

Appeal Decisions

Inquiry held on 1-3, 8-11, 15-17 and 22 November and 25-27 January 2017

Accompanied site visits were held on 26-27 January 2017. Unaccompanied site visits were made on 19 September, 31 October and 17 November 2016.

by David Nicholson RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 April 2017

Appeal A: APP/H5390/W/15/3140593

Fulham Town Hall, London SW6

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (T&CP Act) against a refusal to grant planning permission.
 - The appeal is made by Dory Ventures Limited against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref. 2015/04022/FUL, dated 18 August 2015, was refused by notice dated 1 December 2015.
 - The development proposed is redevelopment and refurbishment of the site including retention and refurbishment of the Fulham Town Hall building and facade of the Town Hall Extension with redevelopment behind, to provide 18 residential units (Use Class C3), flexible retail uses (Use Class A1-A3) and community uses (Use Class D1).
-

Appeal B: APP/H5390/Y/15/3140594

Fulham Town Hall, London SW6

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LB&CA Act) against a refusal to grant listed building consent.
 - The appeal is made by Dory Ventures Limited against the decision of the Council of the London Borough of Hammersmith & Fulham.
 - The application Ref. 2015/04023/LBC, dated 18 August 2015, was refused by notice dated 1 December 2015.
 - The works proposed are redevelopment and refurbishment of the site including retention and refurbishment of the Fulham Town Hall building and facade of the Town Hall Extension with redevelopment behind, to provide 18 residential units (Use Class C3), flexible retail uses (Use Class A1-A3) and community uses (Use Class D1).
-

Decisions

1. Appeal A is dismissed and Appeal B is dismissed.

Preliminary matters

2. The Inquiry sat for 14 days with a Pre-inquiry meeting on 19 September 2016.
3. A Unilateral Undertaking was submitted¹ under section 106 of the T&CP Act (s106) covering title, notifications, completion prior to occupation, and financial contributions towards: carbon offsetting, local employment, affordable housing (AH), off-site cycle parking, and an events spaces, museum and public access scheme.

¹ Inquiry Document (ID) 26

4. There were 7 reasons for refusal (RfR) for the planning application. Of these, it was agreed before the Inquiry that those relating to a transport assessment (RfR2), AH (RfR3), energy sustainability (RfR5), drainage (RfR6), and an air quality assessment (RfR7) could be overcome through a s106 Undertaking.
5. The Government's Housing White Paper entitled: *Fixing our broken housing market* was published on 7 February 2017. I gave the main parties the opportunity to comment² but neither wished to.
6. A statement of common ground (SoCG)³ was agreed together with two further SoCGs which cover the Significance of Designation and provide a Schedule of Artefacts.

Main Issues

7. From all the evidence before me, and my inspections of the site and the surrounding area, I consider that the main issues in both appeals are whether the proposals would:
 - a) preserve the special architectural and historic interest of the listed building, having regard to its significance as a designated heritage asset;
 - b) offer public benefits which would outweigh any harm to the asset;
 - c) represent the optimum viable use (OVU) of the listed building;
 - d) preserve or enhance the character or appearance of the Walham Green Conservation Area (WGCA) having regard to its significance.

An additional issue in Appeal A is:

- e) the effect of the proposals on the living conditions of neighbouring residents with regard to daylight, loss of outlook, and sense of enclosure.

Planning history

8. Fulham Town Hall (FTH) was built as the result of an architectural competition for a design to replace the vestry hall in Walham Green. Built in 1888-90, it rapidly proved too small and was enlarged in 1904-5 by the Metropolitan Borough of Fulham with a new façade onto Harwood Road. It was extended again along Fulham Road in 1934. It ceased operating as a town hall in 1965, when Fulham merged with Hammersmith, but continued in use as a Registry Office and venue for events. More recently it has had other office uses and been occupied as a temporary film set. It was common ground that the use of the building as local authority offices is *sui generis* (in a class of its own). Following a marketing exercise to sell FTH, the appellant emerged as the preferred bidder.

Reasons

9. The appeal site lies within the town centre boundary, adjoins primary shopping areas and mixed uses to the north and west, and residential properties to the east. FTH has frontages onto both Fulham Road and Harwood Road although the small buildings at the junction are in different ownerships and uses. It has a Public Transport Accessibility Level of 6a as a result of its location opposite the new Fulham Broadway Underground Station. The old station, which adjoins

² ID25

³ ID7a, ID7b and ID13

this, is listed at Grade II. It was common ground that there is no requirement to replace the civic offices and that in principle mixed use retail, residential and community uses on the site would accord with planning policy at all levels.

LIST DESCRIPTION

10. FTH was first listed in 1981 but regraded in May 2012. The later, more detailed, listing identified four principal reasons for a Grade II* designation and includes lengthy descriptions of the interiors. The 1934 extension is specifically not included in the description. It was common ground that the extension's interiors are not of special interest and that, subject to a suitable replacement, demolition of the building behind the façade would be acceptable.
11. In short, the four principal reasons for regrading to Grade II* were:
 - A) THE ARCHITECTURAL INTEREST: particularly the quality of the Italianate and Baroque façades;
 - B) THE INTERIORS: the exceptionally rich panoply of high-quality fittings and decorative finishes in both main phases including Art Nouveau tiling and Scagliola (imitation marble) columns;
 - C) ITS INTACTNESS: having undergone remarkably little alteration, and;
 - D) ITS HISTORIC INTEREST: as an eloquent illustration of the burgeoning civic identity from parish vestry to metropolitan borough.

SIGNIFICANCE

12. FTH is a reflection of the democratisation of London and its boroughs and of the burgeoning civic pride of that time. Following detailed assessments by both main parties, the relevant SoCG⁴ broadly agrees on the extensive areas of significance and high significance with regard to the building's fabric and spaces. The highest quality interior features⁵ include the entrance halls, the Grand Hall and its staircase, the Harwood Road Staircase, the Council Chamber and the Mayor's Parlour, and the rooms around the central lightwell which were agreed to be of high aesthetic, communal and historic value as a cohesive suite. The grand spatial volumes of the Concert Hall and Assembly Rooms, with high, enriched ceilings, were also agreed to be of high significance although Historic England (HE) acknowledged these to be of secondary status compared with the Grand Hall.
13. While there were differences in the parties' assessments, given the considerable number of rooms studied, these are relatively limited. There was less agreement over the significance of the circulation routes and these assessments did not depend on public access. There is also a distinction to be made when following both the duties in planning law⁶ and policy in the National Planning Policy Framework (NPPF) between the historic interest and significance of the building and the benefit of an ability to appreciate this by way of public access.

PROPOSALS

14. In summary, the proposed redevelopment and refurbishment would include the creation of a retail arcade at ground floor and part first floor, anchored by the buggy producer Maclaren, with a café located in a central atrium. This would

⁴ ID7b. See also O'Neill s7 pp36-49 (endorsed by Barker-Mills) and Historic England (HE) at CDJ17 ¶¶6.4-6.32

⁵ Extensive details are set out in the list description CDQ7, the SoCG and both parties' evidence including the detailed and lengthy Historic Building Report at Riddington Appendix 1 and that for the Council at CDEA3.

⁶ Notably s66 and s72 of the LB&CA Act 1990

form a hub and connect the two main axes of the building from Fulham Road and Harwood Road. Vertical and horizontal access and circulation within the building would include a new staircase and a lift in the opened-up atrium and a separate lift and staircase to high quality residential accommodation on the upper floors.

15. The proposals would include extensive repairs. Subject to submitting schemes for approval, a museum⁷ would be created, the suite of rooms around the Council Chamber would become events spaces, and there would be a commitment to public access. There would be new internal elements including kitchens and bathrooms to all the new flats and mezzanines into those to be formed from the Assembly Rooms and Concert Hall.

Effects on the listed building

16. There was a difference of opinion over the status of the 1934 extension and whether or not this forms part of the listed building for consent purposes. This is because although the statutory listing states that it is not included, and has no special interest, this entry predates the Enterprise and Regulatory Reform Act 2013 (ERRA). This gave authority for list entries to specifically exclude elements of a building from the statutory listing. I have not been made aware that the Secretary of State has amended this and so I find that the 1934 wing remains part of FTH for consent purposes. On the other hand, the works of demolition which are covered by the Act⁸, and so would require consent, were agreed to be acceptable, while the works to the façade would only require consent if they would affect its character as a building of special architectural or historic interest.

A. ARCHITECTURAL INTEREST

17. FTH was built to make a prestigious statement at the centre of the Borough to which it was to serve. The impact on the exteriors of the earlier phases of FTH would be largely limited to replacing the existing fire escape to the flank of the Concert Hall block with a full height lift and stair core, facing the rear of Cedarne Road, and minor alterations including a new ramp to the Harwood Road entrance. These changes would have little effect on its architectural interest.
18. The façade to the 1934 Fulham Road extension is of much less architectural interest than the earlier elevations with a plainer, stripped back, classical design. The replacement building behind the façade would have retail units at ground level and residential accommodation above. The roof extension behind the retained façade, but above the existing parapet, would have a post and beam appearance⁹ of rectilinear walls and roof enclosing large picture windows, facing up Fulham Broadway, and Portland Stone cladding in between and to a blank side wall. This new top floor would be clearly visible from some parts of Fulham Broadway. While the extension has been thoughtfully conceived, I am not persuaded that the pronounced rectilinear style, with fully glazed bays to the front elevations and an exposed flank wall, would sit comfortably against the style of the historic building. Rather, its large areas of glazing and Portland

⁷ The conditions and s106 would require the museum to be provided, maintained and operated pursuant to a scheme prior to occupation.

