

**Ward:** Fulham Reach

**Site Address:**

25 Thames Reach 80 Rainville Road London W6 9HS



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**For identification purposes only - do not scale.**

**Reg. No:**  
2019/03091/FUL

**Case Officer:**  
Grace Purnell

**Date Valid:**  
28.10.2019

**Conservation Area:**  
Constraint Name: Fulham Reach Conservation  
Area - Number 39

**Committee Date:**  
04.02.2020

**Applicant:**

Mr Simon Bowden  
C/o Agent

**Description:**

Erection of an additional floor over part of the existing terrace at roof level; and erection of a rear extension at first floor level, over part of the existing terrace.

Drg Nos: 003; 004; 008 Rev A; 009 Rev A

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Strategic Director, The Economy Department, be authorised to grant permission subject to the condition(s) listed below.

That the Strategic Director, The Economy Department, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Condition required to be imposed by section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The development hereby approved shall be carried out and completed only in accordance with the following drawings which have been approved;

003; 004; 008 REV A; 009 REV A

In order to ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4, DC8 and RTC3 of the Local Plan (2018).

- 3) Any alterations to the elevations of the existing building, including balustrades and brickwork, shall be carried out in the same materials as the existing elevation to which the alterations relate, unless stated otherwise in the approved plans.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4, DC8 and RTC3 of the Local Plan (2018).

- 4) Prior to the commencement of the proposed development hereby permitted, details of all new external materials (including samples) to be used in the development including brickwork, windows, balustrades and roofing materials shall be submitted to, and approved in writing by, the Council. The development shall

be carried out in accordance with the approved details; and permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area, in accordance with Policies DC1, DC4 and DC8 of the Local Plan 2018.

- 5) Prior to the relevant part of works commencing, detailed drawings in plan, section and elevation at a scale of no less than 1:20 of all typical bays of the windows on east, west, south and north elevations shall be submitted to and approved in writing by the Council and the development shall be carried out in accordance with such details as have been approved.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4, DC8 and RTC3 of the Local Plan 2018.

- 6) No water tanks, water tank enclosures or other structures shall be erected upon the flat roofs of the extensions hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, in accordance with Policies DC1, DC4, DC8 and RTC3 of the Local Plan (2018).

- 7) No plumbing, extract flues or pipes, other than rainwater pipes, may be fixed on the front elevation of the building.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies DC1, DC4, DC8 and RTC3 of the Local Plan (2018).

- 8) The development hereby permitted shall not be occupied until the glazing in the northern elevation, hereby permitted, has been installed so as to be non-openable and with obscure glazing to a height of 1.7 metres from the internal floor level, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. Thereafter the window shall be retained in the form approved.

Such a use would be harmful to the existing residential amenities of neighbouring occupiers as a result of overlooking and loss of privacy, contrary to Policy DC1, HO11 and DC4 of the Local Plan (2018).

- 9) The additional floor hereby approved shall only be used in connection with, and ancillary to, the use of the remainder of the application property as a single residential unit. The accommodation at fifth and sixth floor level shall not be occupied as a self-contained flat that is separate and distinct from the use of the remainder of the application property as a single residential unit.

The use of the extended accommodation as a self-contained flat, separate from the use of the remainder of the application property as a single residential unit, would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with CC2, HO1, HO4, HO11 and T4 of

the Local Plan (2018) and Key Principles HS3 of the Planning Guidance Supplementary Planning Document (2018).

- 10) The flat roofs of the extensions hereby approved, shall not be used as a terrace or amenity space. No railings or other means of enclosure shall be erected on or around the roofs, and no alterations shall be carried out to the extensions hereby approved, to form access onto the roofs.

Such a use would be detrimental to the amenities of neighbouring properties by reason of overlooking and loss of privacy, in accordance with Policies HO11, DC4 of the Local Plan 2018 and Key Principle HS8 of the Planning Guidance Supplementary Planning 2018.

