

GREATER LONDON AUTHORITY

Mayor's Office

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Our ref: PDU/2540b/DBH04
Your ref: 2011/04016/COMB
Date: 20 September 2012

Neil Button

Principal Planning Officer
Planning Division
Transport and Technical Services Department
Hammersmith & Fulham Council
Hammersmith Town Hall Extension
King Street
LONDON W6 9JU

Dear Mr Button,

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

**Site: Imperial West (Phase 2) - Former BBC Woodlands site, 80 Wood Lane
Local planning authority: Hammersmith & Fulham Council (Ref: 2011/04016/COMB)**

I refer to your letter of 12 September 2012, informing me that Hammersmith & Fulham Council is minded to grant planning permission for the above planning application. I refer you also to the notice that was issued on 14 September 2012 under the provisions of article 5(1)(b)(i) of the above Order.

Having now considered a report on this case, I am content to allow Hammersmith & Fulham Council to determine the case itself, subject to any action that the Secretary of State may take, and do not therefore wish to direct refusal or to take over the application for my own determination.

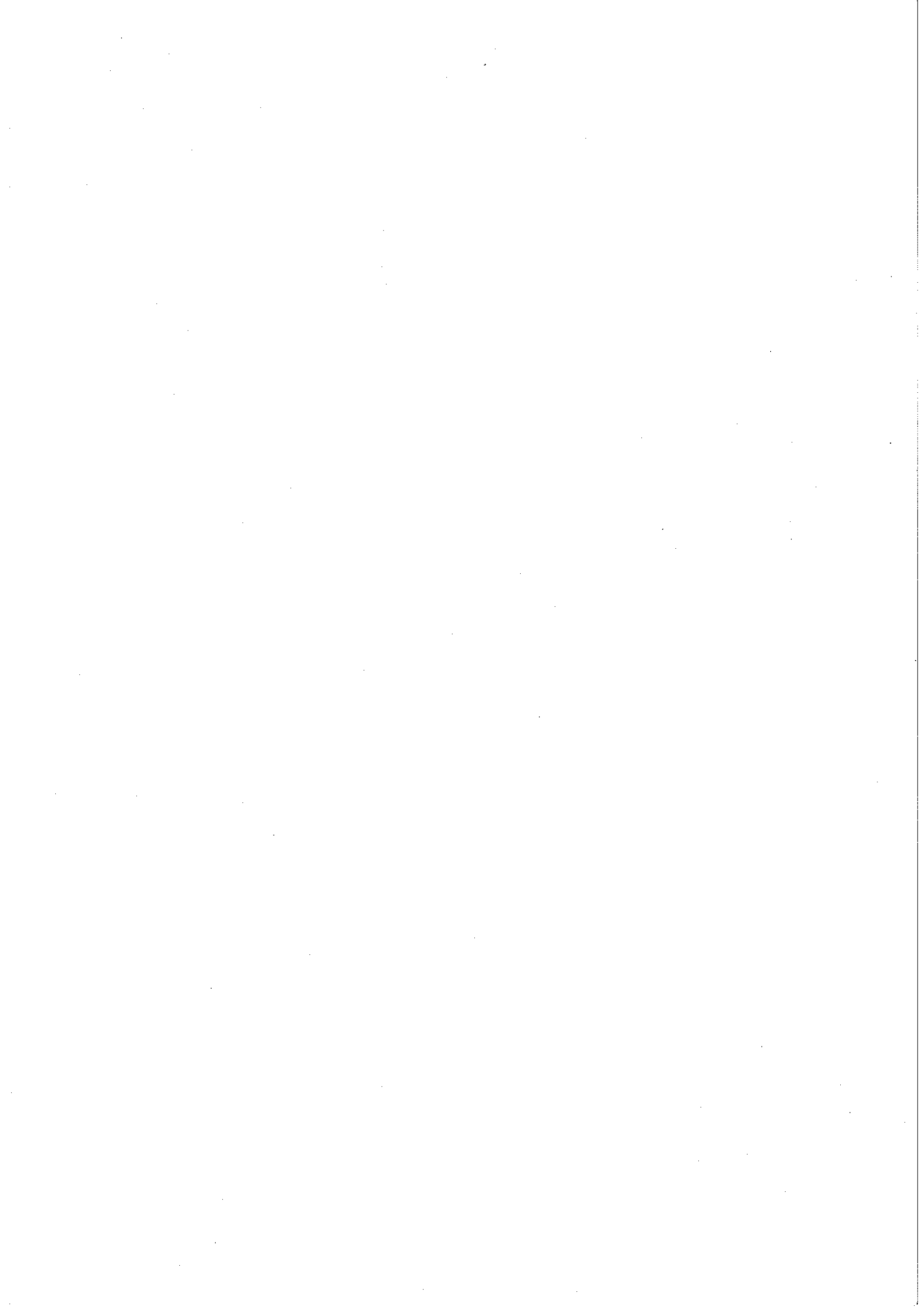
The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. I have taken the environmental information made available to date into consideration in formulating my decision.

Yours sincerely



Boris Johnson
Mayor of London

cc Kit Malthouse, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
Ian McNally & John Pierce, DCLG
Alex Williams, TfL
Guy Bransby, Jones Lang LaSalle, 22 Hanover Square, London W1S 1JA



Imperial West Phase 2 (the former Woodlands site)

in the London Borough of Hammersmith & Fulham

planning application no. 2011/04016/COMB

Strategic planning application stage II 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

A hybrid planning application to secure:

- Detailed permission for three buildings comprising **Block (C)**: A 9-storey academic block, including health research, a day nursery and restaurant facilities; **Block (D)**: A part 6/part 12-storey building to provide office and research units, including class A1 and A3 space; and **Block (F)**: A 35-storey residential tower to provide 192 (including 59 key worker) units, some class A1 and A3 space at ground level, along with an access road, part basement/part surface cycle and car parking space, ancillary plant and landscaping.
- Outline permission for the erection of three additional buildings, comprising **Block (A)**: A 13-storey hotel, including restaurant (class A1/A3) space and a fitness centre (class D2); **Block (E)**: A 7-storey (maximum 6,500 sq.m.) building to be used for education (class D1) purposes, including space for class A1/A3 uses; and **Block (G)**: demolition of existing sports hall and office building and the erection of a part 3/part 5-storey building for office and administrative purposes.

The applicant

The applicant is **Imperial College** and the architects are **Aukett Fitzroy Robinson** and **PLP Architecture**.

Strategic issues

This is a comprehensive, education-led, mixed-use development of a site within the **White City Opportunity Area**. The key issues are its contribution to London's **world city role, employment and regeneration; student housing and education facilities**; the mix, quality, tenure and level of affordable **non-student housing; hotel development, urban design** and the impact of **tall buildings; inclusive access, transport, energy and sustainable development** considerations.

