

Planning Applications Committee – 30th November 2011

Town Hall Redevelopment

Cllr Lucy Ivimy

Chairman

I do not need to tell you the strength of opposition to this application by local residents. The number of individual letters received must be unprecedented. It amounts to over 1300, double the figure of 600 given in the officers report and this, I may say, typifies the defective nature of the entire officers' report. The sheer number of people prepared to turn out tonight and on previous evenings to discuss this matter is impressive. In addition the number of organisations that have written to object is astonishing. If you leave aside those bodies concerned with specific technical aspects of the application, it is remarkably difficult to find anyone apart from the council and the applicant that supports the proposals.

The main reasons for their objection are those that the committee has already been discussing, namely the height, design, impact on Furnivall Gardens, impact on the setting of the Grade II listed Town Hall and impact generally on views of the site and on that particularly beautiful and historic stretch of the river, the loss of the cinema and its replacement by a supermarket, loss of affordable housing with replacement only with luxury housing, dislocation of the blind residents, impact on views from the river. I can only endorse all of these objections.

The weight of people and bodies that have objected, frequently in a very careful and considered manner, is such that it cannot be ignored by this committee. That is doubly so, in the light of the serious conflict of interest involved. I should not need to remind the committee that it is the executive arm of the Council that has worked closely with the developers over a number of years and is effectively sponsoring this application, the Council that stands to benefit from new civic accommodation which it does not have to fund, it is that same executive arm that has had overall responsibility for preparing the report that is before the committee with its recommendations for approval.

There are four major aspects to this application:

- There are all the heritage and conservations issues, where it is very clear (though not from the officers' report) that considerable harm is being done
- There are the alleged regeneration benefits – and residents and I both dispute the assumptions made in the officers' report on this subject
- There is the issue of the loss of 54 units of affordable housing, including housing for blind persons, and its replacement with pure luxury housing

- There is the loss of the cinema and its replacement with a supermarket. It is difficult to defend this, particularly in the light of the reasons given for the rejection of Tesco's recent applications to do precisely this on the same site.

Looking first at the design and heritage issues:

“English Heritage considers that these proposals will cause considerable harm to the historic environment including the setting of both listed buildings, to the visual character and appearance of the conservation areas, and to the longer views across and along the River Thames.” English Heritage also stresses the importance and significance of the heritage assets. The charm and heritage assets of the Hammersmith riverfront bring many thousands of people to walk the river, Dove Passage where Sussex House stands, and drink at the Dove or Old Ship. Something that seriously damages these assets is serious indeed.

These are important issues that we are discussing. English Heritage has not changed its views despite the minor modifications to the scheme. English Heritage is of course a statutory body that generally uses very restrained language, so its opinion of this scheme is damning.

CABE are the arch apologists for contemporary architecture and even they are concerned at the impact of these buildings on the Hammersmith skyline. They do not regard these proposals as being of excellent architectural quality, regard the design of the towers as ‘an inappropriate response to their context’ recommend three slim, taller and more elegant towers rather than the two low, squat ones proposes. ‘Low squat towers’, coming from CABE, is again absolutely damning on the quality of the architecture.

English Heritage makes plain that these proposals are extremely damaging on numerous grounds:

In arguing in favour of the height of the new buildings – the tallest of which will be twice the height of the existing town hall extension – officers rely on the unfortunate precedents of the Vencourt hotel, Standish House and Kings Court. It is generally admitted that the Vencourt Hotel is a regrettable eye-sore, as is Standish House, out of scale with the surrounding area and of poor quality design. The officers’ argument in this respect is disingenuous.

A major criterion for assessing the impact of tall buildings is their impact on the various views of them. Officers state [3.106 p101] that the latest revisions to the plan have been tested again on the full range of photomontage studies, that earlier concerns have been overcome and the proposal is now considered acceptable. The officers’ report goes into considerable detail on each of the views while remaining consistently unconvincing. Arguments that rely for their support on the precedence of Vencourt House, or that the lightweight treatment of the upper storeys reduces the impact of the upper levels on mid and long distance views come close to being an admission of failure. Residents cannot accept, local amenity groups cannot accept and I cannot accept that these tall buildings will be anything other than profoundly damaging to all views in this historic setting. Nor has English Heritage been satisfied by these revisions. It is truly difficult to understand how officers can have come to their conclusion that this application is visually acceptable.

Regeneration Benefits

In seeking to demonstrate that the supermarket would regenerate this part of King Street the officers report relies heavily on evidence provided by the applicant. The West London Retail Study cited as evidence was based on data from before the current recession and its assumptions of steady increase in retail expenditure have been demonstrated by events to be simply wrong. I note that Top Shop is about to close over 200 branches because of the downturn. Let me quote from the officers' report, 'The Applicant has provided evidence to show that the proposed development would not have an unduly detrimental impact on neighbouring centre trade/turnover and would not impact detrimentally upon town centre vitality ..' [p85 3.19] This is a woefully inadequate argument for regeneration, particularly as it is contradicted by residents' own survey of local shopkeepers.

