport:** A number of matters need to be agreed including a contribution to fund works at Putney Bridge station, implementation of Legible London signage, a contribution towards the signalling upgrades on Fulham Palace Road. In addition the council should secure a robust and coherent travel plan. T TfL should be closely involved in future discussions on the form and content of the travel plan and section 106 agreement. Other conditions regarding a travel plan and construction logistics and servicing need to be agreed.

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