The Council's decision

In this instance Hammersmith & Fulham Council has resolved to **grant permission**.

Recommendation

That Hammersmith & Fulham Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 26 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. This was referred to the Mayor under Categories 1A, 1B, 1C and 3F of the Schedule to the Order 2008:

1A- "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats".

1B- "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings—(c) outside Central London and with a total floorspace of more than 15,000 square metres."

1C- "Development which comprises or includes the erection of a building of one or more of the following descriptions— (c) the building is more than 30 metres high and is outside the City of London."

3F- "Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use."

2 On 7 March 2012, the Mayor considered planning report PDU/2540b/01, and subsequently advised Hammersmith & Fulham Council that the application did not comply with the London Plan, for the reasons set out in paragraph 131 of the above-mentioned report; but that the potential remedies set out in paragraph 133 of the report could address those deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's concerns (see below).

4 On 25 July 2012, Hammersmith & Fulham Council resolved to grant planning permission for the revised application, and on 12 September 2012 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Hammersmith & Fulham Council under Article 6 to refuse the application or issue a direction to Hammersmith & Fulham Council Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 25 September 2012 to notify the Council of his decision and to issue any direction.

5 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.

6 The decision on this case and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

7 At the consultation stage, Hammersmith & Fulham Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 131 of the above-mentioned report; but that the possible remedies set out in paragraph 133 of the report could address those deficiencies. In addition, the Mayor advised in his letter of 7 March 2012 that the applicant should review the proposals for the tall elements of the scheme.

The principle of development

8 Since the GLA stage 1 report was issued, a number of local residents, residents' associations, amenity groups and Kensington & Chelsea Council, have made representation to Hammersmith & Fulham Council and the Mayor, on grounds that the local planning authority's resolution to grant permission accorded undue weight to a draft White City Opportunity Area Planning Framework (WCOAPF) that had not been adequately consulted upon or adopted; and that adequate regard had not been had to the 2004 'White City Opportunity Area: A Framework for Development' which had been approved by the Mayor of London and adopted as supplementary planning guidance to the Hammersmith & Fulham Unitary Development Plan (UDP). In addition, reference was made to the Judicial Review on the Shepherd's Bush Market Scheme, in which judgement the court took the view that Hammersmith & Fulham Council should have produced an Area Action Plan (AAP) rather than a Supplementary Planning Document (SPD) for that area because of the scale of change proposed. Similar criticism is levelled at the White City OAPF that it should be an AAP rather than an SPD for the borough.

9 In response to this, it is pertinent to state that since 2004, there have been two major revisions to the London Plan (i.e. the 2008 London Plan and the 2011 London Plan). The 2011 London Plan indicates in Annex 1 (*Opportunity and Intensification Areas*), in relation to the White City Opportunity Area, that there is potential for mixed density housing and a focal point for office development at and around the tube stations at White City and Wood Lane, with other commercial, leisure, open space, education, and retail uses of appropriate scale to support the local community. It further states that this would be facilitated by de-designation of the historic strategic industrial location complemented by provision for waste and other industrial functions in the Park Royal Opportunity Area. In addition, Hammersmith & Fulham Council has adopted an LDF Core Strategy Development Plan Document (2011), which was subjected to an Examination in Public and found to be in general conformity with the London Plan. In the 2004 London Plan, the White City Opportunity Area, by contrast advised that a future planning framework should resist further extension of retail and parking provision, build on the area's existing strengths as a centre of broadcasting excellence, increase affordable housing provision and develop the area's potential to contribute to the rejuvenation of the office market beyond central London.

10 It is evident from this that the 2004 'White City Opportunity Area: A Framework for Development' requires updating to reflect the latest adopted policies and the new developments taking place within the locality, such as the approval of an extension to the Westfield Shopping Centre and the inclusion of Shepherd's Bush in the White City Opportunity Area boundary.

11 The draft White City OAPF went through a first round of public consultation in December 2010 and is scheduled for a further round of consultation before the end of 2012. It affirms in section 1.4 that the OAPF is supplementary planning guidance (SPG) to the London Plan, and until such time as it has been consulted on, the weight that decision makers may attach to it is likely to be very limited. It adds that the material weight of the OAPF will increase as it works its way through the stages of public consultation to eventual formal publication. Nonetheless, it does articulate the Mayor's and the Council's views on the direction of development, has been the

subject of an Environmental Impact Assessment (EIA) and is derived from a thoroughly researched evidence base.

12 As indicated in paragraphs 3.7 to 3.11 of the officers' report to Hammersmith & Fulham Council's planning committee, due regard has been given to the draft White City OAPF where its objectives are consistent with the adopted strategic and local policies, as reflected in the Core Strategy DPD and the London Plan. Similar regard has been given to the draft White City OAPF by GLA planning officers assessing the Council's referral of this case to the Mayor of London.

Housing issues

13 The outstanding housing issues relate to the detailed application for a 35-storey block comprising 192 residential units (including 59 for key workers) above ground floor retail and restaurant facilities; and a lack of adequate information to assess the proposed accommodation against the relevant policies of the London Plan.

14 In particular, the applicant was requested to provide details of the proposed apartment sizes to allow comparison against the Mayor's minimum unit sizes (as specified in table 3.3 of the London Plan); a full schedule of accommodation to allow an assessment of the unit mix of affordable and market housing accommodation; and a financial viability appraisal to demonstrate that 59 intermediate tenure apartments represent the maximum reasonable amount of affordable housing that is feasible to deliver on the site.

15 In response, the applicant has submitted a schedule of the proposed accommodation, which indicates the following arrangements:

unit type	no. proposed	London Plan minimum (GIA sq.m.)	proposed sizes (GIA sq.m.)	no. of units below min. size
studio (1p)	17	37	32-35	17
1 bed (2p)	53	50	45-65	13
2 bed (3p)	30	61	58-68	7
2 bed (4p)	65	70	72-82	0
3 bed (5p)	25	86	87-110	0
3 bed (ph)	2	95	117-127	0
total	192	-	-	37

16 As the table shows, 37 of the total 192 (about 19%) of the total residential provision remains below the strategic minimum size specified in London Policy 3.5. Whilst the shortfall affects all the proposed studio apartments and almost a quarter of the proposed one-bedroom and smaller two-bedroom apartments, the magnitude by which individual units fall short of the minimum requirement is relatively small; with 4 of the 17 studio units recording the maximum shortfall of five square metres, the majority of one-bedroom units falling short by one or two square metres and 7 of the 30 two bedroom (3 person units) falling short by more than three square metres. On balance, the great majority of units fulfil the London Plan space requirements; the overall scheme is therefore acceptable in strategic planning terms.