⁸ Section 7(1) of the LB&CA Act. While under *Shimizu* (ID19) this would mean the whole building, the works proposed here would be so substantial as to amount to a clearing of the site.

⁹ Referred to as trabeated by HE

stone would be at odds with the character of both the original and 1934 façades and its prominence in longer views would detract from the quality of the Fulham Road elevation as a whole.

19. There would be new shopfronts at ground floor level, with more active frontages, which would be consistent with the prominence of the building and advantageous to the commercial function of the street. These would have a neutral effect on significance. The other windows to the front elevation would be replaced although this aspect could be revisited by attaching a condition.
20. The 1934 wing is attached to the main building and is subservient to it. As part of the listed building, the external proposals would therefore detract from its character and this would add to other harm to the listed building. However, even if I am wrong about this, and the 1934 wing is not part of FTH for consent purposes, then its façade and the surrounding streets are still within its setting. As such, the extent to which it can be seen and experienced contribute to its significance. I consider that a similar weight of harm that I have found to FTH as a listed building, from the proposed roof extension, would then apply to the impact on its setting.
21. From the street, the frontages to the building appear neglected and unloved. This appearance diminishes the ability of observers to realise their importance and detracts from an understanding of its civic pride. However, as above, a distinction should be drawn between beneficial impact on significance and public benefit from an appreciation of it.

B. INTERIORS/FABRIC

22. The demolition plans set out the extent to which fabric would be lost. The entrance halls would be extensively altered and cleared of obstructions including the complete removal of the Harwood Road staircase. This is a deliberately monumental and dramatic feature which, even if not of the highest architectural quality having been designed by the Borough Engineer, has been remarkably well crafted with the best quality finishes and was agreed to be of high significance. For the Fulham Road approach this would mean new openings on both sides of the central corridor although the asymmetrical terrazzo to the west side of the front entrance suggests that some doors have been previously repositioned. Most of the original Victorian doorways would be removed albeit that these are mostly quite simple, that the most ornate would remain, and that the new arched openings would copy or echo the established architectural character. Several of the marble-topped cast-iron radiator covers would be taken out. Part of a wall to the light well, and the steps alongside, would be demolished.
23. Elsewhere, the Council Chamber would be left intact apart from some seating adjustment for access which on balance I find would be beneficial. The Grand Hall would be retained but with the proscenium arch replaced with a glazed screen and the space fitted out for retail sales (for which no details have been submitted but which could be required by a condition). The officers' staircase and two other sets of stairs would also be removed so that of the five internal stairwells from ground to first floor, four would be lost.

C. INTACTNESS

24. It follows from the loss of fabric, above, that there would be a significant reduction in the intactness of the listed building which was identified in the listing as one of the key factors in its regrading from II to II*. Furthermore, the proposed conversion of the Concert Hall and Assembly Rooms into flats with new mezzanines would all alter their historic arrangement and reduce their contribution to the special interest of the building. Although reversible in theory, the new mezzanines are unlikely to be removed given their probable value as residential floorspace. While the inserted kitchen and bathroom pods could be reversible, and the work could be done to a very high standard, they would also, to a greater or lesser extent, diminish the significance of FTH.

D. HISTORIC INTEREST

25. The building reflects the development of public administration and how this was accommodated. Specifically, the circulation routes illustrate the functional need at that time for both grand and private access routes to civic spaces and offices. HE identified not only the richness and variety of the interiors, but also that the hierarchy of spaces and circulation routes are of fundamental importance. The evolution of the building adds to this as does the conscious separation between the Grand and Officers' stairs or what HE referred to as the front and back of house routes. A modicum of local or communal interest may also come from any associations with local firms which may have worked on FTH particularly given that the 1905 extension was designed, and probably organised, by the Borough Engineer. It follows that, while important, an analysis of room-by-room changes alone is only part of the story.
26. The removal of most of the staircases, and so the considerable alterations to the circulation routes, would take away much of the physical evidence of the way in which the building once functioned. This would include opening up the light well into an atrium at the hub or 'knuckle' of the building where the two axes meet, requiring some walls to be demolished, and removing the officers' stair and the steps to the Council Chamber. The loss of the Harwood Road staircase would also separate the ground and first floor uses. It would remove direct access to the Assembly rooms and Concert Hall from this entrance. This would be another important loss to the historic interest in how FTH operated.
27. There was no disagreement with regard to the different quality of the fabric, and so the contribution to the decorative finishes and interior quality of the building, employed in the Grand and Harwood Road stairs compared with that to the officers' stairs. However, the contribution to the historical significance of FTH is not just dependant on its quality or the importance of those who used it. These are different matters. Consequently, while the main staircases are important in terms of the quality of their fabric, this does not reduce the significance of the officers' staircase in terms of the historic interest from the layout and organisational routes within the building.

CONCLUSIONS ON IMPACT ON THE LISTED BUILDING

28. In the context of FTH as a whole, with many layers of significance, the harm to it as a heritage asset would be less than substantial as defined in NPPF132-133 notwithstanding that it has been recently regraded as II*. Less than substantial harm still requires clear and convincing justification to satisfy policy in NPPF132 and 134. With regard to s66 of the LB&CA Act, the Judge in

*Barnwell Manor*¹⁰ held that harm to a heritage asset must be given considerable importance and weight and this applies regardless of whether the harm would be less than substantial. For the above reasons, I find that the impact on the fabric of the interiors, its intactness, and its historic interest would be at the upper end of the spectrum of less than substantial harm. This would therefore require at least a commensurate level of public benefit for it to be justified.

Public benefits

29. The proposals would provide several public benefits to be considered in the NPPF134 balance including extensive repairs, public access, a museum and community facilities, new retail frontages, new market housing, a contribution towards off-site provision of AH, and economic development.
30. While extensive repairs to the fabric of the building are needed and, together with the removal of modern fittings, lighting and signage would be positive heritage benefits, there was no evidence that the building is being deliberately neglected or deteriorating particularly rapidly. It has not been designated as a Building at Risk. Moreover, if another use were found in the future it might well have similar benefits and so I give this limited weight.

PUBLIC ACCESS

31. Subject to the provisions of the s106 Undertaking, and the suggested conditions, the Council Chamber and suite of rooms could be made available for public use and a local history museum would be created. There would be improved accessibility through ramps and lifts and much greater public access to the ground floor and Grand Hall albeit as shops. On the other hand, the change of use to residential would mean that public access to the Concert Hall, Assembly Rooms and other upper floor rooms would probably be lost forever. In any event, the advantages of greater public access should be weighed against the diminution in the quality of the asset that is being accessed.
32. It was common ground that reuse and public access would be important public benefits. However, they would not reduce the harm which the interventions would cause to the significance of the building or add to its special interest. That is because there is a difference between how an asset is experienced and how many people experience it so that, while the appreciation of significance can be an important public benefit to be weighed in the balance required by NPPF134, this is not a matter that alters the significance itself. A possible minor exception is where part of the significance lies in its communal value but in the overall balance for this appeal this is a matter which I give little weight.
33. I have studied the way that the balance is to be struck with regard to the Judgment in *Palmer*¹¹. The Judge there accepted that there might be no net harm if the negative effects on an historic building were outweighed or offset by the positive. Given that he found only that it *may* be balanced that way, leaving the approach to the decision taker, I am not persuaded that this is necessarily the best or only way that the balance should be struck. Even if I did accept this argument, and found that public access could be a heritage benefit, given the extent of harm as a result of the changes and alterations,

¹⁰ CDO1 *East Northamptonshire v. Secretary of State for Communities and Local Government* [2015] 1 W.L.R. 137 (known as the Barnwell Manor Case)

¹¹ ID10: *Palmer v Herefordshire Council* [2016] EWCA Civ 106. See ¶29 in particular.

compared with the combined benefits of repairs and public access, the balance of positive and negative impacts would still result in significant, albeit less than substantial, harm to the heritage asset.

34. I fully accept that, if the use of the building is to change substantially in order to provide a new life, there is likely to be a need for alterations and that, given the quality of the drawings and the level of skill and thought that has gone into them, if supervised by the scheme's architects, it is likely that these would be carried out to a very high standard. Nevertheless, there would be harm as a result of: a significant loss of historic fabric, FTH being less intact, changes to the layout, and the effect of the roof extension, whether on the building or its setting.

OTHER BENEFITS

35. The proposals include 18 new market apartments, and there is steadily growing policy encouragement for housing, and I give this significant weight both as a benefit and in the balance when determining whether the scheme would comply with the development plan as a whole. There would be a contribution of around £1½m to off-site AH which, while not as well supported by policy as on-site AH, would still be significant. The new retail frontages would provide increased activity for the almost vacant, obsolete and unloved building. This, and increased economic development, are both supported by the development plan and policy in the NPPF. A potentially important benefit would be if the appeal proposals would secure the OVU and so I deal with this issue before concluding on the balance under NPPF134.

Optimum Viable Use (OVU)

36. One possible public benefit highlighted by NPPF134 could be securing the OVU. The interpretation of how to assess this was disputed. Given that there is no other definition in the NPPF, the appellant argued that viable meant as defined in NPPF173. The Council's position was that a use is viable in heritage terms if: a residual appraisal produces any positive land value; that value provides a sufficient return for the landowner to release the land (constrained by the fact that the building is a heritage asset), and the use would be sustainable in the long term. It prayed in aid the government's Planning Practice Guidance (PPG) which gives distinct advice on OVU compared with viability in general¹².
37. OVU implies that there could be several viable uses but that only the least damaging from a conservation viewpoint is to be preferred. In *Gibson*¹³ the Judge found that *the optimum viable use is that which has the least harmful impact on the significance of the asset, a use which may not be the most profitable*. Although this was referring to earlier government policy, as the phrase OVU is the same, I find no reason why a different approach should be taken here. NPPF173, on the other hand, is much more about establishing a commercial rate of return for developers. Here, the owner of FTH has already put the building up for sale and, I was told, found a willing buyer whether or not the appeal is successful.