The regenerative qualities of the bridge are unclear. It may well produce increased footfall in Furnivall Gardens and along the river – but the need for this has not been established or even argued. I would argue strongly that these possible benefits are outweighed by the damage to the gardens, with a significant amount of the principal lawned area being lost to the ramp, not to mention the damage to Sussex House – grade II starred which the officers' report does not make clear – and to the façade and side elevation of the Town Hall.

I imagine the piazza will have some regenerative impact. Whether this will outweigh the damage of the loss of the cinema is more doubtful.

Cinema

The one thing that does have a proven track record in regeneration, across the country and indeed in Europe, is a cultural offering. This application proposes to destroy the existing cultural offering in the form of a cinema which drew 140,000 to the site last year, many of them from out of borough, and replace it with yet another supermarket. This is not regeneration.

The officers and applicant make much of a so-called independent study, the Dodona report, which was commissioned by the applicants and should therefore be treated by officers with a degree of caution and the subsequent Morgan-Giles analysis of this report commissioned by the council. Let us be clear, neither of these reports has looked closely at the specific operating numbers of the Cineworld that we are discussing and both make a number of incorrect assumptions. The Dodona report is a top-down statistical analysis that makes two deeply flawed assumptions. First that there are more than enough screens per head of population in Hammersmith & Fulham, but this fails to take any account of the number of people from Chiswick and Acton (and there is no cinema in Chiswick) that might visit, and second that a four screen cinema cannot compete with a major multiplex. This completely ignores the very obvious success of small local cinemas such as the Gate in Notting Hill Gate, and appears to deny that there are many people who prefer a small local cinema to a giant multiplex.

Morgan-Giles repeats these errors. It concludes that the borough is 'over-screened' without taking account of the unscreened neighbouring Chiswick; it fails to notice that the cinema most likely to close is probably the Vue in Shepherds Bush which competes, or fails to compete, directly with

Westfield; it relies on totally hypothetical increased competition from a Lyric Square development which, if we are talking about the NCP carpark site, is going ahead without any cinema; it assumes that there is no digitisation of the Cineworld, whereas it will be fully digital by this year end; it also assumes that its only competitive factor is a low pricing structure, completely ignoring that many people prefer a small neighbourhood cinema to a large multiplex. The Morgan-Giles report is defective and its conclusions cannot be relied upon.

The facts, Chairman, are that the Cineworld is currently profitable, it attracts significant numbers people to the area, particularly in the evening and therefore helps to underpin the local restaurant trade; and its loss would be the opposite of regenerative. Any suggestion that outdoor cinema events could in any way mitigate the loss of the cinema is in my view preposterous.

For officers to conclude [3.41 p 89] that the loss of the cinema is not contrary to policy CF1 because the premises are not satisfactory is more than wrong, it is disingenuous.

We should also note that earlier applications by Tesco to demolish the cinema and build a supermarket were roundly rejected by this council. Officers' attempts to distinguish those arguments from the reasons they put forward in favour of the current proposal are thin, to say the least.

Affordable Housing

There is no longer an absolute obligation for this provision but only to seek the maximum reasonable amount. What is notable in this application is the actual loss of 54 units of existing low cost housing (which is therefore affordable in the honest sense of the word) and its replacement solely with luxury housing. The nature of this housing, to be marketed no doubt as luxury riverside apartments to overseas buyers, is that it is frequently empty and highly unlikely to lead to any increase in vitality for this stretch of King Street.

That blind residents are to be displaced without provision being made on this site for their rehousing is another deeply unfortunate aspect of this scheme.

Finances and justification for the scheme

Although the officers' report dwells heavily on the regeneration benefits of the scheme – though mostly with little substantiation – the main driving force behind this application is the council's wish for new civic offices at nil cost – that is plain from a number of statements, not least in the Evening Standard last night. This is a woefully inadequate justification for such a damaging development. I have to add that the council's assessment of the finances of this scheme is very questionable. The Price Waterhouse assessment did not validate any of the underlying assumptions made by the developers but merely took their numbers. Hardly worthy of the name 'assessment'. As for the

council, if officers cannot even count the number of objection letters correctly, how can we trust any of their figures?

The argument that 'there is no alternative' to this scheme is a nonsense. If this scheme is rejected, then a far better one can and will be brought forward.

Officers' report

Chairman. The evidence on which you and committee members will chiefly rely in making your decision is contained in this officers' report. Yet the report is deeply defective. It contains basic errors of fact; it appears to accept without criticism arguments and evidence put forward by the applicants, and contains arguments that bear all the hallmarks of being disingenuous.

I note that those responsible for producing it, report to that same executive which has been the main moving force for the council behind these proposals, and I wonder what influence that executive has had on the professional judgement of officers.

What is being proposed in this application is the wrong scheme for this site. The only real and substantiated justification put forward for this – namely the new town hall offices at no cost to the council – amounts to inappropriate special pleading for a scheme that is wholly offensive to the surrounding area. It should be roundly rejected.