17 In terms of housing mix, London Plan Policy 3.8 and its associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. In particular, the revised London Housing Strategy sets out that 36% of affordable rented homes allocated funding in 2011-15 should have three or more bedrooms. In this instance, the overall provision is for 192 new dwellings, comprising 17 studio (9%), 53 one-bedroom (28%), 95 two-bedroom (45%) and 27 three-bedroom, including two penthouse apartments (14%).

18 The applicant proposes to allocate 59 (31%) of the total 192 new dwellings in Block F as intermediate key worker housing, to accommodate Imperial College or Imperial College Healthcare NHS Trust workers at 69% of market rent. While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes. The proposed rental level is close to this average benchmark figure.

19 The 59 key worker units would comprise 7 studio, 16 one-bedroom and 6 small (3 person) two-bedroom apartments for those within the £19,000-£64,300 annual household income bracket; and 23 large (4 person) two-bedroom and 7 three-bedroom apartments for those in the £19,000-£77,200 annual household income group.

20 It is evident from these figures that the 7 three-bedroom key worker units represent just 12% of the affordable housing contribution, which is below the 36% recommended in the revised London Housing Strategy for developments that benefit from public funds between 2011 and 2015. Extenuating factors in this case are that no public subsidy is available for the affordable housing and overall viability. In this instance, the proposed housing mix is considered to be acceptable.

21 To facilitate an assessment against London Plan policy 3.12, which requires borough councils to seek the maximum reasonable amount of affordable housing from private residential and mixed-use schemes, the applicant submitted financial viability appraisals (FVAs) which were subjected to an independent review commissioned by Hammersmith & Fulham Council.

22 The first of the applicant's FVAs was based on both the educational and non-educational (and commercial) elements of the scheme, in order to assess the overall costs and benefits of the development. The conclusion of the independent review was that whilst the educational elements were never intended to be profit-making businesses (in the short to medium-term at least), the overall scheme was commercially unviable and unlikely to be implemented left to market forces alone.

23 However, to find additional value from the scheme, a supplementary FVA focussed on the non-educational elements of the scheme on a stand-alone basis, in order to assess the profitability of the commercial elements (e.g. the office/business incubator units, hotel and ancillary restaurants and cafes) and their potential to cross-subsidise the college elements. The following observations emerged from that subsequent review:

- The residential revenue pricing schedule seems reasonable, although the affordable appears to be over-valued.
- White City is not an established office location therefore the yields adopted may be rather optimistic.
- Retail/cafe revenue – a large majority of the comparables were not located within close proximity of the application site and the rents adopted may be optimistic.
- Inadequate information has been provided on the residual land value and revenue in respect of the hotel.
- In relation to revenue growth and cost inflation, the residential growth seems reasonable but there were reservations over the methodology applied in assessing the retail and office growth.

- The construction costs, professional fees, marketing, letting and disposal fees; and finally, finance rate were all within the acceptable range.

24 In respect of the benchmark land value, conventional viability assessments tend to reflect current market values and assumptions, whilst the applicant's appraisal model relies on a forecast of future revenue growth and cost inflation over a period of 8.25 years, which are difficult to predict. That notwithstanding, the details of the scheme and changes to the various inputs to the residual land calculation reveal a negative land value and subsequent conclusion that the scheme is not viable by a significant margin.

25 To summarise, the revised appraisal still demonstrated that the development was unviable on the basis of a market-based approach to assessing the viability of the scheme and consequently it was unlikely that the scheme would be implemented, left to market forces alone. For this reason, the scheme is unable to provide any additional affordable housing.

26 The foregoing paragraphs satisfactorily address all the housing issues outstanding at the consultation stage. The proposed unit sizes, mix, tenure and level of affordable housing are broadly in line with the policy requirements of the London Plan and are therefore acceptable.

Urban design issues

27 The stage 1 report was generally supportive of the scheme, nonetheless the Mayor requested that the applicant review the tall building aspect of the scheme in his Stage 1 letter and as a consequence a number of follow-up meetings were held with the applicant, at which they set out in further detail the design case for the tall building and other elements of the scheme. This was brought together in an addendum submission to the design and access statement (May 2012). In the addendum report the applicants respond to the question, *"is the form and scale of the building, appropriate to its context?"* and *"how has the design evolved to respond to the planning context for the site and the buildings brief?"*

28 The applicant sets out that the tall building would be unlike others in the vicinity as it would have an offset core rather than a central core, enabling the quantum of accommodation to be contained in a relatively slim form rather than a building of more "squat" proportions. The applicant modelled the centre core building, with the same amount of accommodation and as described, it resulted in a building of more squat proportions, which would still be visible from the neighbouring conservation areas and whose larger plan form would tend to block the entrance into the central green space from Woods Lane. In terms of its impact on the skyline the current scheme is considered to give the better outcome when tested against London Plan policy 7.5 Public Realm, 7.6 Architecture, 7.7 Locations and Design of Tall Buildings and 7.8 Heritage Assets and Archaeology, then the alternative which they have tested.

29 Of course, this alternative is designed on the assumption that the building must accommodate the same amount of floor space. If less floor space were contained within it, then it would potentially result in a shorter building, albeit that this would arguably be an even more squat form, and would miss the opportunity to contribute positively to the skyline and view along the A40, a point of visual significance as a main point of entry into west London, and would also miss the opportunity to improve the legibility of the area, with the taller building acting as a point of reference. Its reduced scale would also fail to mark the regeneration of a key west London opportunity area and by reducing the quantum of development, it would also affect the viability of the scheme reducing the potential contribution to local regeneration and potentially undermining scheme viability. Finally, whilst the shorter building would continue to allow the ground floor of the site to be permeable, the outcome would not be as beneficial as the current scheme as views into

the central square would be more limited and the relationship of the proposed ground floor uses to Wood Lane and the new public space adjacent to the Westway would not be as generous.

30 As identified in the Stage 1 report there would be some harm to neighbouring conservation areas to the north and east, but the wider White City area is generally considered to be one whose character would not be adversely affected by the scale, mass or bulk of the building; and on balance this consideration and the benefits the scheme would bring are considered to outweigh the harm to heritage assets.

31 Representations have been made to the Mayor that undue weight was given to the draft White City OAPF in the Stage 1 report. The latter report made clear in paragraph 59 that "The OAPF is in draft form and will be subject to a further round of consultation in May of this year". The report then set out the general approach in the draft tall building strategy and noted that, "There have been a number of objections made to the tall building policy by local residents and these are being considered as the document is redrafted." As set out in paragraph 11 of this report the draft OAPF sets out that it is of limited material weight and that weight will increase as the consultation process progresses. The stage 1 report makes reference to the draft OAPF as a material consideration, albeit of limited weight, but primarily it considers the scheme against the relevant London Plan policies. Having further reviewed the scheme against those London Plan policies as requested by the Mayor, it is still considered to be acceptable in terms of its design, form and layout.

