

Planning and Development Control Committee

Agenda

Tuesday 4 February 2020 - 7.00 pm
Main Hall (1st Floor) - 3 Shortlands, Hammersmith, W6 8DA

MEMBERSHIP

Administration:	Opposition
Councillor Rachel Leighton (Chair) Councillor Matt Uberoi (Vice-Chair) Councillor Colin Aherne Councillor Wesley Harcourt Councillor Natalia Perez Councillor Asif Siddique	Councillor Alex Karmel Councillor Matt Thorley



Shortlands

3 Shortlands,
Hammersmith,
London W6 8DA

 Closest Underground Station
Hammersmith

 Closest Bus Stop
Latymer Court (Stop G)

CONTACT OFFICER: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel 07776 672945
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Public Notice

Members of the press and public are welcome to attend this and all other Council meetings. Should exempt information need to be discussed the committee will pass a resolution requiring members of the press and public to leave.

For details on how to register to speak at the meeting, please see overleaf.
Deadline to register to speak is 4pm on Thursday 30 January 2020

For queries concerning a specific application, please contact the relevant case officer.

The open part of this agenda is available for public inspection at the Town Hall and may be viewed on the Council's website www.lbhf.gov.uk/committees

PUBLIC SPEAKING AT PLANNING AND DEVELOPMENT CONTROL COMMITTEE (PROTOCOL)

Members of the public are welcome to attend the Planning and Development Control Committee meeting.

Who can speak?

Only the applicant or their agent and people who have commented on the application as part of the planning department consultation process in support or against will be permitted to speak at the meeting. They must have been registered to speak before addressing the committee. Ward Councillors may sometimes wish to speak at meetings even though they are not part of the committee. They can represent the views of their constituents. The Chair will not normally allow comments to be made by other people attending the meeting or for substitutes to be made at the meeting.

Do I need to register to speak?

All speakers except Ward Councillor must register at least two working days before the meeting. For example, if the committee is on Wednesday, requests to speak must be made by 4pm on the preceding Friday. Requests received after this time will not be allowed. Registration will be by email only. Requests are to be sent to speakingatplanning@lbhf.gov.uk with your name, address and telephone number and the application you wish to speak to as well as the capacity in which you are attending.

How long is provided for speakers?

Those speaking in support or against an application will be allowed three minutes each. Where more than one person wishes to speak for or against an application, a total of five minutes will be allocated to those speaking for and those speaking against. The speakers will need to decide whether to appoint a spokesperson or split the time between them. The Chair will say when the speaking time is almost finished to allow time to round up. The speakers cannot question councillors, officers or other speakers and must limit their comments to planning related issues.

At the Meeting - please arrive 15 minutes before the meeting starts and make yourself known to the Committee Co-ordinator who will explain the procedure.

What materials can be presented to committee?

To enable speakers to best use the time allocated to them in presenting the key issues they want the committee to consider, no new materials or letters or computer presentations will be permitted to be presented to the committee.

What happens to my petition or deputation?

Written petitions made on a planning application are incorporated into the officer report to the Committee. Petitioners, as members of the public, are welcome to attend meetings but are not permitted to speak unless registered as a supporter or objector to an application. Deputation requests are not accepted on applications for planning permission.

Planning and Development Control Committee Agenda

4 February 2020

<u>Item</u>	<u>Pages</u>
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.</p>	
3. ELYSIUM GATE, 126 - 128 NEW KING'S ROAD LONDON SW6 4LZ, TOWN, 2019/02239/FUL	5 - 24
4. 142 COLWITH ROAD LONDON W6 9EZ, FULHAM REACH, 2019/02681/FUL	25 - 39
5. MAISONETTE FIRST AND SECOND FLOORS 111 STEPHENDALE ROAD LONDON SW6 2PS, SANDS END, 2019/02422/FUL	40 - 46