¹² PPG 18a-015-20140306: If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.

¹³ CDO4: *R (Gibson) v Waverley Borough Council and another* [2012] EWHC 1472 (Admin) ¶28 and 36

ALTERNATIVE HOTEL SCHEME

38. In countering that the appeal scheme would be the OVU for the building, the Council put forward an illustrative scheme of its own for the conversion of FTH into a hotel. Although this was not agreed, I find that the alternative would result in far less harm to the listed building. This is because there would be much less loss of historic fabric, the building would remain far more intact, and the layout would preserve a greater amount of its historic interest by retaining more of its floor plan and circulation routes. Nevertheless, it would not be without some harm to the fabric and intactness of the building. Both schemes would require the insertion of lifts, which would harm the listed building, and extensive services for the domestic rooms, be they apartments or hotel bedrooms. These would include service drops, plant areas and structural, mechanical and electrical works but would be broadly similar for both schemes.
39. A hotel would similarly provide benefits in terms of repairing the building and providing public access, though in a rather different form than that in the appeal scheme. Greater access would follow from a retail use compared with a high quality hotel but the latter might create long term demand for the use of the public rooms through the combined effects of accommodation, catering and hospitality, for example when hosting weddings.
40. As well as seeing a carefully developed illustrative scheme, I was shown around the Bethnal Green Town Hall (BGTH) where the same architects have produced an attractive, inventive and apparently highly successful conversion of a redundant town hall into a boutique hotel with cunning and creative efforts to maximise the retention of historic fabric and ensure that the changes would be reversible. Although architecturally of the highest standard, in the absence of the full history of BGTH, including consideration at the planning stage, I am not in a position to judge the balance between the obvious benefits of its reuse, as a delightful experience for visitors, and the loss of significance through some changes in floor plan and some loss or relocation of historic fabric. Nevertheless, there was no suggestion at the Inquiry that the balance there was not properly struck, that the scheme was not a success, or that many, if not all, aspects of the approach there could not be repeated at FTH.
41. Given the much lower level of harm, if it could be shown to be viable, then a hotel alternative for FTH would be the OVU, or at least ahead of the appeal scheme by reference to NPPF134. However, it would need to be viable.
42. To arrive at the conclusion on an AH contribution, the parties agreed on an existing use value (EUV) from a notional scheme for offices and storage of around £5m. When the building was put up for sale, there were several bids above this figure. Even on the Council's own analysis, which was challenged, the viability of a hotel would depend on a residual land value (RLV) after development of a little over £2m. This would be for a scheme with an estimated profit of less than £3m against total costs of over £28m. I heard evidence that the reasons why the final value of the hotel, and so the RLV, might be limited in this way include the irregular shape of the building and the small number of bedrooms compared with the extent of other areas that any income would need to support.
43. Even if a hotel use at FTH might produce this theoretical profit and land value there would still be no certainty that it would proceed. While contingencies have been included, the profit margin would be relatively small compared with

the substantial financial risks of such a large project involving a listed building. At the time of the Inquiry, there was no firm interest in a hotel use.

44. If a land value of over £5m is accepted, as it has been, then it would be unlikely to part with the building for less than this and a hotel scheme would not be viable on the Council's own figures. Even taking the alternative interpretation of OVU, and allowing a nominal land value, there was no evidence that a developer would take on the risks for a relatively small profit even if the landowner would part with the building.
45. Moreover, the appellant produced persuasive evidence that there was a methodical error in assessing inflation which would mean that it would be uneconomic even if no RLV were required at all. While I accept that there is a difference between viability in NPPF173 and in NPPF134, on this point I find that either way the Council's hotel scheme would not be a viable alternative.

VIABILITY OF APPEAL SCHEME

46. I also heard evidence on the viability of the appeal scheme. However, given that the Council has accepted that it would be sufficiently viable to fund off-site AH this was not persuasive. I have no reason to doubt that, unlike the alternative hotel scheme, the appeal proposals as a whole would be viable.
47. The Council also questioned the long-term viability of the Harwood Road retail units arguing that it would be down to the retailers there to generate their own footfall and that some of the units would be so small that they would be more akin to large kiosks rather than shops. While accepting that the scheme might find sufficient support to be built, the Council argued persuasively that Maclaren buggies would not embody the traits of a traditional retail anchor and that the Harwood Road units, which received few expressions of interest from recognised traders, might not be viable after their initial let, which would probably have to be subsidised.
48. In general, it seems unlikely that tenants would take on units unless they themselves thought that they could make a go of them and, while some might be unsuccessful, it must be more probable that either the units would let successfully or not at all. While a landlord might well try to increase rents after a subsidised initial period, it seems unlikely that it would do so beyond a level that could be sustained as it would not be in its interests to see them lie empty. Given the prominence of FTH from Fulham Broadway, I therefore find it more likely that the units would let and continue to be occupied, albeit that the small size and less prominent positions might mean attracting low turnover shops and services at a very low or nominal rent.
49. It follows that the balance of evidence at the Inquiry suggested that the Harwood Road shops could be let but would be unlikely to generate much revenue. I therefore find that the value of the Harwood Road shops on the viability of the proposals overall, would be limited. To my mind, the more important question is not whether the Harwood Road retail units would be viable in themselves but whether the contribution from letting them would be necessary to make the development viable as a whole.

VIABILITY OF A LESS HARMFUL SCHEME

50. The appellant sought to justify the harms that would be caused to the fabric, intactness and layout of FTH as a result of removing the Harwood Road

staircase by the need for much greater intervisibility and movement, both generally and by those in wheelchairs or with push-chairs, and the Council accepted its own retail advice that removal of the staircase would be necessary for this part of the scheme to succeed at all. However, if there would only be a marginal degree of success, and they would not be necessary for overall viability, an OVU might be similar to the appeal scheme, but with significantly less harm to the listed building. This could be through the use of the ground floor Harwood Road rooms as offices, as anticipated by the EUV, or some other use with negligible profit, or even no use, which would allow the staircase to remain. I acknowledge that this might involve some minor work or alterations to divide the ground floor uses from the apartments above but this would be considerably less harmful to the listed building than the appeal proposal to remove the staircase altogether and significantly alter the layout.

51. I have gone on to consider whether the scheme would be viable in the long term without the overall quantity of shops along both axes. I note that, as well as the evidence of the Council, here the Design Review Panel also had serious reservations. In particular, its feedback queried whether linking the two roads would really drive an active frontage on Harwood Road, and felt that the removal of the staircase should only occur if there was a high level of confidence that all of the retail units would be successfully let. Even if the units did let, they would only be a benefit to the overall scheme if they traded with a reasonable degree of success, to contribute to viability, rather than just being occupied. Overall, I find that the evidence of likely success would not justify the removal of the staircase and associated changes in circulation routes.
52. Similar considerations should be applied to the proposed mezzanines to the Concert Hall and Assembly Rooms. Here the viability of the scheme as a whole would not appear to justify the likely permanent insertions into areas of high significance, altering the proportions of the spaces with their enriched ceilings, with no public access, and no benefit other than financial. Again, while the AH contribution might then be called into doubt, a scheme without these interventions would probably be both viable and, in conservation terms, closer to the OVU than the appeal scheme.
53. I accept that it would be unfair to consider endless minor variations, with limited detailed evidence, or to have to justify each and every potential area of harm to FTH independently¹⁴. Nevertheless, the loss of the Harwood Road staircase and the insertions into the Concert Hall and Assembly Rooms would cause a high degree of harm to areas of high significance. Set against the likely limited financial gain from each change means that alternative schemes without these proposals would be significantly more likely to represent the OVU with regard to NPPF134 than the appeal scheme.

VIABILITY OF ALTERNATIVE USES

54. The agreed EUV for the AH contribution was based on a notional scheme for offices and storage. What was not put forward in any detail by the main parties was either the use behind the EUV or the viability of the status quo. The Council's evidence was that the building needs an active viable use and that the only alternative use that it put forward was for a hotel. While there was no detailed scheme for B1/B8 office/storage use of the building,

¹⁴ See *ID20 Bedford BC v SoSCLG* [2012] EWHC

permissions have previously been granted for office use¹⁵, areas have been put to this use in the past and, given the similarities between this and a town hall use, witnesses for both sides accepted that it would be unlikely for there to be any planning obstacle to more widespread office use within the building.

55. The storage use might be more expedient in some rooms than others depending on the weight, bulk and nature of what was to be stored and the floor strengths and accessibility of the rooms. In my assessment storage is unlikely to be the more profitable part of an office/storage conversion and if some areas had limitations on how they could be used, or what could be stored, then while it might alter the land value very slightly, it would be unlikely to prevent it being viable.
56. The appellant countered the possibility that an office based use might be an optimal one by arguing that it would not secure a long term future for the building or provide the same public benefits as the appeal scheme, including public access to the building. That would probably be right. However, public access is a benefit which may or may not outweigh less than substantial harm. With the minor exception of communal value, public access is not a positive factor in considering harm or otherwise to a designated heritage asset. If the harm that would arise from an office use would be negligible, if any, then the benefit of public access would not be needed to outweigh that harm.
57. What was clear was that the extent of alterations that would be required to the listed building for office use would be minimal compared with those for the appeal scheme and also fewer than would be needed for a hotel conversion. There would little, if any, harm to the fabric, intactness or layout of the building. Rather, as set out in *Gibson*, in terms of conservation such a use would be the optimum. Although not scrutinised in detail, from the evidence behind the land value, such a use would be viable. In the absence of less harmful alternatives, an office based use would therefore amount to the OVU of those raised at the Inquiry.