32 The urban design section of the 2004 'White City Opportunity Area: A Framework for Development' notes that buildings must have acceptable relationships with existing and neighbouring development. It also states building height may generally rise towards the A40 and A3320, and that subject to an overall design framework, "*consideration of buildings of exceptional design quality is encouraged.*" At the time it was drafted, the framework envisioned that an urban design framework for the wider site would be brought forward by developers, as indeed it subsequently was, with OMA producing a masterplan on behalf of the then landowners which had tall buildings located adjacent to the A40. That masterplan was never taken forward, and hence the White City OAPF was developed.

33 Objectors to this scheme have pointed out that the 2004 'White City Opportunity Area: A Framework for Development' also states that north of the A40, building height and massing must respect the adjacent residential area. In placing this tall building to the western most part of the site, the scheme has been designed to minimise its impact on the suburban scale of development to the north. As acknowledged in the paragraphs on the impact on conservation areas, there would be some harm to the character of those areas, but they would not be overly dominated by the scale of the proposals and on balance, are considered to be acceptable.

34 It is also pertinent to note that an application for redevelopment of the former Dairy Crest site in Wood Lane, to the immediate south of the A40 Westway, includes a 32-storey tower block, the details of which appear to combine well with the Imperial College tower and would not be unduly obtrusive to its surrounding. The Dairy Crest application is, however, yet to be determined and may not necessarily be granted planning permission, or be built even if it did.

Energy issues

35 The applicant's response to comments raised in relation to the proposed energy strategy is set out below, in accordance with the London Plan energy hierarchy.

Be Lean

Energy efficiency standards

36 Concern was raised that the level of savings in regulated carbon emissions (17%), compared to a 2010 Building Regulations-compliant development, appeared unduly high for Building C (the School of Public Health). Evidence from modelling output sheets was therefore required to verify the proposed savings.

37 In response, it has been confirmed that as a result of significant effort by the architect and service engineer, the building would achieve a 17% improvement over Part L 2010 from passive design and energy efficiency alone. A preliminary Building Regulations UK Part L (BRUKL) report for Building C, including modelling inputs and outputs was submitted to support those results.

38 It was also unclear what the overall regulated carbon dioxide (CO₂) savings across the whole development would be and the applicant was required to provide a commitment to meeting 2010 Building Regulations across the whole development through energy efficiency alone.

39 In response to this, the applicant confirmed a commitment to meeting the 2010 Building regulations across the whole development through energy efficiency alone. This has already been demonstrated in respect of buildings C, D and F. On the buildings for which outline permission is sought, the applicant further commits to compliance with the 2010 Building Regulations through energy efficiency alone, with a target of 15% improvement over the regulations.

Be Clean

District heating

40 The applicant has confirmed that all apartments and non-domestic building users would be connected to the site heat network, however details of the proposed heating infrastructure would be known at the detailed design stage after the planning application has been determined.

Combined heat and power

41 The applicant was requested to commit to a particular size of CHP plant, with details of associated savings reported in the finalised energy strategy.

42 In response, the applicant has pointed out that the current minimum size is based on the current assessment of thermal and electrical loads. The actual size of the CHP will be confirmed at the next stage of its design, once the thermal and electrical loads are better known. Imperial College can, however, commit to achieving a minimum 25% regulated carbon savings from CHP; which is equivalent to a size between 500kWe and 700kWe based on a modular plant.

Be Green

Renewable energy

43 The applicant was also requested to commit to a specific renewable energy strategy and present the associated savings for each building as well as the overall savings across the whole development.

44 In response, the applicant has confirmed that space has been allocated within the energy centre for future installation of a further district low-and-zero carbon (LZC) energy source

alongside or in place of a gas-fired CHP. The technology will be determined at a later stage, in light of technical and commercial viability, detailed assessments of the energy profiles of the later phases, the potential carbon dioxide savings, and the availability or otherwise of the White City network.

45 In addition, renewable energy systems that provide additional CO₂ reductions will be installed in individual buildings as appropriate to their energy profile and carbon reduction target. Overall, it is estimated that the regulated carbon savings would be reduced by a further 0.5- 5% at Imperial West through renewable energy systems, depending on the outcome of the borehole cooling feasibility study for Building C and the strategy employed for Buildings A and G.

Overall carbon savings

46 The applicant was also asked to provide further information on CO₂ savings at each tier of the energy hierarchy in line with Tables 1 & 2 of the GLA energy assessment guidance, September 2011.

47 Those tables have been provided in the format required and are considered to be entirely satisfactory.

48 The GLA energy advisor has subsequently confirmed that the applicant has provided a satisfactory response to the relevant comments in the stage 1 report and that there are no outstanding issues in relation to energy.

Transport for London's comments

49 Since stage 1, TfL has worked with the applicant and Hammersmith & Fulham Council to identify the impact of this development on the transport network, as well as agreeing priorities for mitigation including the enhancement of pedestrian and vehicles with the wider area.

50 Given TfL's ongoing concern about highway congestion in the White City OAPF area, the applicant was encouraged to reduce parking levels, particularly in relation to the hotel and office elements. Although parking remains as initially proposed, the applicant has highlighted the low level of vehicle trips generated at peak hour and it is accepted that any increase in vehicle trips would be less than the daily variation in local traffic flow during the peak period.

51 Overall parking provision would also be similar to that associated with the former office use. Notwithstanding this, local highway modelling has indicated that with development traffic, the Wood Lane/Du Cane Road junction would be close to capacity. £200,000 has therefore been secured towards local junction improvements, which is welcomed. In addition, the development will be supported by a parking management plan which is secured through the section 106 agreement. Residents will be prevented from obtaining on-street permits within the local controlled zone and a contribution of up to £85,000 towards a review of local parking controls has been secured, which is welcomed.

52 Electric vehicle charging points will be provided in accordance with London Plan standards and will also be secured by condition.

53 Measures to overcome the barrier effect of major road and rail lines in this area and to promote a shift towards sustainable transport modes are a key priority for the draft White City OAPF. The applicant has therefore offered to fund, design and construct an east-west pedestrian and cycle link under the West London line. The total cost of delivering this link has been estimated at £4,000,000. This link is strongly supported by TfL and as such is considered to bring major transport and connectivity benefits to the wider area in accordance with London Plan policy 6.13. The applicant will be obliged to construct the link within one year of the practical completion of

building D, or five years of phase 2 of the development, whichever is the earlier. Failing that, they will be required to pay the equivalent sum of £4,000,000 to the Council to enable the completion of the link. The applicant will also be obliged to facilitate the construction of the local vehicular route under the Westway to the south. Although the actual link would be created within an adjacent development site, the applicant would be obliged to engage in the development process, and ensure that the layout and design of their scheme does not prejudice delivery of the link.