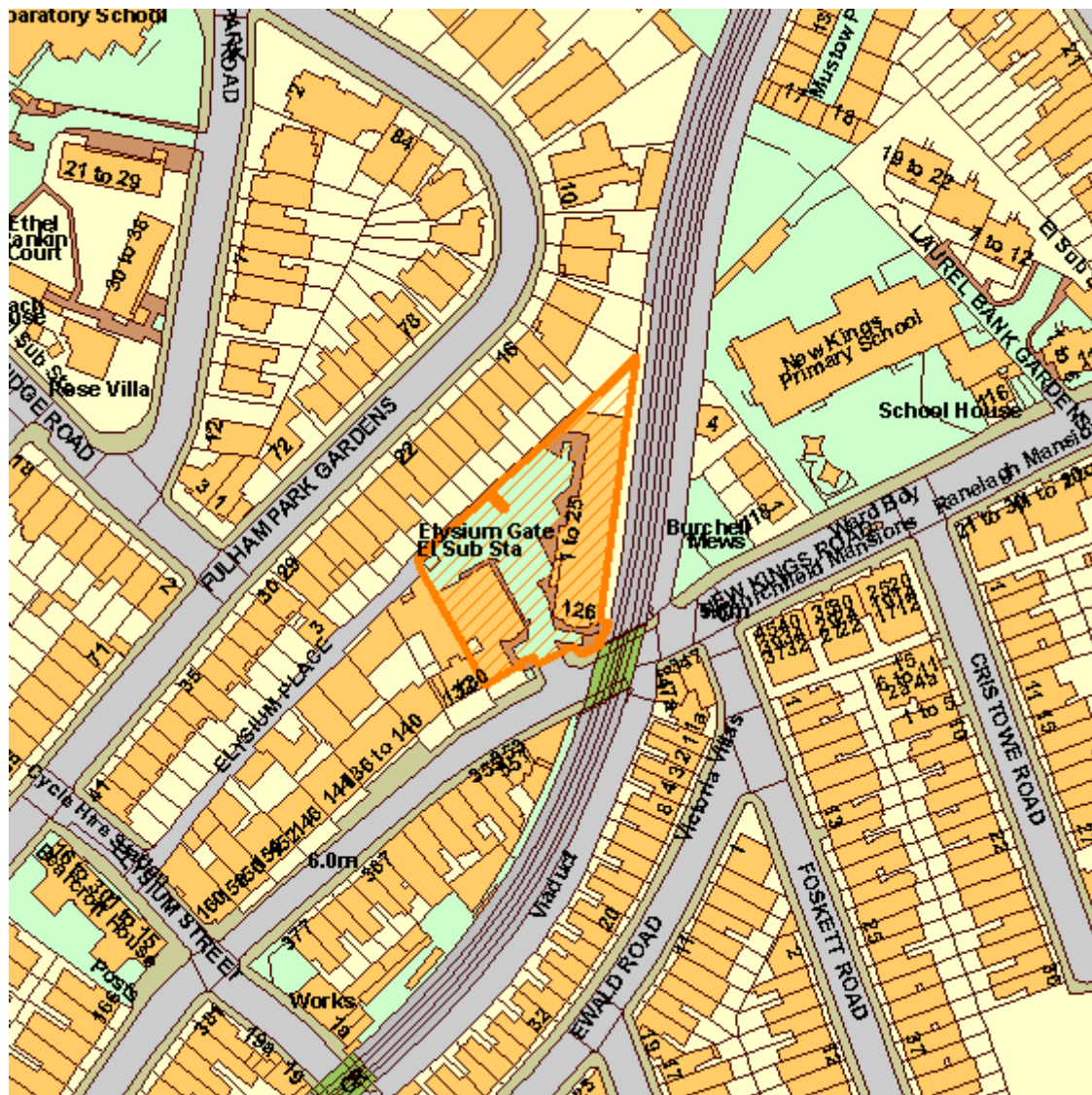
**6. 25 THAMES REACH, 80 RAINVILLE ROAD LONDON W6 9HS,
FULHAM REACH, 2019/03091/FUL**

47 - 57

Ward: Town

Site Address:

Elysium Gate 126 - 128 New King's Road London SW6 4LZ



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For identification purposes only - do not scale.

Reg. No:
2019/02239/FUL

Case Officer:
Marina Lai

Date Valid:
26.07.2019

Conservation Area:
Constraint Name: Fulham Park Gardens
Conservation Area - Number 16

Committee Date:
04.02.2020

Applicant:

CER Kings Road SARL
C/O Agent

Description:

Erection of two single storey buildings to use as office (Class B1) on the north-western boundary of the site, installation of cycle parking stands and blue badge car parking space, and associated landscaping including the replacement of one existing tree.
Drg Nos: Site Location Plan; 19001_90_100 Rev.B;19001_20_104 Rev.B; 100 Rev.B; 200 Rev.A; 300 Rev.A;010_Rev.B; Arboricultural Survey & Impact Assessment;Flood Risk Assessment;

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Strategic Director, The Economy Department, be authorised to grant permission and 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 shall not be erected otherwise than in accordance with the following detailed drawings which are hereby approved:-

100 Rev.B; 104 Rev.B; 100 Rev.B; 200 Rev.A; 300 Rev.A; 010_Rev.B

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 and DC8 of the Local Plan 2018.

- 3) The B1 office use hereby permitted shall only be used as an office and for no other purpose (including any other separate purpose in B1 of the Schedule under the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the site for any other purpose, including

other purposes within Class B1, could raise materially different planning considerations and the Council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policy CC11 and Policy CC13 of the Local Plan 2018.

- 4) The development hereby permitted shall not commence until particulars and samples of materials, including samples of glass, to be used in all external faces of the extension have been submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with such details as have been approved and shall thereafter be permanently retained in this form.