MOTHBALLING

58. FTH has been used to a reduced or sometimes minimal extent, described to me as mothballing, for the last 50 years. Although this might not be ideal, as the fabric is in need of repair and there is very limited public access, it has resulted in it being upgrading to II*. Consequently, in heritage terms, this minimal use has been far from disastrous. While I am not advocating that FTH should be mothballed for any great length of time, I find that this means that there is no urgency to accept the first scheme to come along, when this would cause significant harm, just in order to preserve it.
59. For local planning, NPPF126 expects account to be taken of the desirability of sustaining and enhancing the significance of assets and that this is consistent with finding a new use. However, it also expects them to be conserved in a manner consistent with their significance, in this case FTH being Grade II*. While neither short-term mothballing nor a medium term office use should be seen as the preferred solution, in the context of a building which has been underused for 50 years, and whose special interest has increased over this time as a result of its intactness, nor should the desirability for a long term solution be used to justify a rush into an excessively harmful scheme.

¹⁵ Including that for the Grand Hall CD T37

60. HE did not put forward an OVU but argued that the harm should only be accepted if there is clear and convincing justification that this would be outweighed by the public benefits. In the *Baltic Wharf* Decision the Inspector found that there was only one OVU and so structured his Decision accordingly. However, that is not my finding here and so is not the appropriate way to order this Decision.

NPPF134 BALANCE

61. To amount to the OVU under NPPF134 a use must be viable. The only definition of 'viability' in the Framework is that in NPPF173. To give the phrase OVU a meaning outside that in NPPF173 would imply a degree of verbal infelicity on the part of those who drafted the policy as a whole. Nevertheless, I consider that the two may be considered separately, particularly when, as in this case, the willingness of buyer and seller are not in doubt and there is no need to incentivise these parties to make the land available.

62. I accept that some changes will be needed to find a long term viable use. However, loss of the Harwood Road staircase and the insertion of mezzanines into the Concert Hall and Assembly Rooms were only justified on financial grounds. Given the proposed AH contribution, I am not persuaded that these major harms are necessary for minor gains in the viability of the scheme as a whole and so the full extent of the appeal scheme would not be the OVU.

63. The EUV suggests that an office and storage use would be viable and while, understandably, neither the Council nor the appellant was keen to address this possibility, I find that this use would cause considerably less harm and be viable. From the options at the Inquiry, it would therefore be the OVU in the short to medium term at least. Finally, mothballing the building has had limited impact on its heritage significance and resulted in it being regraded to II* without it being designated as a Building at Risk.

64. For the above reasons, for this building, even if the appeal scheme amounted to the OVU, which it would not, the public benefits, including OVU, would not outweigh the harm to its significance as a designated heritage asset or its special interest as a listed building which must be accorded considerable importance and weight. On this issue, the scheme would be contrary to relevant development plan policies, the NPPF, and the statutory duty.

Conservation area

65. The Walham Green Conservation Area (WGCA) is centred on Fulham Broadway but extends to cover parts of Harwood Road and North End Road at each end. Unlike the adjacent Moore Park Conservation Area, there is no adopted character profile or other statement for it and so I have relied on the parties' evidence and my own observations. The WGCA was designated in 1980 and extended soon afterwards. FTH stands near one end of the conservation area with frontages onto both Fulham Road and Harwood Road and within the original conservation area boundary.

66. With regard to significance, I note: the historic street pattern, which remains largely unchanged since medieval times although the earlier rural village of Walham Green, with a village green and pond, was transformed in the 19th and early 20th century following the railway extension; that it is an example of the civic and commercial hub of a flourishing late Victorian suburb; the expansion

of the London Underground; the busy town centre and the mix of uses associated with it, and; the high quality of the townscape including the predominantly late Victorian buildings and spaces between them.

67. FTH is arguably the most prominent listed building within the local townscape. It once performed an important role in the town centre, and is visible in a number of views including those from Fulham Road, Harwood Road and along Fulham Broadway. There was no dispute that FTH makes a positive contribution to the character and appearance of the WGCA and to its significance as a designated heritage asset.
68. It was common ground that the 1934 wing also makes a positive contribution to the WGCA. There was no dissent to the HE description that it is a subservient and sympathetic adjunct to FTH and the neighbouring townscape. As above, I find that the proposed roof extension would not be an appropriate design for this listed building and would detract from the quality of the Fulham Road façade, albeit mostly in more distant views. Given FTH's prominence, it would also appear incongruous within, and have a negative impact on, the WGCA.
69. The Council also described the full height lift and stair core extension to the flank of the Concert Hall block as over-dominant and un-neighbourly. It argued that it would erode the characteristic gaps between buildings in the WGCA and appear incongruous in its juxtaposition with the roofscape of the Cedarne Road terrace in views from Fulham Road. I find that there would only be glimpses of this in the WGCA and so I give little weight to any harm.

PUBLIC BENEFITS

70. The scheme would reintroduce a vibrant commercial use into a prominent but essentially vacant building within the conservation area. As activity is part of the character and appearance of the commercial town centre at the heart of the WGCA, new retail frontages, increased activity and public access would enhance it. This is quite different to the test for simply preserving the special interest of the listed building. The other public benefits from the proposals would also weigh in its favour. As with the listed building, I have therefore considered the OVU before concluding on the NPPF134 balance for the WGCA.

WGCA BALANCE

71. With regard to the WGCA alone, I find that the public benefits of a new use and access to the building, as well as additional housing and an AH contribution, would offset the harm from the minor elevational changes and much, but not all, of the harm from the prominent and unusual roof extension. On balance, I find that the scheme would cause some harm to the WGCA and would be contrary to relevant development plan policies which seek to preserve or enhance the character or appearance of conservation areas.
72. Whether this balance is carried out as part of assessing the effect on character and appearance, resulting in some harm following the route in *Palmer*, or as part of the balancing exercise with regard to NPPF134 is somewhat academic as, for these appeals, the result would be the same. On this issue I conclude that the effect on the WGCA would be negative albeit a much lower degree of harm than that which would be caused to the listed building itself.

Appeal A only

Living conditions: daylight, loss of outlook, and sense of enclosure

73. The eastern side of the building runs alongside a narrow alleyway which in turn backs onto the rear gardens to Nos. 4, 8 and 12 Cedarne Road. My site visit included a first floor room to the rear facing towards the open fire escape to the Concert hall block. I saw that the existing view from the rear is rather enclosed and that the fire escape is unattractive.
74. It was common ground that daylight impacts on most adjoining residential properties would be within the BRE guidelines¹⁶ in terms of daylight distribution. The Council maintained that loss of daylight remained an issue for No.12 Cedarne Road and argued that there was also a cumulative effect on living conditions from this together with loss of outlook and sense of enclosure.
75. From my visit, I saw that the new brick staircase and lift enclosure would be significantly closer and that the flat would face directly onto it. The kitchen which would look out onto the enclosure is clearly used for eating and so should be considered as a habitable room. I find that the scheme would be likely to cause some harm to the living conditions inside this kitchen in terms of reduced daylight. More importantly, as the new brick extension would be closer, taller and bulkier than the fire escape it would be detrimental as a result of poorer outlook and greater sense of enclosure. For all these reasons the appeal proposals would therefore harm the living conditions of the occupants.
76. Set against this, the blank brick facing wall would be much more attractive than the rusty black fire escape which stands there at the moment, if not to the extent that it would outweigh the harm. On the balance of daylight, loss of outlook, and sense of enclosure, the proposals would cause significant harm to the living conditions of neighbouring residents.
77. The degree of harm should also be considered in the context of the overall project. Redevelopment and greater use of the site should be a benefit to the occupiers of Cedarne Road and all their neighbours. In the event that it could be shown that reuse of FTH would only be possible with the addition of the proposed extension opposite No.12, the effect on living conditions alone should not be a bar to development.

Other matters

78. The s106 undertaking includes contributions and commitments as set out above. The housing and AH would be positive benefits which gain support from the development plan (see below) but in other regards, in order to satisfy the Regulations¹⁷, the s106 provisions would be no more than mitigation to set against harm that would otherwise follow and, as they would not alter my overall conclusion to dismiss the appeals, I have taken these no further.

Overall balance for Appeal A

79. The starting point for determination is the development plan, including the London Plan in its recently adopted form, consolidated with alterations, and Hammersmith and Fulham's Core Strategy (CS), Development Management Local Plan (LP), and its Supplementary Planning Document (SPD). These

¹⁶ CD EA4: Building Research Establishment guide Site Layout and Planning for Daylight and Sunlight

¹⁷ Under Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 and NPPF 204

provide general support for retail and residential use in accessible locations although there would be no conflict arising from proposals for a hotel or for office use. There is further support for housing in the recent White Paper.

80. For the reasons set out above, the proposals would not preserve the special architectural and historic interest of the listed building but would harm its significance and be at odds with its conservation. They would therefore be contrary to London Plan policies 7.8 and 7.9 which expect development affecting heritage assets to conserve their significance and, wherever possible, for them to be repaired, restored and put to a suitable and viable use that is consistent with their conservation.
81. The appeal scheme would conflict with CS policy BE1, which expects development to protect and enhance listed buildings; LP policy DMG7 which aims to protect, restore or enhance the quality, character, appearance and setting of the Borough's conservation areas and listed buildings; and SPD policies 31 and 62 which require extensions to be appropriate and not have a significant effect on the character of a conservation area, and set a presumption in favour of the conservation of designated heritage assets for which, the more significant they are, the greater the presumption in favour of their conservation.
82. The proposals would be contrary to LP policies DMA9 and DMG1, and to SPD Housing policies 7 and 8 which require proposals to respect the principles of good neighbourliness; to protect existing residential amenities with no detrimental impact on outlook; and set standards to protect the outlook from any rear window of a habitable room from being made significantly worse or overbearing as a result to any proposed extension. Overall, the scheme would also be contrary to the NPPF and to advice in the PPG.
83. For the reasons given above, and having regard to all other matters raised, I conclude that Appeal A should be dismissed.