54 Further measures to promote sustainable travel include the provision of cycle parking in accordance with London Plan policy 6.9. The design and position of stands will be secured by planning condition. £20,000 has also been secured to provide links between this development and the proposed Cycle Superhighway 10 (CS10) which is expected to extend along Wood Lane. In addition, prior to the commencement of the development, the applicant will identify and make available to TfL at nil cost, space for a 36 space cycle docking station which has been secured through the section 106 agreement.

55 At stage 1, TfL noted that the development would generate the need for additional capacity on the public transport network, particularly buses, and accordingly that contributions should be secured in line with the emerging Development Infrastructure Funding Study (DIFS). In identifying the appropriate level of contribution to fund additional infrastructure, Hammersmith and Fulham Council recognise the exceptional cost of the works in kind associated with the provision of the east-west link. When taken with the sum of £1,000,000 that has been already been secured with the first phase of development and other works in kind, they acknowledge that this scheme will make a considerable contribution towards transport mitigation and that overall, it is comparable to that secured from other recent development in the White City area. Given this and that the development of this site is essential to securing the east-west link, the package of transport mitigation is considered reasonable.

56 In addition, TfL supports other planning conditions and section 106 requirements that will ensure sustainable transport measures are delivered, such as the provision of a new taxi rank, car club spaces, pedestrian improvements, workplace and residential travel plans, service and delivery plan and a construction logistics plan.

The proposed legal agreement

57 Hammersmith & Fulham Council's resolution to grant permission for this development was subject to the satisfactory completion of a legal agreement between Imperial College and the Council, to secure a merged package of benefits associated with the consented and ongoing phase 1, and the current application for phase 2 of the Imperial West development.

58 A total section 106 contribution of £1.4m was secured as part of the phase 1 application granted planning permission in November 2010. £1 million was ring-fenced to address the resulting impact of the proposed development on the social and physical infrastructure of the White City Opportunity Area. This will be provided in two £500,000 instalments on practical completion and after 12 months post occupation.

59 The additional £400,000 financial contribution with phase 1 was split into other requirements to mitigate the impacts of the development that fell outside of the White City financial contribution. This sum has been paid to the Council and the applicant is at various stages in complying with the obligations.

60 Within this sum, a contribution of £200,000 was identified as being needed for essential mitigation works to the highway and footway adjacent to Wood Lane, including re-engineering works to the Wood Lane vehicular junction. A further contribution of £120,000 was secured

towards the GLA and the Council costs preparing a Delivery Infrastructure Funding Study (DIF) which will form an important evidence-based study to inform developments in White City of their infrastructure requirements. The remaining £80,000 was identified as being needed for CCTV equipment, a tree planting scheme in the local area and crime prevention measures at the Bentworth Park Triangle.

The White City Opportunity Area contribution

61 The applicant has undertaken to make financial contributions towards the White City Opportunity Area, to assist the provision and implementation of new and improved social and physical infrastructure in the area. As evidenced above, the applicant has committed to provide £1million towards social and physical infrastructure improvements within White City, as part of the planning obligations agreed for phase 1. This financial contribution combined with the total cost in addition to the other planning benefits listed in the education and community/healthcare sections, represent an appropriate and proportional contribution towards the White City Opportunity Area.

Imperial College Phase 1 and 2 (Combined Financial Contributions):

62 The proposed development including phases 1 and 2 comprises the following financial contributions (including the estimated Mayoral CIL):

- Phase 1 £1,400,000
- Phase 2 £4,200,000
- Estimated Mayoral CIL (for Phase 2) £2,400,000

Total: £8,000,000

63 The scale of this contribution is considered to be consistent with the scale of impact that the scheme would have on the surrounding area and reasonable in the context of the overall infrastructure required for the development.

64 The breakdown of uses to which these contributions would be put can be summarised as follows:

A pedestrian/cycle underpass

65 Imperial College will covenant to use best endeavours to acquire the land, design and build a pedestrian/cycle underpass, known in the White City Opportunity Area Planning Framework (WCOAPF) as the east to west link, on the south-eastern corner of the Imperial West site. The underpass would form a linkage between the site, the Opportunity Area and Latimer Road within the Royal Borough of Kensington and Chelsea. The underpass is identified as a key infrastructure requirement within the WCOAPF and Kensington & Chelsea Council's Westway Area Action Plan would result in more sustainable travel patterns in the area, thereby redressing the east-west disconnection caused by the Westway and the West London line.

66 The cost of the acquisition, preparation of proposals and implementation is £4 million. Imperial College has agreed to maintain the underpass (keep clean, tidy and safe), whilst ownership is established. If Imperial College is unable to acquire the land (and secure the consents) by the target date (by the time the last of buildings D, E or F have been built), the college would make the £4 million contribution to Hammersmith & Fulham Council to use reasonable endeavours to deliver the underpass.

The key worker housing

67 The developer will provide 59 units (in building F) to be offered exclusively to key workers at a range of household incomes within the London Plan maximum (of £64,400 for studio, 1 and 2 bed units and £77,200 for large 2 bed and 3 bed units).

68 A cascade mechanism is incorporated into the draft legal agreement. The housing will be marketed at Imperial College-based workers (residing in the London Borough of Hammersmith & Fulham) for a limited time period, before being marketed at Imperial College-based workers (that reside outside the borough) for a further limited time period. If the college is unsuccessful in marketing the units to college-based staff, then the units would be offered to other key workers within the borough.

69 A review mechanism for building F if not commenced within a given timeframe, to determine if additional affordable housing can be delivered or if any further affordable housing contribution is payable.

Wheelchair housing

70 The developer agrees to provide and market exclusively, 10% of the residential units that are adaptable to wheelchair accessible standards.

District energy network

71 The developer will provide a connection point within the boundary of the Phase 2 land into which the proposed White City District Energy Network may connect if it is built. The agreement confirms that the design of the buildings will be capable of being connected to the district energy network.

Transport and car parking

72 The developer will commit to producing a service delivery plan and the preparation of travel plans for the residential and commercial components of the development. Car parking permits would be restricted within nearby controlled parking zones (CPZs). The developer also agrees to contribute towards a CPZ review and to meet the costs of any changes to the CPZ following the outcome of the review.

73 In addition, the developer will provide electric car-charging points to comply with London Plan policy. Internal site roads, including pedestrian and cycle routes would be used as un-adopted highway and maintained by the owner. Internal roads and pedestrian and cycle routes would be opened to allow 24-hour access seven days a week. The owner has rights to close the roads for up to two days a year, or as agreed with the local planning authority.