To ensure a satisfactory appearance and prevent harm to the street scene, in accordance with Policies DC1, DC2 and DC8 of the Local Plan 2018.

- 5) No water tanks, water tank enclosures, plant, mechanical ventilation or extract equipment 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, DC2 and DC8 of the Local Plan 2018.

- 6) No antennas, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that the visual impact of such equipment can be considered, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 7) The single storey office building hereby permitted shall be only open between 9:00 hours and 19:00 hours Monday to Sunday (including Bank Holidays).

In order that noise disturbance which may be caused by occupants of the premises is confined to those hours when ambient noise levels and general activity are similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents in compliance with policies HO11, CC11 and CC13 of the Local Plan (2018).

- 8) Within six months of 90% occupation of the development, a revised Travel Plan (which should update the Travel Plan required under Condition 10 of the planning permission 2017/04309/FUL) and travel survey shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan should ensure that occupants of the development will be made aware of the public transport and local facilities in the area.

In the interests of the proper management of traffic and parking in the area, in accordance with policy T1 of the Local Plan 2018.

- 9) Prior to commencement of the development hereby approved, a Construction Logistics Plan (in compliance with TfL Construction Logistics Plan Guidance) shall be submitted to and approved in writing by the Council. Details shall include the

numbers, size and routes of demolition and construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. Approved details shall be implemented throughout the project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the operation of the public highway, the amenities of local residents and the area generally in accordance with The Local Plan 2018 Policy T7 and SPD Key Principle TR21.

- 10) Prior to occupation of the single storey ground floor extension hereby permitted, details of secure cycle parking spaces to be provided in connection with the proposed and existing office development shall have been submitted to and approved in writing by the Council, and such details as are approved shall be implemented prior to the occupation of the development and permanently retained thereafter for such use.

To ensure satisfactory provision for cycle parking and to thereby encourage sustainable and active modes of travel, in accordance with Local Plan (2018) T3 and Planning Guidance Supplementary Planning Document (2018).

- 11) Prior to occupation of the development, details of the installation of the Air Source Heat Pumps 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 comply with the requirements of the NPPF (2018), Policies 7.14a-c of the London Plan (2016), Policy CC10 of the Local Plan 2018.

- 12) Prior to occupation of the development hereby permitted a Ultra Low Emission Strategy for the operational phase of the development in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority. The Ultra Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce the exposure of poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NO_x and particulates from on-road vehicle transport by the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG, (6) Diesel (Euro 6 and Euro VI). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2018), Policies 7.14a-c of the London Plan (2016), Policy CC10 of the Local Plan 2018.

- 13) No development shall commence until a preliminary risk assessment report, regarding with land contamination, is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials; and a statement of whether a site investigation is necessary to address these potentially unacceptable risks. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 14) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 15) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details and by a

competent person who conforms to CLR 11: Model Procedures for the Management of Land contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2016, and Policy CC9 of the Local Plan 2018.

- 16) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 17) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full if required by the approved quantitative risk assessment, and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all appropriate waste Duty of Care documentation and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation method statement to be submitted and approved by the Council and verification of these works included in the verification report. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 18) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report, is submitted to and approved in writing by the Council setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, a verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), and Policy CC9 of the Local Plan 2018.

- 19) No music nor amplified sound emitted from the development hereby permitted shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/habitable rooms and private external amenity spaces.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with Policy 7.15 of the London Plan (2016), Policy CC4 of the Core Strategy (2011) and Policy DM H9 of the Development Management Local Plan (2013).

- 20) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the submitted Flood Risk Assessment. The recommended mitigation measures shall be permanently retained thereafter.

To ensure that the flows of foul and surface water run-off is managed in a sustainable manner, in accordance with Policy CC3 and CC4 of the Local Plan 2018.

- 21) Prior to any works at ground floor and above, full details of the proposed soft landscaping of the site, including planting schedules and details of the species, height and maturity of new trees and shrubs, shall be submitted to and approved in writing by the Council. The approved landscaping scheme shall be implemented in the next winter planting season following completion of the building works, or before the occupation and use of any part of the building, whichever is the earlier.

To ensure a satisfactory external appearance and to prevent harm to the character of the surrounding and streetscene, in accordance with Policies OS5, DC1 and DC2 of the Local Plan (2018).

- 22) Any tree or shrub planted pursuant to condition 21 being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory provision for planting in accordance with Policies OS5, DC1 and DC2 of the Local Plan (2018).

- 23) No alterations or additions shall be made to the external appearance of the building (including the installation of air-conditioning units, ventilation fans, extraction equipment) without full planning permission first being obtained.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1 and DC4 of the Local Plan (2018).

- 24) No external artificial lighting shall be installed or used unless details have been submitted to, and approved in writing by, the council.

To ensure a satisfactory external appearance, particularly at night, and to ensure that the amenities of neighbouring properties are not adversely affected through light pollution, in accordance with Policies DC1, DC4 and CC13 of the Local Plan (2018).