Appeal B

84. The listed building consent application was refused for a single reason covering its character, appearance and setting, including the 1934 extension. Given my conclusions above with regard to the impact of the scheme on the listed building, the potential public benefits including the OVU, and the NPPF134 balance, I find that the proposed works would fail to preserve the listed building but would cause it unacceptable harm.
85. While I find that the 1934 wing should be considered as a part of FTH, and so the roof alteration would add to the harm to the listed building as a whole, given that the wing has no special interest in itself but would otherwise be within the setting of FTH, the technicality as to whether or not listed building consent would be required for its demolition and redevelopment is of little consequence in the overall balance for Appeal B. The effect on the WGCA would be the same as for Appeal A.
86. The scheme would therefore be contrary to policies in the NPPF taking account of the statutory duty¹⁸ to have special regard to the preservation of listed buildings. For these reasons, and having regard to all other matters raised, I conclude that Appeal B should also be dismissed.

¹⁸ under s16 of the LB&CA Act

Conclusions

87. For the reasons given above I conclude that both appeals should fail.

David Nicholson

INSPECTOR

- 17 Letter from dp9 dated 24 January 2017 re headroom
- 18 Grand Hall mezzanine
- 19 Judgment in *Shimizu*
- 20 Judgment in *Bedford*
- 21 Judgment in *Pugh*
- 22 Judgment in *Debenhams*
- 23 Closing submissions for the Council
- 24 Closing submissions for the appellant
- 25 Replies following the Housing White Paper
- 26 Unilateral Undertaking dated 13 February 2017

CORE DOCUMENTS

Ref	Author	Title	Date
A1	DP9	Covering letter	18.8.15
A2	DP9	Application form	18.8.15
A3	Tony Fretton Architects (TFA)	Design and Access Statement	Aug 2015
A4	DP9	Planning Statement	Aug 2015
A5	DP9	Statement of Community Involvement	Aug 2015
A6	Hoare Lea	Energy Strategy Rev 4	27.3.15
A7	Hoare Lea	Sustainability Strategy Rev 4	27.3.15
A8	MLM	Air Quality Assessment Rev 2	Aug 2015
A9	Hoare Lea	Noise, Vibration, Ventilation, Extraction & Plant Assessment Rev 2	2.6.15
A10	GIA	Daylight and Sunlight report	16.6.15
A10a	GIA	Internal Daylight and Sunlight Assessments	3.6.15
A11	MLM	Flood Risk Assessment and Surface Water Drainage Strategy Rev 4	30.7.15
A12	MLM	Phase 1 Contamination Assessment Report Rev 2	July 2015
A13	Ramboll	Archaeological Desk Based Assessment	23.3.15
A14	MLM	Transport Statement and Appendices Rev 3	July 2015
A15	RLP	Construction Logistics Framework	29.5.15
A16	Strutt and Parker	Affordable Housing Statement & Viability Assessment	July 2015
A17	Donald Insall Associates	Historic Building Report	Aug 2015
A18	FSP	Retail Appraisal	3.2.12
A19	Lunson Mitchenall	Initial Report	Oct 2012
A20	Savills	Retail Arcade Assessment/Strategy and Report within Letter from Savills to Dory Ventures Ltd	12.6.15
A21	Silver Design	Retail concepts for challenging rooms	March 2015
A22	Keith Whitehouse	Indicative museum proposals	
A23	Alan Baxter and Associates LLP	Structural Report including Construction Method Statement	June 2015
A24	TFA	Area Schedule (Rev O)	3.8.15
A25	ISG	Construction Report	July 2012
A26	TFA	Window Report	April 2015
A27	DP9 Ltd on behalf of DVL	CIL Additional Information Form	18.8.15
A28	Harris Johnston Ltd	Hotel Viability report	12.11.15
A29	HJL	Executive Summary – hotel viability report	12.11.15
A30	TFA	Assessment of Fulham Town Hall alternative bidder's hotel scheme	Nov 2015
A31	DP9	Letter to Head of Development Management	17.11.15

A32	Blake Morgan	Letter requesting two documents	17.11.15
A33	DP9	Letter to Head of Development Management	16.10.15
B1	TFA	Drawing ref. 264_PL_001A: Location Plan	May 2015
B2	TFA	Drawing ref. 264_PL_002: Block Plan	May 2015
B3	TFA	Drawing ref. 264_SU_001: Basement - Survey	April 2014
B4	TFA	Drawing ref. 264_SU_002: Ground Floor - Survey	April 2014
B5	TFA	Drawing ref. 264_SU_003: First Floor - Survey	April 2014
B6	TFA	Drawing ref. 264_SU_004: Second Floor - Survey	April 2014
B7	TFA	Drawing ref. 264_SU_005: Roof Plan - Survey	April 2014
B8	TFA	Drawing ref. 264_SU_010: Fulham Road Elevation - Survey	April 2014
B9	TFA	Drawing ref. 264_SU_011: Harwood Road Elevation - Survey	April 2014
B10	TFA	Drawing ref. 264_SU_012: Harwood Road Building North Elevations - Survey	April 2014
B11	TFA	Drawing ref. 264_SU_013: Harwood Road Building South Elevations - survey	April 2014
B12	TFA	Drawing ref. 264_SU_014: Fulham Road Building (FRB) South Elevation - Survey	April 2014
B13	TFA	Drawing ref. 264_SU_015: FRB East Elevations 1 - Survey	April 2014
B14	TFA	Drawing ref. 264_SU_016: FRB East Elevations 2 - Survey	April 2014
B15	TFA	Drawing ref. 264_SU_017: FRB West Courtyard Elevations - Survey	April 2014
B16	TFA	Drawing ref. 264_SU_018: 1934 Building South Courtyard Elevations - Survey 018	April 2014
B17	TFA	Drawing ref. 264_SU_019: FRB Rear Courtyard Elevations - Survey 019 1:100	April 2014
B18	TFA	Drawing ref. 264_SU_020: Harwood Road Building Boundary Elevation - Survey	April 2014
B19	TFA	Drawing ref. 264_SU_021: 1934 Building Boundary Elevation - survey	April 2014
B20	TFA	Drawing ref. 264_SU_022: Grand Hall Long Section AA - Survey	April 2014
B21	TFA	Drawing ref. 264_SU_023: Assembly Rooms Section BB - Survey	April 2014
B22	TFA	Drawing ref. 264_SU_024: Council Chamber Section CC - Survey	April 2014
B23	TFA	Drawing ref. 264_SU_025: Committee Room Section DD - Survey	April 2014
B24	TFA	Drawing ref. 264_SU_026: Grand Hall Short Section EE - Survey	April 2014
B26	TFA	Drawing ref. 264_SU_028: Grand Hall Internal Elevations - Survey	April 2014
B27	TFA	Drawing ref. 264_SU_029: FRB Internal Elevations - Survey	April 2014
B28	TFA	Drawing ref. 264_SU_030: Harwood Road Building Internal Elevations - Survey	April 2014
B29	TFA	Drawing ref. 264_EX_001: Basement - Existing	April 2014
B30	TFA	Drawing ref. 264_EX_002: Ground Floor - Existing	April 2014
B31	TFA	Drawing ref. 264_EX_003: First Floor - Existing	April 2014
B32	TFA	Drawing ref. 264_EX_004: Second Floor - Existing	April 2014
B33	TFA	Drawing ref. 264_EX_005: Roof Plan - Existing	April 2014
B34	TFA	Drawing ref. 264_EX_010: Fulham Road Elevation - Existing	April 2014
B35	TFA	Drawing ref. 264_EX_011: Harwood Road Elevation - Existing	April 2014
B36	TFA	Drawing ref. 264_EX_012: Harwood Road Building North Elevations - Existing	April 2014
B37	TFA	Drawing ref. 264_EX_013: Harwood Road Building South Elevations - Existing	April 2014
B38	TFA	Drawing ref. 264_EX_014: FRB South Elevation - Existing	April 2014
B39	TFA	Drawing ref. 264_EX_015: FRB East Elevations 1 - Existing	April 2014
B40	TFA	Drawing ref. 264_EX_016: FRB East Elevations 2 - Existing	April 2014
B41	TFA	Drawing ref. 264_EX_017: FRB West Courtyard Elevations - Existing	April 2014
B42	TFA	Drawing ref. 264_EX_018: 1934 Building South Courtyard Elevations - Existing	April 2014
B43	TFA	Drawing ref. 264_EX_019: FRB Rear Courtyard Elevations - Existing	April 2014
B44	TFA	Drawing ref. 264_EX_020: Harwood Road Building Boundary Elevation - Existing	April 2014
B45	TFA	Drawing ref. 264_EX_021: 1934 Building Boundary Elevation - Existing	April 2014
B46	TFA	Drawing ref. 264_EX_022: Grand Hall Long Section AA - Existing	April 2014
B47	TFA	Drawing ref. 264_EX_023: Assembly Rooms Section BB - Existing	April 2014
B48	TFA	Drawing ref. 264_EX_024: Council Chamber Section CC - Existing	April 2014
B49	TFA	Drawing ref. 264_EX_025: Committee Room Section DD - Existing	April 2014