Public realm, open space and landscaping

74 Imperial College will agree to submit an interim open space management plan to ensure that the areas surrounding the various buildings are landscaped, managed and brought into use at appropriate stages during the construction of the whole development. A public realm management strategy will be submitted once the final building has been completed, to ensure the public realm is appropriately laid out and maintained. The developer will also use reasonable endeavours to contribute and collaborate with the appropriate landowners in bringing forward plans to redevelop the adjoining land underneath the Westway.

Education, health, day centre and gymnasium facilities

75 Imperial College will provide social infrastructure (for WCOAPF) by making space available within the development for a gymnasium (in building E), a health centre (building C) and education facilities for over 16 year olds (from the Burlington Danes and Phoenix Schools). The developer agrees to provide a specialist laboratory facility within the development (envisaged to be located in building A) based on the owner's current "Reach Out Teaching Laboratory" in South Kensington, the aim of which is to provide school children with an environment of learning enrichment, raising aspirations towards higher education and science (but which is specifically not a replacement for teaching at school).

76 An interim education strategy for educational improvements to local schools and how the College would work with the Council to provide facilities within building C (School of Public Health) in the short term, prior to the specialist facilities being located in other part(s) of the development i.e. building A).

Health provision

77 An operational/management strategy to be agreed with the council and the NHS/PCT prior to occupation, which secures appropriate access to primary health care facilities for local residents.

Employment and training facilities

78 The Council will secure incubator and accelerator spaces in building D and employment opportunities for local residents within the borough (particularly in White City), by requiring the owner to use reasonable endeavours to implement a local employment and training strategy for the potential construction and operational and jobs arising from the development).

Re-appraisal of building F

79 Imperial College undertakes to re-evaluate the financial viability appraisal for building F (the residential building) prior to construction, to determine whether any additional key worker or affordable housing could be provided. The legal agreement also provides an opportunity for the Council to decide whether to opt for the provision of additional on-site key worker/affordable housing, or ring-fence any excess profit (minimum 17.5% profit on cost or on value) to go towards affordable housing within the White City area.

Response to consultation

80 Prior to formal submission, Imperial College carried out extensive consultations in the form of newsletters, public meetings, exhibitions and a press release, all of which were subsequently posted on the Imperial College website. Details of these and the response received are included in a Statement of Community Involvement submitted with the planning application.

81 Hammersmith & Fulham Council application advertised the application by way of site and local press notices. Consultation letters were distributed to 2, 455 addresses within the borough of Hammersmith & Fulham and 1,750 to addresses within the adjoining Royal Borough of Kensington & Chelsea.

82 The officer report to Hammersmith & Fulham Council's planning committee indicated that an initial 39 written replies were received from within the borough, comprising 36 letters of objection, 2 in support and 1 stating no objection. A further 168 written replies were received from addresses in the neighbouring Royal Borough of Kensington & Chelsea, of which there were 160 objections and 8 letters in support of the scheme.

83 Additional responses are reported in an addendum the Council officer's report to the local planning committee. It is also pertinent to note that several of the responses listed above were also addressed directly to the Mayor of London. Standard replies have been sent advising those objectors that a summary of their comments would be reported at stage 2 and taken into account by the Mayor in reaching his decision.

84 A summary of the issues raised by various groups and individuals are follows:

Key issues raised	From LBHF	From RBKC
Tower building is out of scale and inappropriate for its surrounding	16	36
Tower would create a precedent for more tall buildings in the area	9	12
Tower would lead loss of day/sun light to neighbouring properties	6	17
Tower would overlook and lead to loss of privacy to neighbours	6	28
Tower would overshadow neighbouring properties	4	14
Tower would be visually obtrusive and overbearing	4	
Adverse impact of tower on neighbouring conservation area	1	42
Increased traffic, parking congestion, pressure on public transport	21	79
Increased noise from traffic and activity in the area	-	9
Development is of inappropriate density height scale and design for area	-	76
Development as a whole would lead to loss of day/sunlight to residents	13	38
Development will dominate skyline and lead to loss of outlook	3	18
Development would lead to overlooking	-	6
Development would cause wind tunnelling	2	2
Development is contrary to the White City OAPF	-	5
Adverse impact on services- schools, nurseries, GP surgeries hospitals	5	27
No need for new shops, restaurants and a hotel	3	
Impact from artificial light/light pollution at night	4	24
Lack of adequate affordable housing	1	8
Insufficient or net loss of jobs to area	1	
Impact on travellers' has not been adequately considered	-	13
Loss of TV, satellite, broadband internet and mobile phone reception	2	3
Lack of adequate crossing for pedestrians and cyclists	2	-
Long-term impact of noise and dust pollution from construction	-	4

85 The following responses have been received from local MPs, residents' associations and amenity societies:

St Helen's Residents Association

86 St Helen's Residents' Association raised several issues in objection to the development, the principal ones being:

- The inappropriate height and massing of the scheme is unsympathetic to the surrounding low-rise residential area; contrary to the NPPF, the London Plan and local policy, including the adopted 2004 White City OAPF.
- The development would impact adversely on neighbouring conservation area.
- The proposals take no account of local objections to the draft White City OAPF, pre-empting its future adoption.

- The applicant's views analysis is not sufficiently comprehensive.
- The submitted visualisations are inaccurate and disingenuous in minimising potential impact.
- Evidence of a significant (up to 50%) loss of sunlight/daylight to neighbouring residents with following the results of a study commissioned by the residents association itself.
- The density of development is excessive and contrary to the London Plan, resulting in congestion and inadequate public realm.
- Doubts over the results of the financial viability appraisal (which should not be confidential as Imperial College is a public body) and a subsequent dearth of affordable housing within the scheme.
- The development does not respect the local street pattern, landmarks or skyline.

87 Webster Dixon, solicitors acting on behalf of St Helen's Residents Association have written to the Council's planning applications committee (citing the May 2012 judgment quashing an SPD in respect of the Shepherds Bush Market Regeneration Scheme and a separate case involving the West Kensington & Earl's Court scheme) to challenge a "procedurally flawed" use of the draft White City Opportunity Area as a Supplementary Development Plan (SPD) document and the undue weight placed on it as an emerging policy document; when it should rightly be categorised as a Development Plan Document (DPD and developed as an Area Action Plan (AAP)).¹

88 In contrast, the solicitors note the relatively little weight given to the 2004 White City OAPF formally adopted by the Council in July 2004; observing that the proposed development is contrary to the building height and massing restrictions contained within that document.

89 To conclude, St Helen's Residents' Association requests the Mayor to reconsider this application in the light of the 2004 White City OAPF and intervene under Article 5 of the 2008 Order, to avoid the likelihood of a Judicial Review of the Council's resolution to grant permission.