- 25) Prior to first occupation of the development hereby permitted, an Inclusive Access Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Access Plan shall include details of access to toilet facilities and the dimensions of the accessible parking bay should conform to BS 8300. The development shall not be operated otherwise than in accordance with the Inclusive Access Management Plan as approved and thereafter be permanently retained in this form for the life of the development.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy 7.2 of the London Plan and Policy E3 of the Local Plan 2018, and draft London Plan Policies 6.1 and 6.5.

- 26) Prior to occupation, a Delivery and Servicing Plan shall be submitted in writing to the Council for approval. The Plan should include servicing and delivery arrangements including the prevention of vehicles from reversing onto the public highway and once approved the provisions of the Plan shall remain in place for the life of the development.

To ensure satisfactory arrangements for deliveries to and servicing of the development to ensure these vehicle movements do not cause congestion or other unnecessary disruption to the local highways network, in accordance with Local Plan (2018) Policy T1 and Key Principle TR27 of the Planning Guidance Supplementary Planning Document (2018).

Justification for Approving the Application:

- 1) The proposed development is acceptable in land use terms, would not have a significant effect on the visual amenities of the host building would preserve the character and appearance of the Fulham Park Gardens Conservation Area and special architectural and historic interest of the nearby Grade II listed buildings. Furthermore the proposals would not harm the residential amenities of adjoining occupiers, or contribute significantly to on-street parking in surrounding streets. In these respects the proposal complies with Policies DC1, DC4, DC8, T1, CC3, CC4, CC9, CC11 and CC13 of the Local Plan 2018 and associated Key Principles of the Planning Guidance SPD 2018.

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

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

Application form received: 25th July 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:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

N/A	02.12.19
17 Fulham Park Gardens London SW6 4JX	06.09.19
25 Fulham Park Gardens FULHAM London SW6 4JX	26.11.19
18 Fulham Park Gardens London SW6 4JX	06.09.19
21 Fulham Park Gardens London SW6 4JX	05.09.19
21 Fulham Park Gardens London SW6 4JX	05.09.19
21 Fulham Park Gardens London SW6 4JX	28.11.19

21 Fulham Park Gardens London SW6 4JX	05.09.19
18 Fulham Park Gardens London SW6 4JX	28.11.19
22 Fulham Park Gardens London SW64JX	06.09.19
19 Fulham Park Gardens London SW6 4JX	29.11.19
17 Fulham Park Gardens SW6 4JX London SW6 4JX	24.11.19
22 Fulham Park Gardens London SW64JX	29.11.19
16 Fulham Park Gardens London SW6 4JX	29.11.19
20 Fulham Park Gardens London SW6 4JX	04.09.19
20 Fulham park gardens London SW6 4JX	26.11.19
SDMS Security Products UK Ltd Elysium House, 126-128 New Kings Road London SW6 4LZ	06.08.19
16 Fulham Park Gardens London SW6 4JX	09.09.19
25 Fulham Park Gardens London SW6 4JX	09.09.19
28 Fulham Park Gardens London SW6 4JX	09.09.19
19 Fulham Park Gardens London SW6 4JX	09.09.19
18 Fulham Park Gardens London SW6 4JX	09.09.19

1.0. SITE DESCRIPTION

1.1. The application site relates to a gated office development on the north side of New King's Road. The site includes a central courtyard and car parking area that is surrounded by three office blocks, comprising B1 officer accommodation. The 'South Block' is a four-storey office building. The 'North Block' and its 'North Annex' are adjacent to each other and are three and four storeys high. The 'pavilion' extension was added to the modern North block in 2018, and includes the main entrance, communal café and meeting space.

1.2. The surrounding area is predominately residential in character. To the north, are the rear gardens of a two-storey terrace of houses (Nos 14 - 25 Fulham Park Gardens). A cul-de-sac, Elysium Place, terminates adjacent to the north-west corner of the site. To the west, Nos 130-132 New Kings Road, is a four-storey building plus (a basement level) that has been extended and converted to 9 flats. To the east is the District Line railway viaduct. To the south, No.128 New King's Road also known as Elysium House is a three storey (plus basement) Grade 2 Listed Building.

1.3. The site is within the Fulham Park Gardens Conservation Area. In addition, the site has a PTAL public transport rating of 5 meaning it has very good access to public transport and falls in the Environmental Agency's Flood Zone 3.

2.0. PLANNING HISTORY

2.1. In 1986 planning permission was granted (1986/01761/FUL) for the erection of one, two, three and four storey development and refurbishment of No.128 New Kings Road to provide light industrial studio and office floorspace with associated car parking and landscaping.

2.2. In 1987 listed building consent was granted (1987/00688/LBC) for the demolition of 126 New Kings Road and refurbishment of 128 New Kings Road. (Not implemented).