B50	TFA	Drawing ref. 264_EX_026: Grand Hall Short Section EE - Existing	April 2014
B51	TFA	Drawing ref. 264_EX_027: 1934 Building Section FF - Existing	April 2014
B52	TFA	Drawing ref. 264_EX_028: Grand Hall Internal Elevations - Existing	April 2014
B53	TFA	Drawing ref. 264_EX_029: Fulham Road Building Internal Elevations - Existing	April 2014
B54	TFA	Drawing ref. 264_EX_030: Harwood Road Building Internal Elevations - Existing	April 2014
B66	TFA	Drawing ref. 264_PL_200: Basement – Proposed	May 2015
B67	TFA	Drawing ref. 264_PL_201: Ground Floor – Proposed	May 2015
B68	TFA	Drawing ref. 264_PL_202: First Floor – Proposed	May 2015
B69	TFA	Drawing ref. 264_PL_203: First Floor Mezzanine – Proposed	May 2015
B70	TFA	Drawing ref. 264_PL_204: Second Floor – Proposed	May 2015
B71	TFA	Drawing ref. 264_PL_205: Third Floor – Proposed	May 2015
B72	TFA	Drawing ref. 264_PL_206: Fourth Floor – Proposed	May 2015
B73	TFA	Drawing ref. 264_PL_207: Roof Plan – Proposed	May 2015
B74	TFA	Drawing ref. 264_PL_210: Basement Plan – Demolition	May 2015
B75	TFA	Drawing ref. 264_PL_211: Ground Floor Plan – Demolition	May 2015
B76	TFA	Drawing ref. 264_PL_212: First Floor Plan – Demolition	May 2015
B77	TFA	Drawing ref. 264_PL_213: Second Floor Plan – Demolition	May 2015
B78	TFA	Drawing ref. 264_PL_214: Roof Level – Demolition Plan	May 2015
B79	TFA	Drawing ref. 264_PL_300: Fulham Road Elevation - Proposed	May 2015
B80	TFA	Drawing ref. 264_PL_301: Harwood Road Elevation - Proposed	May 2015
B81	TFA	Drawing ref. 264_PL_302: Harwood Road Building North Elevations - Proposed	May 2015
B82	TFA	Drawing ref. 264_PL_303: Harwood Road Building South Elevations - Proposed	May 2015
B83	TFA	Drawing ref. 264_PL_304: Fulham Road Building South Elevation - Proposed	May 2015
B84	TFA	Drawing ref. 264_PL_305: Fulham Road Building East Elevation - Proposed	May 2015
B85	TFA	Drawing ref. 264_PL_306: Marriage Room / Hub Section Elevation - Proposed	May 2015
B86	TFA	Drawing ref. 264_PL_307: Fulham Road Building West Courtyard Elevations	May 2015
B87	TFA	Drawing ref. 264_PL_308: 1934 Building South Courtyard Elevations	May 2015
B88	TFA	Drawing ref. 264_PL_309: Central Rear Courtyard Elevations	May 2015
B89	TFA	Drawing ref. 264_PL_312: Grand Hall Long Section AA	May 2015
B90	TFA	Drawing ref. 264_PL_313: Assembly Rooms Section BB	May 2015
B91	TFA	Drawing ref. 264_PL_314: Council Chamber Section CC	May 2015
B92	TFA	Drawing ref. 264_PL_315: Committee Room Section DD	May 2015
B93	TFA	Drawing ref. 264_PL_316: Grand Hall Short Section EE	May 2015
B94	TFA	Drawing ref. 264_PL_317: 1934 Building Section FF	May 2015
B95	TFA	Drawing ref. 264_PL_318: 1934 Building Sections GG, HH, JJ	May 2015
B96	TFA	Drawing ref. 264_PL_319: Committee Room Section KK 319	May 2015
B97	TFA	Drawing ref. 264_PL_330: Fulham Road Elevation - Demolitions	May 2015
B98	TFA	Drawing ref. 264_PL_331: Harwood Road Elevation - Demolitions	May 2015
B99	TFA	Drawing ref. 264_PL_332: Harwood Road Building North Elevations - Demolitions	May 2015
B100	TFA	Drawing ref. 264_PL_333: Harwood Road Building South Elevations - Demolitions	May 2015
B101	TFA	Drawing ref. 264_PL_334: Fulham Road Building South Elevation - Demolitions	May 2015
B102	TFA	Drawing ref. 264_PL_335: Fulham Road Building East Elevations 1 - Demolitions	May 2015
B103	TFA	Drawing ref. 264_PL_336: FRB East Elevations 2 - Demolitions 336 1:100 /	May 2015
B104	TFA	Drawing ref. 264_PL_337: FRB West Courtyard Elevations - Demolitions	May 2015
B105	TFA	Drawing ref. 264_PL_338: 1934 Building South Courtyard Elevations - Demolitions	May 2015
B106	TFA	Drawing ref. 264_PL_339: FRB Rear Courtyard Elevations	May 2015

– Demolitions			
B107	TFA	Drawing ref. 264_PL_342: Grand Hall Section AA Demolitions	May 2015
B108	TFA	Drawing ref. 264_PL_343: Assembly Rooms Section BB Demolitions	May 2015
B109	TFA	Drawing ref. 264_PL_344: Council Chamber Section CC Demolitions	May 2015
B110	TFA	Drawing ref. 264_PL_345: Committee Room Section DD Demolitions	May 2015
B111	TFA	Drawing ref. 264_PL_346: Grand Hall Short Section EE Demolitions	May 2015
B112	TFA	Drawing ref. 264_PL_347: 1934 Building Section FF Demolitions	May 2015
B113	TFA	Drawing ref. 264_PL_400: Harwood Arcade Internal Elevations 01	May 2015
B114	TFA	Drawing ref. 264_PL_401: Harwood Arcade Internal Elevations 02	May 2015
B115	TFA	Drawing ref. 264_PL_402: Harwood Arcade Stair Section 01	May 2015
B116	TFA	Drawing ref. 264_PL_403: Harwood Arcade Stair Section 02	May 2015
B117	TFA	Drawing ref. 264_PL_404: Fulham Arcade Internal Elevations	May 2015
B118	TFA	Drawing ref. 264_D_405: First Floor Toilets Elevations WC1	Feb 2015
B119	TFA	Drawing ref. 264_D_406: First Floor Toilets Elevations WC2	Feb 2015
B120	TFA	Drawing ref. 264_PL_407: Harwood Internal Screen as Arcade Door Existing	May 2015
B121	TFA	Drawing ref. 264_PL_420: Harwood Arcade Internal Elevations 01 Demolition	May 2015
B122	TFA	Drawing ref. 264_PL_421: Harwood Arcade Internal Elevations 02 Demolition	May 2015
B123	TFA	Drawing ref. 264_PL_422: Harwood Arcade Stair Section 01 Demolition	May 2015
B124	TFA	Drawing ref. 264_PL_423: Harwood Arcade Stair Section 02 Demolition	May 2015
B125	TFA	Drawing ref. 264_PL_424: Fulham Arcade Internal Elevations Demolition	May 2015
B126	TFA	Drawing ref. 264_PL_425: First Floor Toilets Elevations 01 Demolition	May 2015
B127	TFA	Drawing ref. 264_PL_426: First Floor Toilets Elevations 02 Demolition	May 2015
B128	TFA	264_PL_250 First Floor Toilets Proposed Layout	May 2015
B129	TFA	264_PL_9022_Harwood Road Building Removal Accessibility, Views and Legibility	Oct 2015
C1	DP9	2 X Planning appeal forms APP/H5390/W/15/3140593 and APP/H5390/Y/15/3140594	14.12.16
C2	DP9	2 x cover letters to LBHF re submission of appeals	14.12.16
C3	DP9	Draft Statement of Common Ground	Dec 2015
C4	DP9	Statement of Case	Dec 2015
C5	LPA	Decision notice for 2015/04022/FUL	1.12.15
C6	LPA	Decision notice for 2015/04023/LBC	1.12.15
C7	GIA	Sun Hours on ground assessment	30.11.15
C8	GIA	Sunlight Assessment	June 2015
C9	GIA	Daylight Distribution Analysis	June 2015
C10	GIA	Daylight Distribution	June 2015
C11	MLM	Transport Assessment Rev 5	Dec 2015
C12	MLM	Drawing Ref 616595/SK/05 A: 3.5 Tonne Van Swept Paths	Nov 2015
C13	TFA	Archive of website	July 2015
C14	TFA	Work Stage A/B Report – 264_16A_120904 Draft Rev C	Sept 2012
C15	TFA	Drawing ref. 264_B_200 Rev E: Basement Floor Plan General Arrangement (GA)	July 2012
C16	TFA	Drawing ref. 264_B_201 Rev F: Ground Floor Plan GA	June 2012
C17	TFA	Drawing ref. 264_B_202 Rev E: First Floor Plan GA	June 2012
C18	TFA	Drawing ref. 264_B_203 Rev F: First Floor Hall Level GA	June 2012
C19	TFA	Drawing ref. 264_B_204 Rev F: Second Floor Plan GA	June 2012
C20	TFA	Drawing ref. 264_B_205 Rev E: Third Floor Plan GA	June 2012
C21	TFA	Drawing ref. 264_B_206 Rev E: Fourth Floor Plan GA	June 2012
C22	TFA	Drawing ref. 264_B_207 Rev E: Roof Plan GA	July 2012
D1	LBHF	Officer report to PADCC	30.11.15
D2	LBHF	Officer Addendum report to PADCC	30.11.15
D3	LBHF	PADCC minutes	9.12.15
D6	LBHF	Officer report to PADCC	10.5.16
D7	LBHF	Officer addendum report to PADCC	10.5.16
D8	LBHF	PADCC minutes	10.5.16