Representation from the Rt. Hon. Sir Malcolm Rifkind, MP

90 Sir Malcolm, the MP for Kensington, wrote to the Mayor of London enclosing a copy of a letter he had written to Baroness Manningham-Buller, Chairman of the Imperial College Council, associating himself with the representations made by St Helen's Residents' Association and expressing hope that it would lead either to planning permission being refused or, at the very least, the scale of the project being severely reduced.

The Hammersmith Society

91 The Hammersmith Society objections reflected those already described above, particularly in relation to the tall building, its impact on views, heritage assets and the adjoining conservation area; with the following additional points:

- Concern over the use of a hybrid application for the development of a major site, with only outline details for a significant part of the development.
- The scheme shows no evidence of exceptional design quality.

¹ The significance of this distinction is that under S.20 of the Planning and Compulsory Purchase Act 2004, DPDs must be submitted to the Secretary of State for independent examination, which allows public representations on the planning policy, while SPDs do not require independent assessment or submission to the Secretary of State.

- The need to impose planning conditions to ensure surface water run-off does not outstrip the capacity of the local system to handle it.

Woodlands Area Residents' Association

92 The Woodlands area association made representations on behalf of communities on both sides of the borough boundary. It reiterated many of the principal objections raised so far, with particular concern that the application was being fast-tracked without adequate consideration of the response to consultations. The following additional objections were raised:

- The hybrid nature of the application makes it impossible to judge the merits of some buildings and the development as a whole.
- The development would have a significant cumulative impact on the Woodlands site and land to the north of Westfield, in terms of water supply, drainage and sewerage.
- Potential acoustic effects of the buildings regarding road noise from the A40 and the adjacent railway line.
- Potential interference to radio, TV satellite, broadband internet, mobile phone communications and the local microclimate.

Kensington Society

93 The Kensington Society supported the objections lodged by the Kensington & Chelsea Council and the St Helen's and Woodlands area residents' associations, noting that the high density of development exceeded the guidance provided in the London Plan density matrix; leading to a scheme which was 'central' in character but 'inner suburban' in its location

Hammersmith & Fulham Historic Buildings Group

94 This group supported the objections raised by the Hammersmith Society and Woodlands Area Residents' Association. It supported the re-use of a brownfield site but objected to the development on grounds that it exceeded Imperial College's educational remit; leading to a gross overdevelopment, an adverse impact on the borough's heritage assets and damage to views in and out of the surrounding conservation areas.

The Norland Conservation Society

95 The Norland Society reiterated many of the objections previously raised; noting that the scale of the 35-storey building was ill-suited and inappropriate to the site, the lack of integration between the development and the surrounding area, the negative impact it would have on the adjacent conservation area; and the lack of adequate infrastructure to cope with the additional pressure.

The Ladbroke Association

96 The Ladbroke Association objected to proposals on grounds that the height, massing and quality of the development would impact adversely on the surrounding conservation areas; and would lead to an increase in traffic and demand for local services and facilities.

Stable Way Residents' Association

97 The association supported the objections raised by the St Helen's association, highlighting the poor consultation of local residents; the lack of public support for the proposed towers; its

inappropriateness in relation to a low-rise conservation area; concern that the buildings for use by Imperial College represent only 60% of the total development; poor assessment of its cumulative impact on the White City developments; and concern that the scheme would contribute little to the housing needs of the area.

The Irish Travellers Movement in Britain (ITMB)

98 The ITMB expressed concern that the development takes no account of the needs of travellers; would raise issues of overlooking and privacy; and should not proceed until a strategic plan has been fully consulted upon and adopted.

Representation from Andrew Slaughter, MP

99 The Labour MP for Hammersmith supported the objections of local residents, specifically on the following grounds:

- The proposal represents a massive overdevelopment in a densely developed area.
- The height of some buildings were unacceptable and out of keeping with the low-scale surrounds and conservation areas.
- The development would increase traffic congestion and parking problems.
- The cumulative impact of existing, proposed and future developments in the White City Area has neither been considered nor coordinated.
- The proposals show disregard for the strategic needs of the White City/Shepherds Bush area.
- The proposals pre-empt the adoption of the draft White City OAPF, which should not be used in the assessment of this planning application.

Representations from local councillors

100 Councillors Robert Atkinson, Judith Blakeman and Todd Foreman of Notting Barnes Ward in the Royal Borough of Kensington & Chelsea submitted the following principal objections on behalf of their constituents:

- Inadequate consultation of residents of North Kensington.
- The proposals would severely damage views in and out of the Oxford Gardens Conservation Area.
- The proposed towers would dominate the area, severely restricting sun and daylight to surrounding residents.
- The proposals represent another ad hoc and incremental development in the White City area; the area requires a strategic plan on which local people are adequately consulted.
- The proposals are contrary to national, local and London Plan policy.
- The development provides inadequate social or affordable housing.
- The proposals would increase traffic and parking within the locality.

Councillor David Lindsay of Norland Ward

101 Councillor Lindsay objected to the potential effects that the high density, scale and height of the development would have on the local skyline; expressing concern over the cumulative

impact that future developments in White City would have on transport, sewage and surface water capacity, public transport and social services for local residents.

External organisations

The Royal Borough of Kensington & Chelsea (RBKC)

102 Kensington & Chelsea Council submitted the following representations:

- The height, bulk and design of buildings C, D and F would harm views from within and the setting of Oxford Gardens/St Quintin, Ladbroke and Kensal Green Cemetery Conservation Areas, together with the setting of the registered park at Kensal Green Cemetery.
- The lack of adequate east-west pedestrian links beneath the West London line means the proposals fail to integrate and connect with the surrounding area.
- The cumulative impact of developments within the White City OAPF and their potential impact on traffic congestion and public transport in RBKC have not been adequately assessed.
- Lack of information regarding mitigation measures for potential impact on social infrastructure (particularly with regard to health and education facilities) within RBKC;
- There is an absence of detailed information regarding potential impact of proposal on the air quality in RBKC.
- The Council is not convinced that the suggested child yield figure is realistic and remains concerned that the impact upon facilities on RBKC might be greater than expected if child yield has been underestimated.
- No analysis has been undertaken of the impact of the construction noise on residential properties located on the west side of Latimer Road.

103 The Council's Architects' Appraisal Panel welcomed the use of a former industrial site for university-led activities but believed the proposal was more a consequence of a commercial masterplan, with no attempt at place-making or promoting a built form that felt like part of a university campus.