2.3. In 1988 planning permission was granted (1988/01520/FUL) for the installation of four windows in the North elevation of block `A`.

2.4. In 1989 planning permission was granted (1989/02223/FUL) for the retention of one, two, three and four storey buildings at 126 New Kings Road and refurbishment of 128 New Kings Road without compliance with conditions 12 and 16 attached to the original planning permission dated 22nd February 1988 (1986/01761/FUL).

2.5. In 2013 Prior Approval was required and refused (2013/04191/PD56) for the conversion of first, second and third floors of the East block from Office Use (Class B1) to 6 no. one bedroom and 6 no. two bedroom self-contained residential flats (Class C3).

2.6. In 2014 Prior Approval was required and refused (2014/00171/PD56) for the conversion of first, second and third floors of the East block from Office Use (Class B1) to 6 no. one bedroom and 6 no. two bedroom self-contained residential flats (Class C3).

2.7. In 2014 Prior Approval was required and granted (2014/04104/PD56) for the conversion of first, second and third floors of the East block from Office Use (Class B1) to 6 no. one bedroom and 6 no. two bedroom self-contained residential flats (Class C3). (Not implemented)

2.8. In 2015 Prior Approval was required and refused (2015/04150/PD56) for the change of use from offices (Class B1) into 33 (14 x 1 bed, 17 x 2 bed, 1 x 3 bed and 1 x 4 bed) self-contained flats (Class C3).

2.9. In 2017 planning permission was granted (2017/04309/FUL) for the erection of a single storey extension to the side of the main building to provide 109 sqm of additional office floorspace (Class B1); associated external alterations to building facades and courtyard area.

3.0. PROPOSAL

3.1. The original submissions included the erection of one single storey office building. The proposals have been amended to enable the retention of a tree which results in a reduced footprint and a single storey building either side of the retained tree on the rear boundary of the site, providing some 120sqm of additional office floorspace (Class B1) with associated landscaping and cycle parking provision.

3.2 The development would provide small working spaces to facilitate flexible working arrangements that would allow business occupiers to work nearer their homes. The units form part of a wider office site which contains a combination of co-working spaces, hot desks and private offices along with ancillary facilities such as meeting rooms, a café and various social spaces.

4.0. PUBLICITY AND CONSULTATIONS

4.1. The application has been advertised by means of a site notice and a press advert, and three rounds consultation with individual notification letters to 143 adjoining properties being consulted in each round. The numbers of representations received are set out below:

- First round: None;
- Second round (re-consultation on updated site location plan): 5 x individual objection letters and 1 petition with 10 signatures

- Third round (amended scheme to for the removal of 1 tree rather than 2 as originally proposed): 8 individual objection letters and 1 petition with 10 signatures

4.2. The grounds of the objections can be summarised as follows:

- overdevelopment of the site;
- detrimental impact on the character of the surrounding;
- increased sense of enclosure, overshadowing, loss of light and outlook and overlooking;
- maintenance on the gap between the boundary wall and Fulham Park Gardens properties and the proposed development;
- additional disturbance caused by rubbish collection at anti-social hours;
- loss of existing tree on site;
- additional noise and light pollution associated with the existing buildings being open 24 hours a day;
- reduction in cycle space, despite an increased in staff on site;
- dimensions of the proposed disabled car parking fail to meet standard;
- loss of existing car parking would harm surrounding on-street parking;
- Potential site contamination;
- Noise and light pollution resulting from the proposal and during the construction period

5.0. PLANNING CONSIDERATIONS

5.1. The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 (hereafter referred to as LP2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include: the principle of the development in land use terms; design and appearance; existing residential amenities of neighbouring properties; and traffic impact on the highway network.

Draft London Plan

5.2. 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.

5.2a 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 (SPD) (2018) and the Mayor's Supplementary Planning Guidance.

LAND USE

5.3. London Plan Policy 4.1 (Economy) promotes the development of a strong, sustainable and diverse economy to ensure the availability of suitable workspaces for all sizes of business. Policy 4.3 (Mixed use and office development) supports consolidation and enhancements of the quality of the remaining office stock.

5.4. Policy E1 (Range of employment) of the Local Plan (2018) supports the retention, enhancement, and intensification of existing employment uses. It also requires flexible accommodation that is available for all sizes of business including small and medium size enterprises. Policy E2 seeks to retain land and premises capable of providing continued employment or local services.

5.5. The application site forms part of an existing office development, and the proposed extension to provide small office units is considered acceptable in principle, in accordance with the above policies in terms of land use.

DESIGN AND APPEARANCE

Scale, Massing and Bulk

5.6. London Plan Policies 7.1, 7.2, 7.4, 7.5 and 7.6 require all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood.

5.7. Local Plan Policy DC1 asserts '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.'

5.8. Local Plan Policy DC2 states that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting.

5.9. Local Plan Policy DC8 aims to protect, restore or enhance the significance of the borough's conservation areas and its historic environment.