- 11) Prior to occupation of the development, details of the installation of an Air Source Heat Pump or Electric Boilers to be provided for space heating and hot water shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure that the development is acceptable in accordance with Local Plan Policies CC1 and CC10 (2018).

### **Justification for Approving the Application:**

1. Design and Conservation: The proposed development is considered to be visually acceptable. The proposed development would be compatible with the scale and character of existing development and its setting. The proposal would preserve the character and appearance of the Fulham Reach conservation area and the adjacent Crabtree Conservation Area. The development would therefore be acceptable in accordance with the NPPF (2019), relevant London Plan (2016) policies, Local Plan policies DC1, DC4 and DC8 (2018) and Key principles CAG2 and CAG3 of the Planning Guidance Supplementary Planning Document (2018).

2. Impact on Neighbouring Residents: The impact of the proposed development upon neighbouring occupiers is considered to be acceptable with regards to noise and impacts on overlooking and outlook. In this regard the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with policy 7.15 of the London Plan (2016), policies CC11, CC13 and DC4 of the Local Plan (2018) and Key principles HS7 and HS8 of the Planning Guidance Supplementary Planning Document (2018).

3. Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

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**LOCAL GOVERNMENT ACT 2000  
LIST OF BACKGROUND PAPERS**

**All Background Papers held by Andrew Marshall (Ext: 4841):**

Application form received: 18th October 2019  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2019  
The London Plan 2016  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Port Of London Authority	06.11.19
Environment Agency - Planning Liaison	14.11.19

**Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
21, Thames Reach 80, Rainville Road London W6 9HS	18.12.19
144 Colwith Road Hammersmith London W6 9EZ	25.11.19
9 Thames Reach 80 Rainville Road London W6 9HS	22.12.19
20 thames reach 80 Rainville Rd London W6 9HS	29.10.19
2 and 15 Thames Reach 80 Rainville Road London W6 9HS	15.11.19
17 Thames Reach 80 Rainville Road London W6 9HS	23.11.19
Aspect Property Management 4th Floor Warwick House London SW1W OPP	30.10.19
14 Thames Reach 80 Rainville Road London W6 9HS	03.12.19
6 Thames Reach 80 Rainville rd London W69HS	22.11.19
Flat3/4 Thames Reach London W6 9HS	14.11.19
14 Thames Reach 80 Rainville Road London W6 9HS	22.11.19
22 Thames Reach 80 Rainville Road London W6	16.11.19
7 Thames Reach 80 Rainville Road London W6 9HS	18.11.19
8 Thames Reach 80 Rainville Road London W6 9HS	06.12.19
5 Thames Reach 80 Rainville Road London W6 9HS	12.11.19
1 Waters Edge Palemead Close London Sw6 6QU	11.11.19

## 1.0 BACKGROUND

### Site

1.1. The application relates to a top-floor apartment within Block C of the five storey Richard Rogers development on Hammersmith riverside. The site is bounded to the North by King Henrys Reach, to the West by the river and river towpath, to the south by Block B of Thames Reach and to the east by Rainville and Colwith Road.

1.2. The property is in Fulham Reach Conservation Area and within Flood Risk Zone 2 and 3, it is not locally or statutorily listed.

### History

1.3. In 1983, planning permission (ref 1983/01262/FUL) was granted for 29 dwellings; change of use of buildings 1, 4, 5 and 6 to light industrial use with ancillary offices and other space (totalling 3240 sq.m); alterations and extensions to buildings 2 and 3 and conversion to office use with ancillary work-shops and other space (totalling 1798 sq.m); 60 parking spaces; private amenity open space for the industrial and office building; the provision of a public walkway along river frontage with a connection to Colwith Road.

1.4. In 2014, an application (ref 2014/00417/TPO) was approved for the felling of protected Alder Tree in the front garden (TPO/363/07/09 (T1)).

### Proposal

1.5. The current proposal is for the erection of an additional floor over part of the existing terrace at roof level; and erection of a rear extension at first floor level, over part of the existing terrace.