English Heritage (Design & Conservation)

104 English Heritage submitted detailed concerns that relate primarily to the combined effect of the 35-storey residential tower, the 6-12 storey business incubator/office building and the 6-10 storey School of Public Health on the setting of Kensal Green Cemetery which is a Grade I Registered heritage asset; further concern was raised over the impact on the mainly low-rise scale of the surrounding townscape, which includes five conservation areas.

English Heritage (Archaeology)

105 Confirmed that no further archaeological work would be required.

Design Council/CABE

106 The Commission for Architecture and the Built Environment (CABE) commented that the height of the proposed tower was appropriate and welcomed its details. It supported the overall principle of the development, welcoming the manner in which the scheme related to its context, particularly the terraces to the north of the site and the different architectural expressions for each building.

107 CABE further commented that:

- The height of the proposed tower was appropriate and CABE welcomed its detailed design.
- The angled orientation of the tower to the south-west corner would open up the site successfully and help draw people into the central space.
- The proposed buildings that face onto Wood Lane should be allocated to retail use on the ground floor to maximise active frontage and questioned whether the functions along the cul-de-sacs on both sides of the School of Public Health are sufficient to animate the spaces.
- The open space lacks definition and the buildings should better relate to the spaces in front of them.
- It had concerns relating to the microclimate around the tower blocks.
- It would encourage a bold landscape design and suggested the relevant details could be secured by appropriate planning conditions.
- It would recommend simplifying the exterior of the Technology Transfer building.
- Confirmed the expectation of an exemplar sustainability strategy.

Environment Agency

108 Raised no objection to the proposal but requested that a planning condition be imposed requiring details of a suitable and sustainable surface water drainage system.

Thames Water

109 Thames Water raised concerns over the existing water supply infrastructure having insufficient capacity to meet the additional demands. Thames Water therefore suggested an Impact Study be carried out which has been secured by way of condition.

110 TW warned that an increase in the combined flow from this site and in surface water flows from the site could have potential effects further down the catchment in the Counters Creek area which should be mitigated by optimising the use of sustainable urban drainage systems (SUDS). A requirement to submit details of those SUDs has been secured by condition. TW also requested that a condition be imposed requiring a piling method statement be approved prior to any piling and that an informative be attached to any permission advising of construction restrictions near water mains.

The London Fire and Emergency Planning Authority (LFEPA)

111 The LFEPA had no objection to the proposals provided that four additional fire hydrants are installed on site in specified locations. This has been secured by way of condition.

The Civil Aviation Authority (CAA)

112 The CAA flagged up a number of aircraft navigation and aerodrome safeguarding precautions pertaining to the construction of tall buildings, some of which were the responsibility of BAA. They included the need for lighting on tall buildings and for buildings over 100m (300 ft) to be chartered on aviation maps.

British Airports Authority (BAA)

113 No response was received from BAA.

Defence Infrastructure Organisation

114 Confirmed that the MOD had no safeguarding objections to the detailed parts of the application in respect of RAF Northolt, and that there would be no objections to the outline parts of the development provided that they do not exceed 152m AOD.

Hammersmith & Fulham Access Forum

• The application was presented to the local disability access forum, which welcomed provision of key worker housing for Imperial/NHS staff and made the following recommendations in respect of the development as a whole:

- An Inclusive Access Management Plan should be secured by planning condition.
- The forum did not support the use of tapered steps.
- TfL should not be using walking distances for non-disabled people as proxy for walking distances for all abilities.
- That lifts in every block are usable in the event of a fire and requested a condition for a management plan to provide 24/7 and 365 days maintenance cover.
- That space is set aside at planning stage for a Changing Places toilet in Block C on the basis Imperial polyclinic/clinical trials may see disabled adults who need this facility.
- A condition that all public realm proposals return as reserved matter for further discussion.
- That the concept of shared surfaces should not be supported; noting that blind and visually impaired people needed effective physical delineation e.g. kerb/appropriate tactile paving etc. to warn them that they are approaching shared area for vehicles and cyclists.
- Accessible and inclusive gradients for gentle slopes, ramps or changes in level should be specified.
- Further discussions on achieving step free entrance to Building D from the Westway.
- Current solution requires wheelchair user to travel further than non-disabled people.
- A range of seating provided in public areas e.g. with arms suitable for older disabled people and disabled people.
- Blue badge parking should be available for each building and this should be provided in appropriate locations and marked out correctly and a parking management plan should keep blue badge parking spaces in perpetuity.
- Step-free access should be available from each car park or grade parking spaces to buildings and the height of any underground car park should be suitable for high-topped vehicles.
- Accessible pick-up and drop-off points should be near public entrances to buildings available for older and disabled people using taxis, community transport etc.

- Wheelchair accessible housing should be located next to the lift and should provide storage and charging point for motorised scooter.
- A condition on the pre-marketing of wheelchair accessible units.

115 The issues raised in consultation have been addressed either in this report and the preceding stage 1 report, or in the Council officers' report to the Hammersmith & Fulham Planning Committee.

Article 7: Direction that the Mayor is to be the local planning authority

116 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

117 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

118 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*Costs Awards in Appeals and an appeal*).

119 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy. Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

120 To summarise, there is considerable local opposition to the form of development proposed for the application site but not to the principle of development per se. The objections relate largely to the height, scale and massing of the development in relation to neighbouring conservation areas

and heritage assets and these have been addressed in the urban design and other sections of this report, the stage 1 report and the officers' report to Hammersmith & Fulham Council's planning committee. In particular, it is considered that whilst there would be some harm to neighbouring conservation areas to the north and east, including St Helen's, the wider White City area one whose character would not be adversely affected by the scale, mass or bulk of the building; and on balance this consideration and the benefits the scheme would bring are considered to outweigh the harm to heritage assets.

121 Those concerns also have to be balanced against the local aspirations, as expressed in the London Plan and Hammersmith & Fulham Council's Core Strategy DPD, which identify the application site and its surrounding as an opportunity area for regeneration and development for a mix of housing, employment and community uses; with supporting uses (such as local shopping, restaurants and community facilities).

122 Within the overall mix of potential uses the relevant policies identify the scope to accommodate major educational, cultural and health facilities. The provision of some student accommodation is also appropriate as part of a satisfactory overall mix of housing.

123 Imperial College is a renowned global educational institution. It has a full-time student enrolment of over 13,800, a total staff 6,300 (of which 3,300 are dedicated to solely academic roles) and is consistently ranked among the top ten universities in the world; tutoring students from 158 different countries in 238 courses. Its presence of in the White City area would return a previously underused brownfield site to beneficial use, by attracting a significant number of jobs, social and community facilities, thereby to fulfil the wider aspirations of the National Planning Policy Framework, the London Plan and the Council's Core Strategy DPD. The inclusion of a hotel, business incubator units, a state-of-the art research facilities, student accommodation and affordable housing would serve to reinforce London's role as a world-class city.

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