5.10. In this case, the proposed buildings would be single-storey and standalone structures, comprising 9 small huts. Each hut would measure 3.8m in depth, with an eave's height comparable to the 2.7m rear party boundary with the properties at New King's Road and a pitched roof that slopes away from the boundary. Each hut would accommodate between 4-6 occupants.

5.11. The application site contains three office blocks of between three and four storeys, The North, North Annex and South blocks. The buildings are set back from the street line, with a forecourt leading to the gated courtyard behind, which currently includes car and cycle parking spaces, planting, refuse storage and cycle parking in the North-West corner. More recently a single storey pavilion building has been erected within courtyard, (Planning Application reference: 2017/04309/FUL).

5.12. The proposed offices will be positioned on the existing car parking spaces, set back from the street entrance, to the rear of the site. Given its scale, positioning and bulk, the proposed buildings would have limited views from the street, and would sit comfortable between the existing taller office buildings. Considering views into the site, the proposed development would serve to enhance views between the current office blocks, providing a more positive and active view to the surrounding street scene. The pitched, saw-toothed design of the proposal would respond positively to the prevailing roofscape of the existing office buildings. Details of materials and finishes would be secured by Condition 4. Subject to condition, officers consider that the proposed design would accord with the abovementioned policies.

Access

5.13 Policy DC1 of the Local Plan, requires that all development should include an approach to accessible and inclusive urban design.

5.14 The proposed office modules would be raised slightly above the existing courtyard level for installation purposes. However, a raised deck with ramped access would provide level access to all the office spaces. The access deck has been designed to be 1200mm width at its narrowest point with 1500mm turning circle provided at each end, to allow for wheelchair movement. The doorways to each office space are also sized to provide clear openings for wheelchair users.

5.15 The re-surfacing of the external landscape will remove kerb edges and allow for ease-of-access throughout the courtyard, to enable all users of the site to move between spaces more easily. The toilet facilities in the existing main buildings would be enhanced to support the proposed development.

Trees

5.16. Local Plan (2018) Policy OS5 (Greening the Borough) seeks to enhance biodiversity and green infrastructure in the borough by maximising the provision of gardens, garden space and soft landscaping, seeking green or brown roofs and other planting as part of new development, seeking retention of existing trees and provision of new trees on development site and adding to the greening of streets and the public realm.

5.17. The proposals have been amended to ensure the retention of an existing tree. The amended Tree Survey Report has been reviewed by the Council's Tree Officer and he concludes that the proposed removal of the existing Cherry Tree, although regrettable, is acceptable as the tree is not in a good condition, hence its replacement would indeed improve the visual amenity to the surrounding area. Condition 21 would be attached to any planning permission requiring the proposed tree protection plan to be approved prior to the commencement of the proposed development.

Impact on heritage assets

5.18. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 of the NPPF (July 2018) states that "...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 194 states that "any harm to or loss of, the

significance of a designated heritage assets, (from its alteration or destruction, or from development within its setting), should require clear and convincing justification". Paragraph 197 states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

5.19. The proposed office building would be to the rear of Elysium House, a four storey building, which serves to screen the application site when viewed from the immediate context of No.128 New King's Road which is a listed building. As such the development would not have any harmful impact upon the significance of the Listed Building. Considering the wider setting of the heritage asset, the development would be visible within oblique north-west facing views of the listed building. However, given the location and scale of the proposed building; of a single storey and set-back behind the Elysium House development, the proposal scheme would have less than significant harm to the heritage asset overall.

The application site is situated within the Fulham Park Gardens conservation area; given the relatively modest scale of the proposal scheme and its limited visibility from the surrounding street scene, and the presence of similar single storey commercial developments within the surrounding context, the development would not have any detrimental impact upon the character or appearance of the conservation area.

RESIDENTIAL AMENITY

5.20. Policies DC1, DC2, CC11, CC13 and HO11 of the Local Plan (2018) require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles 6, 7 and 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

5.21. The closest residential properties are those to the rear of the application site which share the north-west party boundary, namely Nos.15 - 25 Fulham Park Gardens. It is not considered the proposals would have any adverse residential impact on No.130-132 New King's Road as the north eastern corner of that development includes no windows in its flank elevation which faces the site.

Outlook

5.22. SPD Key Principle HS6 note that the proximity of a development can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. 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.

5.23. The proposed single storey buildings have been designed so that the envelope of the building does not project beyond a 45-degree line taken from the 2.7m height of the existing party boundary shared with Nos 15 - 25 Fulham Park Gardens. The roof of the proposed structures would slope 45 degrees away from that boundary toward the middle of the site. Officers consider that the proposed structures would have a minimal visual impact along that boundary which would not result in any undue loss of outlook or increased sense of enclosure to the existing occupiers of the adjacent Fulham Park Gardens properties. The proposals accord with SPD Key Principle HS6.