## 2.0 PUBLICITY AND CONSULTATIONS

2.1. The application has been advertised by means of a site and a press notice. In addition, 98 individual notification letters have been sent to the occupiers of neighbouring properties;

- 14 letters of objection have been received
- 1 letter of support has been received
- 1 letter neither in support or objection to the application has been received.

2.2. The concerns raised in the objection letters are summarised as follows;

- extension will have a detrimental effect on the character of the Fulham Reach Conservation Area.
- no precedent for the extension
- The site (Thames Reach) is proposed to be listed and as such the addition could affect a future listed building
- increased parking stress
- The construction of the extension within a tight space
- Loss of daylight/sunlight
- Increase in chance of moss and damp occurring at neighbouring properties

- Increased noise disturbance during construction

2.3 The material concerns raised above are addressed in the officer report below. Regarding the potential listing of the Thames Reach site, the council has received no notice of this. Further to this the council note that the building, as at the date of consideration of the application, is not listed nor is the building contained within the council's locally registered Buildings of Merit list. The increase in moss, damp and noise during construction are not planning considerations and are subject to separate controls under the council's environmental health and noise and nuisance teams.

2.4. Comments in support include: -

- Designed sensitively to align with the existing building and would complement the Fulham Reach conservation area
- The construction of the addition would cause minimal disruption.

### 3.0 PLANNING POLICY

3.1. The National Planning Policy Framework (NPPF, 2019) sets out the Government's planning policies for England and how these are expected to be applied in favour of sustainable development. The NPPF is a material consideration in decisions on planning applications.

3.2. The London Plan was published in July 2016. It sets out the overall strategic plan for London and a fully integrated economic, environmental, transport and social framework for the development of the Capital over the next 20-25 years. It forms part of the development plan for Hammersmith and Fulham.

3.3. The draft new London Plan was published for public consultation in 2017. Following an Examination in Public of the draft Plan from January to May 2019, the Panel issued their report and recommendations to the Mayor in October 2019. In December 2019, the Mayor of London submitted his "Intend to Publish" version of the London Plan to the Secretary of State for his consideration. The 'Intend' version includes a schedule of which recommendations the Mayor is intending to accept or not and the Secretary of State has 6-weeks to review this. Once adopted, the new London Plan will supersede the current London Plan. As the document is in its late stages towards adoption, it is considered that relatively significant weight should be applied to the draft policies where the inspector had a more favourable view in determining this application.

3.4. On 24 January 2018, the Council resolved to adopt the Hammersmith & Fulham Local Plan (2018). The adoption of the new Local Plan took effect on 28th of February 2018 and the policies within the new Local Plan together with the London Plan 2016 make up the statutory Local Development Framework (LDF) for the Borough. Also, of relevance as material considerations are the Council's Planning Guidance Supplementary Planning Document.

### 4.0 PLANNING CONSIDERATIONS

#### DESIGN AND APPEARANCE

4.1. London Plan Policies 7.4 and 7.6 require all new development to be of high quality that responds to the surrounding context and contributes to the provision of high quality

living environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood.

4.2. Local Plan Policy DC1 (Built Environment) and DC4 (Alterations and Extensions including Outbuildings) state 'that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.' Local Plan Policy DC8 (Heritage and Conservation) states 'The council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. Local Plan DC7 (Views and Landmarks) goes on to state, 'Local views afforded by the open nature of the borough's riverfront are important in determining the character of each stretch of the riverside.'

4.3. Local Plan RTC3 (Design and Appearance of Development within the Thames Policy Area) asserts that development within the Thames Policy Area should respect the riverside, including the foreshore, context and heritage assets, and is of a high standard of accessible and inclusive design, and maintain or enhance the quality of the built, natural and historic environment.