E1	LBHF	Core Strategy	Oct 2011
E2	LBHF	Development Management Local Plan	July 2013
E3	LBHF	Planning Guidance Supplementary Planning Document	July 2013
E4	LBHF	Hammersmith and Fulham Draft Local Plan	Sept 2016
E5	LBHF	Proposals Map changes	Sept 2016
E6	Roger Tym and Partners	Joint Retail Needs Study Update on behalf of Ealing, Hounslow and H&F councils	2010
E7	Peter Brett Associates	LBHF Retail Needs Study	Sept 2016
E8	LBHF	Proposals Map - Please note hard copies of this available but not electronic as it is an interactive map	Oct 2011
EA1	LBHF Planning	Heritage and Planning Assessment, Fulham Town Hall (including significance plans)	May 2011
EA2	LBHF Planning	Heritage and Planning Assessment (Revised), Fulham Town Hall (including significance plans)	May 2013
EA3	LBHF Planning	LBHF Assessment of Architectural and Historical Significance of Fulham Town Hall and Related Guidance (Summary)	June 2014
EA4	BRE	Building Research Establishment guide Site Layout and Planning for Daylight and Sunlight – Hard copy only	2011
EA5	RICS	Financial Viability in Planning	2012
EA6	LBHF	Moore Park Conservation Area Character Profile	2008
F1	Mayor of London	London Plan (consolidated with alterations)	March 2016
F2	Mayor of London	Town Centres Supplementary Guidance	July 2014
F3	Mayor of London	London Planning Statement SPG	May 2014
F4	Mayor of London	London View Management Framework	March 2012
F5	Mayor of London	Housing SPG	March 2016
F6	Mayor of London	Sustainable Design and Construction SPG	April 2014
F7	Mayor of London	Shaping Neighbourhoods Character and Context SPG	April 2014
F8	Mayor of London	Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy	April 2013
F9	Mayor of London	Shaping Neighbourhoods: Play and Informal Recreation SPG	Sept 2012
F10	Mayor of London	Dust and Emissions SPG	July 2014
G1	Good Practice Advice (GPA) 2: Managing Significance in Decision-Taking in the Historic Environment		27 March 2015
G2	Selection Guide for Law and Government Buildings		2011
G3	Conservation Principles, Policies and Guidance		23 April 2008
G4	HE Advice Note 1: Conservation Area Designation, Appraisal and Management		25 February 2016
G5	HE Advice Note 2: Making Changes to Heritage Assets		25 February 2016
G6	Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets		March 2015
H1/T2	SoS	Planning (Listed Buildings and Conservation Areas) Act 1990	1990
I1	Cushman & Wakefield	A consideration of the design, layout and long term viability of a proposed retail development including a review and critique of a proposed retail strategy and visions	6.10.15
I2	Carter Jonas	Financial Viability Assessment and appendices	Sept 2015
J1	Theatres Trust	Comments on applications	24.9.15
J2	Victorian Society	Comments on applications	26.11.15
J3	Twentieth Century Society	Comments on applications	10.11.15
J4	Environment Agency	Comments on applications	21.9.15
J5	Thames Water	Comments on applications	12.10.15
J6	London and Middx Archaeological Society on behalf of the Council for British Archaeology	Comments on applications	2.11.15

J7	Historic England	Comments on applications	20.10.15
J8	Historic England	Comments on applications	27.10.15
J10	Fulham Society	Comments on applications	11.10.15
J11	Hammersmith and Fulham Historic Buildings Group	Comments on applications	17.10.15
J12	Disability Forum	Comments on applications	21.10.15
J13	Greater London Archaeological Advisory Service	Comments on applications	6.11.15
J14	Local resident (Effie Road)	Comments on applications	1.10.15
J16	Fulham Society	Letter re appeal ref APP/H5390/W/15/3140593	23.2.16
J17	Historic England (HE)	Statement	26.2.16
K1a	LPA and Appellant	Statement of Common Ground (initial)	April 2016
K2	LPA	Statement of Case	March 2016
K3	LPA	Covering letter sent to PINS with initial illustrative hotel scheme plans	3.8.16
K4/S2I	LPA	Covering letter sent to PINS (and DP9) with Illustrative Hotel Scheme - Plans	16.9.16
K5	Rare Architecture	Project Summary (Illustrative Hotel Scheme)	16.9.16
K6	LPA	Fulham Town Hall Schedule of Art and Artefacts	Sept 2016
K7	LPA	Updated LBHF significance plans	Sept 2016
K8	MLM	Transport Assessment v6	July 2016
K9	MLM	Air Quality Assessment	Sept 2016
K10	TFA	Plan Ref 264_PL_9057: Proposed Roof Plan Green roof and permeable paving	-
K11	GIA	Daylight and Sunlight Report	24.5.16
M1	Blake Morgan	Appeal letter re daylight study	5 th August 2016
M2	LBHF	Response to letter re daylight/sunlight evidence	25 th August 2016
M3	Blake Morgan	Letter re daylight/sunlight evidence	25 th August 2016
M4	Blake Morgan	Freedom of Information (FOI) request	1 st August 2016
M5	Blake Morgan	Complaint	23 rd August 2016
M6	LBHF	FOI response	11 July 2016
M7	LBHF	Letter re daylight issues	15 September 2016
M8	LBHF	Follow up letter re daylight issues	23 September 2016
M9	Blake Morgan	Letter re appeal	29 September 2016
M10	LBHF	Response re appeal	3 October 2016
M11	LBHF	Letter and attachments – FOI request	21 October 2016
O1	<i>East Northamptonshire v. Secretary of State for Communities and Local Government</i> [2015] 1 W.L.R. 137 (known as the Barnwell Manor Case)		
O2	<i>Mordue v. Secretary of State for Communities and Local Government</i> [2015] EWHC 539		
O3	<i>R (Forge Field Society) v Sevenoaks District Council</i> [2014] EWHC 1895 (Admin), Lindblom J		
O4	<i>R (Gibson) v Waverley Borough Council and another</i> [2012] EWHC 1472 (Admin)		
P1	St Mark's Church, North Audley St, LONDON, W1K 6ZA. APP/X5990/E/09/2104912 and 13 [14.12.09]		
P2	Smithfield Market ref: 2205294, [7 July 2014]		
Q1	EC Harris	Building Inspection report Fulham Town Hall	19.5.11
Q2	Amey	2014 Building Condition reports(Amey)	2014
Q7	HE	Statutory List description for Fulham Town Hall	11.5.12
Q8	HE	Statutory List description for former Fulham Broadway	14.2.85
Q9	LBHF	Underground Station entrance building	
Q9	LBHF	Walham Green Conservation Area map	June 2006
Q10	LBHF	Moore Park Conservation Area map	June 2006
Q12	Design Review Panel	Design Review Panel feedback	10.1.15
Q13	Hawkins Brown	Plans displayed in marketing website and prepared in	2011

		relation to marketing of Town Hall	
Q14	RCHME	Fulham Town Hall, Architectural Survey Report	1999/2000
Q15	HE	E-mail from HE re changes to LBHF Significance Plans	22.9.16
Q16	RARE	Photographic survey of FTH room by room	Sept 2016
Q18	James Brown	Viability Report	20.10.16
R1	Roy Asagba-Power	Proof of Evidence	Oct 2016
R1a		Appendix 1 - Site Plan	
R1b		Appendix 2 - Development Plan	
R1c		Appendix 3 - NPPF and PPG	
R1d		Appendix 4 - London Mayor's SPG	
R1e		Appendix 5 - H&F SPD	
R1f		Appendix 6 - BRE Daylight and sunlight report	
R1g		Appendix 7 - Daylight report Dr Littlefair	
R1h		Appendix 8 - Five year housing supply	
R1i	Roy Asagba-Power	Summary Proof	
R2	Adam O'Neill	Proof of Evidence	Oct 2016
R2a		Appendix 1 - Schedule of Harm	Sept 2016
R2b		Appendix 2 - Amey Report	2013-6
R2c		Appendix 3 - Vertica Report	7.9.16
R2d		Appendix 4 - HE pre-app response	30.9.16
R2e	Adam O'Neill	Summary Proof	Oct 2016
R3	Melvin Gold	Proof of Evidence	Oct 2016
R3a		Appendix A - Listing of hotels in LBHF	
R3b		Appendix B - Potential hotel projects LBHF	
R3c		Appendix C - Supplier confirmations of flexible delivery arrangements	
R3d		Appendix D - Estimated Profit and Loss Account for a potential Fulham Town Hall Hotel	
R3e		Appendix E - Estimate of Food and Beverage Revenues in a Typical Year of Operation	
R3f		Appendix F - Estimated Staffing and Payroll schedule for a Typical Year of Operation	
R3g		Appendix G - Valuation of the illustrative hotel scheme	
R3h		Appendix H - Potential Hotel Operators Approached by PKF in July 2016	
R3i		Appendix I - Example of letter sent to hotel operators and the supporting fact sheet	
R3j		Positive responses from hotel operators	
R3k	Melvin Gold	Summary proof	Oct 2016
R4	RARE Architects		Oct 2016
R4a		Appendix 14.1 -Town Hall Hotel in Bethnal Green	
R4b		Appendix 14.2 - Rebuttal to Assessment Fulham Town Hall Alternative Bidder's hotel scheme	
R4c		Appendix 14.3 - Assessment by Wendy Carnell, M&E Engineer	
R4d		Appendix 14.4 - Assessment by Ben Paterson, Structural Engineer	
R4e		Appendix 14.5 - Assessment by Steven Marshall, Fire Engineer	
R4f		Appendix 14.6 - Supporting visuals	
R4g		Appendix 14.7 - General illustrative plans	
R4h		Appendix 14.8 - Plans of specific areas	
R4i		Appendix 14.9 - Illustrative guest room plans	
R4j		Appendix 14.10 - Illustrative visuals	
R4k		Appendix 14.11 - Demolition plans	
R4l	RARE Architects	Summary Proof	Oct 2016
R5	Cushman &		Oct 2016