Overlooking/Privacy:

5.24. Local Plan Policy DC4 and HO11 seek to ensure that new development will respect the principles of good neighbourliness in particular the amenities of the neighbouring properties, and other properties most directly affected by the proposal.

5.25. The proposed single storey buildings include no windows in their rear elevation facing the Fulham Park Gardens properties. The proposed windows and doors face inwards towards the existing courtyard within the application site. The proposals would not result in any loss of privacy or overlooking and therefore accord with Policy DC2.

Noise and Disturbance:

5.26. Local Plan Policy CC11 considers noise levels both inside the dwelling and in external amenity spaces. The policy deals with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties.

5.27. The proposals result in the formation of 9 small office spaces for between 4-6 occupants each, to meet the demands of local business users who are typically at a smaller scale. Overall the proposal will provide an additional 120sqm (GIA) of B1 office for up to 46 occupants (resulting in 650 across the site).

5.28 The units would be built off site, as a series of prefabricated modules which would be delivered by road and quickly installed, with only final fittings and services connections to be completed, minimising disruption to neighbours and site users by reducing the extent of construction works on site. The modules will be of lightweight construction, thereby reducing the need for extensive ground works.

5.29 The environmental protection team have considered the proposals and raise no objections. Officers consider that the proposed on-site intensification would not create undue noise generated by the comings and goings of site users and a restricted hour of use between 9am -7pm, together with conditions regarding a construction logistics plan, no additional plant machinery and no additional external lighting would safeguard existing residential occupiers.

5.30 Subject to these conditions the proposals would accord with policies contained in the Local Plan 2018 and SPD 2018.

TRAFFIC GENERATION, CAR PARKING, CYCLE PARKING AND ACCESS:

5.31. The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes

can be maximised; and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

5.32. Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards. Local Plan Policy T4 will require any proposed development to conform to its car parking standards and will also require car parking permit free measures on all new development unless evidence is provided to show that there is a significant lack of public transport available.

Car Parking:

5.33. The site has a PTAL of 5 meaning it has very good access to public transport. The proposals will reduce the on-site car parking provision associated with Elysium Gate from 11 car parking spaces to one disabled bay located at the front of the site, a reduction of 10 car parking spaces. The proposed reduction in on-site parking is considered appropriate given the highway accessible location of the site and accords with guidance contained within the Draft London Plan, which encourages car free development in inner London locations.

Cycle Parking:

5.34. Cycle parking should be provided in line with London Plan 2011 Policy 6.9 and Table 6.3. Local Plan Policy T3 and SPD Key Principle TR3 encourages increased cycle use by seeking the provision of convenient and safe cycle parking facilities.

5.35. Draft New London Plan minimum cycle parking standards advise the provision of 1 cycle parking space per 75 square metres of B1 (office) floorspace long stay and 1 cycle parking space per 500sqm short stay is appropriate. The proposals are therefore required to provide 1 additional cycle parking space.

5.36 However as part of strategy for the wider application site which would total some 3500 sqm of B1 office space, a cycle strategy has been prepared for the whole site which makes cycle provision including a proportion for the proposed development. In total, 47 long-stay and 7 short-stay cycle parking spaces are proposed as part of this application.

5.37. The proposed cycle provision has been reviewed by the Council's Transport Team and no objections have been raised as they are in line with Draft London Plan Requirements.

Servicing and Delivery:

5.38. London Plan Policy 5.16 outlines the Mayor's approach to waste management. This is supported by Local Plan CC7 which requires suitable storage space the management of waste. It is not acceptable for waste material to be left on the highway for extended periods of time.

5.39. Servicing and deliveries associated with the development will be undertaken on-site. Prior to occupation, a Delivery and Servicing Plan will be submitted which prevents vehicles reversing onto the public highway and this would be secured via a planning condition.

Refuse

5.40. The proposal will be served by a communal refuse/recycling store located at the courtyard. Officers are satisfied that there is enough space within the designated area for the satisfactory storage of refuse. These details will be secured by conditions.

Travel Plan

5.41. Prior to commencement, officers recommend a Travel Plan be submitted which should be bespoke to the development, its locality and access facilities but only targets key initial measures, such as the provision of information on sustainable modes of travel in marketing literature and Home Owners packs and the possible provision of subsidised Metro Cards.

CLP

5.42. Prior to commencement, officers recommend a CLP be submitted which should include pedestrian diversions/signs, footway closure information, skips and other plants to be placed in the public highway. These details could be secured by condition. Applicant must provide a Travel Plan Statement.

ENVIRONMENTAL QUALITY:

Flood Risk Assessment:

5.43. The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

5.44. London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

5.45. Local Plan Policy CC3 will require developments to reduce the use of water and minimise current and future flood risk.