4.4. The site is a housing development on the Hammersmith waterfront, designed by RSHP (Rogers Stirk Harbour and Partners) formed of 3 blocks each of which are divided into two tall buildings joined by a bridging middle piece. The buildings can be appreciated in full elevation from the river and the riverside walkway on the opposite bank of the Thames. From this view, the simple rectangular forms of the development are expressed within a fully glazed facade and a defined top floor, which is largely uninterrupted by development on top of the flat roofs.

4.5. The eastern elevation adopts a different language, with the block's division articulated by a feature brick curved stair and cuboid elevator cores. This elevation is predominately brick with modular stepped corner windows on every floor. The southern half of the block's elevation goes to its full height in brick, whereas the northern block steps back at 5th floor level to create a terrace. All roof forms are bound by a uniform white balustrade.

4.6. The application is for a rear extension and roof extension at 25 Thames Reach. The design proposals seek to add an additional floor at roof level on the existing terrace and extend into the existing terrace at 5th floor. The principle of a roof extension on top of the main roof has already been established at the neighbouring block; 24 Thames Reach (2009/01506/FUL).

4.7. Both the extension at No.24 and the proposed at No.25, are/would be visible in longer range views from across the river. The proposed roof extension would match the existing extension next door, in its scale and height, which is considered to be subservient to the roof form, and in views across the river would appear symmetrically paired. Materially, the proposal is light weight- being fully glazed- unlike that at No.24, which built up part of the flank wall in brick. Furthermore, the construction methods proposed would mean that minimal intervention is required to the existing fabric of the building in the erection of the extensions.



4.8. With regard to the rear extension at 5th floor level, this is considered to sit subserviently within the context of the elevation. While it will be visible from the walkways between and behind the block, because of the proximity of the views, which are highly restrictive, the extension will not interfere with the feature brick cores, one of the distinguishing features of this elevation, or off balance the pair since they cannot be seen in relation to one another from any view point. Furthermore, the proposals will be largely screened from view by tall mature trees. The existing balustrades which enclose the flat roof will also remain, and still be read as the defining feature at roof level.

4.9. Overall, the proposals are considered to be compatible with the Thames Reach development and would reinstate a sense of symmetry at roof level in views across the river. Given that the proposals would be predominately screened in views from the east in particular from Colwith and Rainville Roads, it is not considered the extension would harm the character and appearance of the area. The proposal would preserve the character of both the Fulham Reach Conservation Area, and the adjacent Crabtree Conservation.

## RESIDENTIAL AMENITY

4.10. Policies DC1, DC4 and HO11 of the Local Plan (2018) require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles HS7 and HS8 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, noise and privacy.

### Outlook

4.11. SPD Key Principle HS7 notes that, as the borough has a high density of development it is necessary to ensure that in the siting and design of all new buildings and extensions, the amenities of existing residential occupiers are not unduly affected and that there are safeguards against loss of outlook and loss of privacy. The key principle states that any proposed rear extension should not worsen the outlook from any rear habitable room window located lower than the proposed extension. Further, if any part of the proposed building extends beyond these lines, then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

4.12. In this instance, the affected windows are in the southern elevation of 6-storey King Henry's Reach are some 6m away and face onto the northern elevation of the application building, Thames Reach. There are 9 windows in the north elevation of the King Henry's Reach - there are 2 opposing windows on each floor between the second and fifth floor with 1 window at 1st floor level. Given that the existing buildings are already in an enclosed environment with reduced outlook, on site judgment is the determining factor.

4.13. The 2no. windows at 5th floor level are obscurely glazed and do not serve habitable rooms, for this reason they have not been assessed.

4.14. A 45-degree line has been taken from the centre of the windows at 4th floor level, the extension proposed within this application does not infringe on this line. At 2nd and 1st floor level the openings are already significantly infringed upon by Thames Reach's brick flank elevation, and as such the impact of the extension proposed within this application is likely to be de minimis to these windows.