	Wakefield		
R5a		Appendix OC1 – Fulham Town Centre Plan	
R5b		Appendix OC2A and B - Pedestrian Footfall counts	
R5c		Appendix OC3 – Retail scheme layout plans	
R5d		Appendix OC4 – Savills Marketing Material	
R5e		Appendix OC5 – Retail Scheme Area schedule	
R5f		Appendix OC6 – Underperforming and failed retail arcades	
R5g		Appendix OC7 – The White Company property requirement	
R5h	Cushman and Wakefield	Summary Proof	Oct 2016
RA1	Roy Asagba-Power	Rebuttal Proof of Evidence	Oct 2016
RA1a		Appendix 1: Peter Brett Associates Retail Rebuttal notes on Chris Goddard's proof	
RA1b		Appendix 2 - Dr Littlefair's Daylight Rebuttal notes on Oliver Sheppard's proof	
RA2	Adam O'Neill	Rebuttal Proof of Evidence	Oct 2016
RA2a		Appendix 1 - Email from Hawkins Brown to LSH dated 11th May 2011 regarding section drawing on Fulham Town Hall marketing website	
RA2b		Appendix 2 - Email from Hawkins Brown to LSH dated 11th May 2011 with two revised section drawings for Fulham Town Hall marketing website	
RA3	Oliver Christy	Rebuttal Proof of Evidence	Oct 2016
RA4	Melvin Gold	Rebuttal Proof of Evidence	Oct 2016
RA4a		Appendix A - Hotel Design and Tech are the future, says AHC Panel	
RA4b		Appendix B - Extracts from Morrison Design hotel brochure illustrating their involvement in development of bedrooms at basement level in hotels	
RA4c		Appendix C - BPS Chartered Surveyors Statement of Rebuttal	
RA5	RARE Architects	Rebuttal Proof of Evidence	Oct 2016
RA5a		Appendix A – Note by Ben Paterson, Structural Engineer of ParmarBrook Ltd	
RA5b		Appendix B – Note by Wendy Carnell, M&E Engineer of Carnell Warren Associates Ltd	
S1	Oliver Sheppard	Proof of Evidence	Oct 2016
S1a		Appendix 1: Description of Development	
S1b		Appendix 2 – Reasons for Refusal	
S1c		Appendix 3 - List of Development Plan Policies relevant to the Proposed Development	
S1d		Appendix 4 – LBHF Evaluation Criteria for Final Bids for Fulham Town Hall Score Sheet for Maclaren/Dory	
S1e		Appendix 5 – LBHF Evaluation Criteria for Final Bids for Fulham Town Hall Score Sheet for 'other' Bid	
S1f		Appendix 6 – LBHF letter to English Heritage dated 21st Dec 2011	
S1g	Oliver Sheppard	Summary Proof	Oct 2016
S2	Jim McKinney	Proof of Evidence	Oct 2016
S2a		Appendix 1 - Bid Briefing Documents	
S2b		Appendix 2 - Stage 2 Initial Bid (Sept 2011) & Stage 3 Final Bid (Dec 2011)	
S2c		Appendix 3 - LSH Briefing Notes 1 & 2	
S2d		Appendix 4 - LSH Letter 09/09/2011	
S2e		Appendix 5 - LSH Letter 04/10/2011	
S2f		Appendix 6 - LSH Letter 30/11/2011	
S2g		Appendix 7 - LSH Letter 19/12/2011	
S2h		Appendix 8 - LSH Letter 22/01/2012	

S2i		Appendix 9 - LSH Letter 26/01/2012	
S2j		Appendix 10 - Evaluation Criteria and Scoring	
S2k		Appendix 11 - Hotel Bidder Scheme	
S2l/K4		Appendix 12 - Fulham Town Hall: Alternative Hotel Scheme	
S2m		Appendix 13 - Hoare Lea Evaluation	
S2n		Appendix 14 - Plans of Bethnal Green Town Hall Hotel	
S2o	Jim McKinney	Summary Proof	Oct 2016
S3	Chris Goddard	Proof of Evidence	Oct 2016
S3a		Appendix 1 - LBHF Retail Needs Study Update 2016	
S3b		Appendix 2 - Experian floorspace composition of Fulham Town centre	
S3c		Appendix 3 - FSP report dated September 2016	
S3d		Appendix 4 - Analysis of Alternative Retail Development Opportunities in Fulham Town Centre	
S3e		Appendix 5 - Expert report of Lance Marton, Savills	
S4	Jonathan Harris	Proof of Evidence	Oct 2016
S4a		Appendix 1 - RICS Information Paper, Capital and Rental Valuation of Hotels in the UK	
S4b		Appendix 2 - DCF Appraisal - Unlisted Collection Scheme GDV	
S4c		Appendix 3 - DCF Appraisal - Alternative Scheme GDV	
S4d		Appendix 4 - Robert Lombardell Partnership Feasibility Estimates	
S4e		Appendix 5 - Residual Valuation - Unlisted Collection Scheme	
S4f		Appendix 6 - Residual Valuation - Alternative Scheme	
S5	Peter Riddington	Proof of Evidence	Oct 2016
S5a		Appendix 1 - Historic Building Report for Fulham Town Hall, Donald Insall Associates, August 2015	
S5b		Appendix 2 - Legislative Provisions and Planning Policy	
S5c		Appendix 3 - Historic England Listed Building Descriptions	
S5d		Appendix 4 - Sources of Reference	
SA1	Oliver Sheppard	Rebuttal Proof of Evidence	October 2016
SA1a		Appendix 1 - Blake Morgan Letter	8 August 2016
SA1b		Appendix 2 - Dory Ventures LLC Letter	10 October 2016
SA2	Jim McKinney	Rebuttal Proof of Evidence	October 2016
SA2a		Hoare Lea Comments on Updated Hotel Scheme	Oct 2016
SA2b		Letter from Alan Baxter	Oct 2016
SA3	Chris Goddard	Rebuttal Proof of Evidence	Oct 2016
SA3a		Appendix 1 - Maclaren letter	10 Oct 2016
SA3b		Appendix 2 - Photograph	
SA3c		Appendix 3 - Maclaren range of products	
SA3d		Appendix 4 - Bugaboo Showrooms	
SA3e		Appendix 5 - St Mark's Church Westminster Committee Report and Historic England Comments	15.1.16
SA4	Jonathan Harris	Rebuttal Proof of Evidence	Oct 2016
SA4A (& EA5)		Appendix R1 - Financial Viability in Planning RICS Professional Guidance	
SA4b		Appendix R2 - Valuation of Hotels for Investors	
SA4c		Appendix R3 - Hotel Valuation Methodology	
SA4d		Appendix R4 - Appraisal Summary	
SA5	Peter Riddington	Rebuttal Proof of Evidence	Oct 2016
SA5a		Errata Sheet	

T1	LBHF	Letter and attachments - FOI	24 Oct 2016
T2 (& H1)	SoS	Planning (Listed Buildings and Conservation Areas) Act 1990	1990
T3	LBHF/DP9	Statement of Common Ground	
T4	LBHF/DP9	Draft List of Planning conditions	
T5	LBHF/DP9	Draft List of LB conditions	
T6	LBHF/DP9	Agreed Schedule of Significance	
T7	Appellant	Draft Unilateral Undertaking	
T8	Historic England	Letter to LBHF	28.10.16
T9	Rare	Bethnal Green Town Hall	
T10	LBHF	Instruction to RARE architects	24.03.16
T11	BTP	Budget costs	04.11.16
T12	LBHF	Letter re costs	08.11.16
T13	HE	Letter to PINS	07.11.16
T14	Parmabrook	Covering email to Rare	25.10.16
T15	Fulham Society	Comments for FTH planning inquiry	14.11.16
T16	Carter Jonas	Viability assessment report	Sept 2015
T17	PINS	Baltic Wharf appeal decision	04.07.14
T18	LBH&F	Errata and clarifications	14.11.16
T19		Gibson vs Waverley decision	
T20	DP9	Email dated 20.12.16 relating to LBHF queries during Inquiry	20.12.16
T21	DP9	Letter to PINS dated 20.12.16 with response to LBHF queries during Inquiry (attached to T20)	20.12.16
T22	DP9	Enclosures to letter to PINS dated 20.12.16 with response to LBHF queries during Inquiry (attached to T20)	20.12.16
T23	Nigel Barker-Mills	Proof of evidence	11.01.17
T23a		Appendix 1 – qualifications and experience	
T23b		Appendix 2 – Historic England listing advice report	25.04.12
T23c		Appendix 3 – demolition plans	
T23d		Appendix 4 – variations in assessments of significance	
T24		FTHall – Plans identifying uses	
T25	LBH&F	LBHF letter and attachments to DP9 11Jan2017	11.01.17
T26	LBH&F	Amended CIL compliance draft note	09.01.17
T27	LBH&F	Ltr to Blake Morgan Solicitors	08.11.16
T28	LBH&F	Ltr to Blake Morgan Solicitors	12.01.17
T29		Meyrick vs Bournemouth Borough Council	10.12.15
T30		Watts vs Secretary of State	16.10.90
T31	LBH&F	5 year housing land supply	Sept 2016
T32	LBH&F	Paul Goodacre proof of evidence	18.11.16
T33	LBH&F	Ltr to PINS	26.01.17
T34		Ground floor plan use classes	
T35		Supplementary SoCG on artefacts	
T36		Agreed suggested conditions	
T37	LBH&F	Grand hall and mezzanine planning history	
T38		Closing Submissions LPA	
T39		Closing Submissions appellant	