4.15. With regard to the remaining 2no. windows at 3rd floor level, part of the 45-degree line taken from the centre of these windows would be marginally infringed upon by the extension proposed within this application. In this instance, the existing site is constrained, with a 6m gap between the two flank elevations, the outlook from these windows is already compromised. Officers have used on site judgement and consider that, as the extension proposed within this application is almost completely glazed and is set in from the side boundary, the impact on outlook served to these windows would not be significant enough to withhold planning permission in this instance.

4.16. Beyond the affected windows discussed above, there are also openings at sixth floor level of King Henry's Reach, however these are all installed with obscure glazing. The proposed extensions would not be a level higher than these windows, as such no loss of outlook is considered to occur. The final windows assessed are within the flank elevation of 144 Colwith Road. The flank elevation of Colwith Road is set back 20m to the east of Thames Reach, as a result of this a completely unobstructed 45-degree angle can be drawn from these windows. With regard to the above, there is not considered to be any impact on outlook served to these windows.

4.16. Overall, the proposed extensions would not unduly impact on the neighbouring amenity in terms of loss of light and outlook.

Overlooking/Privacy:

4.17. SPD Key Principle 7 states that any new windows should be positioned at least 18m from existing habitable room windows.

4.18. At 5th and 6th floor level the existing flat possesses a large roof terrace. The proposed additional floor would cover part of the existing roof terrace, the remainder of the space would continue to be used as terrace. This would result in a reduction of the terrace being used as amenity space (see comments under noise section of this report).

4.19. With regard to the existing situation, there is already a large degree of opportunity for overlooking into windows in the southern elevation of King Henry's Reach. However, the use of the space is likely to be intensified and as part of the proposal. Within the north elevation of the extensions, all of the glazed façade is proposed as obscure glazing up to 1.7m. This would mitigate any opportunity for additional overlooking into neighbouring properties in King Henry's Reach. Considering the provision of the opaque glazing, officers are satisfied that relevant steps have been taken to ensure that the provisions of Key Principle HS7 are taken into consideration. It is not considered that the application proposal presents such an opportunity for overlooking toward neighbouring properties so as to warrant refusal of any future application on this basis. As such the proposal is considered to accord with Planning Guidance SPD Key Principle HS7 (2018).

4.20. Overall, the proposed rear extension would not unduly impact on the neighbouring amenity in terms of loss of light and outlook, a sense of enclosure or overlooking.

Noise

4.21. Given that the size of the existing terrace would be reduced, the potential for disturbance and noise to neighbouring properties is also likely to reduce.

4.22. Officers are satisfied that the proposal would comply with Local Plan policies CC11 and CC13 and Key principle HS8 of the Planning Guidance Supplementary Planning Document (2018).

#### HIGHWAYS/CONSTRUCTION

4.24. The council's highways team have reviewed the application and have no objection to the works. The proposal is considered to be compliant with Policy T7 of the Local Plan (2018) and Key Principle TR21 of the Planning Guidance Supplementary Planning Document (2018).

#### AIR QUALITY

4.25. The development site is within the borough wide Air Quality Management Area (AQMA). Further Mitigation measures will be required to make the development acceptable in accordance with Local Plan Policies CC1 and CC10. The Air Quality officer has requested a condition to be attached to the decision notice.

#### CIL

4.26. This development would not be subject to a London wide community infrastructure levy, or the council's own community infrastructure levy.

#### 5.0. CONCLUSION

5.1. Officers consider that the design and appearance of the building is considered acceptable, the proposal would preserve the character of the Fulham Reach conservation area and the adjacent Crabtree conservation area. The proposals would not cause harm to residential amenity by virtue of loss of outlook, light or privacy and would not present any highways concerns. The proposal would be acceptable in regard to Air Quality, subject to conditions. As such the proposal is considered to be in accordance with relevant national guidance, London Plan policies, the Local Plan and Planning Guidance Supplementary Planning Document Policies.

#### 6.0. RECOMMENDATION

6.1. That the Strategic Director, The Economy Department, be authorised to grant permission and subject to the condition(s) listed below.

6.2. That the Strategic Director, The Economy Department, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.