5.46. The site is in the Environment Agency's Flood Zone 3. As required, a Flood Risk Assessment has been submitted in support of the application. It states that the flood risk management measures can be implemented as part of the development which includes raising the office modules above the existing ground level which has been factored into the design of the scheme.

5.47. In terms of including sustainable drainage systems (SuDS) as required by Local Plan Policy CC4, there is reference in the FRA to resurfacing the car park, which would provide betterment if this is done with a pervious/permeable surface.

5.48. The site is well protected from flood risk from the River Thames by flood defences such as the Thames Barrier and local river walls. If these were breached or over-topped, the site would not be impacted by flood water. In terms of surface water, the site is not in flooding hotspot although there could be ponding of water in the event of a major storm. Sewer and groundwater flood risk are not of concern given the nature of the proposals.

5.49. The submitted FRA has been reviewed by the council's Environmental Policy Team and is acceptable and the implementation of the proposed flood resilience measures will be secured by condition 20.

Contamination:

5.50. Local Plan Policy CC9 and Policy CC13 state that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

5.51. Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. The site was used by a Brake Lining Manufacturer from 1927, a Railway Engineering Works prior to the 1950s, a Colour Printer and Repair Garage from 1956 and later a Warehouse. Conditions 13 - 18 are attached to planning consent ensuring the scheme is in accordance with Policies CC9 and CC13 of the Local Plan 2018.

Air Quality:

5.52. London Plan Policy 7.14 and Local Plan Policy CC10 seek to reduce the potential adverse air quality impacts of new developments by requiring all developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and requiring mitigation measures to be implemented to reduce emissions where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives.

5.53. The Council's Environmental Quality team have considered the proposals. The development site is within the borough wide Air Quality Management Area (AQMA) and an area of very poor air quality due to the road traffic emissions from New Kings Road (A308). The development proposal will introduce new receptors into an area of poor air quality. Mitigation measures are required to make the development acceptable in accordance with Local Plan Policy CC10 and subject to conditions securing further details of gas fired boilers and a low emissions strategy for the operational phase of the development there are no objections. (See Conditions 11 and 12).

COMMUNITY INFRASTRUCTURE LEVY:

Mayoral CIL

5.54. Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the scheme would be liable for a CIL payment. This would contribute towards the funding of Crossrail. The GLA expect the

Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3.

Local CIL

5.55. The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015.

6.0. CONCLUSION

6.1. Officers consider that the proposal is acceptable in principle. The design and appearance of the proposed office buildings would appear visually subservient to the existing office development that the proposal forms part with. The proposals would neither cause harm to residential amenity, and nor have a detrimental impact on the highway network or local parking conditions. Other matters including flood risk and contaminated land matters are also considered to be acceptable.

7.0. RECOMMENDATION

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

7.2. 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.

Ward: Fulham Reach

Site Address:

142 Colwith Road London W6 9EZ



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For identification purposes only - do not scale.

Reg. No:
2019/02681/FUL

Case Officer:
Nisreen Karsou

Date Valid:
12.09.2019

Conservation Area:
Constraint Name: Crabtree Conservation Area -
Number 28

Committee Date:
04.02.2020

Applicant:

Mr Alexander Gersh
142 Colwith Road London W6 9EZ

Description:

Excavation of front garden and part of rear garden to form lightwells, in connection with a creation of the basement; formation of a bin store in front garden; installation of new sliding doors to replace existing folding doors to rear elevation at ground floor level; installation of a condenser unit in the rear garden

Drg Nos: P01 Rev B; P02 Rev A ;P03 Rev A ;P04 Rev A ;P05;FRA

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 permitted shall be built in complete accordance with the submitted drawings: P01 Rev B; P02 Rev A ;P03 Rev A ;P04 Rev A ;P05;FRA.

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 and DC8 of the Local Plan (2018).

- 3) Any alterations to the elevations of the existing building (including works of making good) shall be carried out in the same materials as the existing elevation to which the alterations relate, and any repairs to the existing brickwork shall be carried out using matching second hand bricks with mortar colour and pointing style to match the existing.

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

- 4) The new window in the front elevations at basement level hereby approved shall be timber frame construction and shall be retained as such, to match the existing windows at front elevation.

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

- 5) No part of the basement approved shall be occupied or used until metal grille is installed over the front lightwell and glass roof window on the rear lightwell flush with the surrounding ground area and thereafter the grille/glass window shall be permanently retained in place. At no time shall railings or any other vertical element be constructed around the lightwell.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies DC1, DC4, DC8 and DC11 of the Local Plan (2018) and Key Principles BL1 and BL3 of the Planning Guidance Supplementary Planning Document (2018).

- 6) The dimensions of the front and rear lightwells at basement levels shall not exceed the dimensions as indicated on approved drawings and the lightwells shall be implemented and completed in accordance with the approved drawings P01 Rev B; P03 Rev A and P04 Rev A.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies DC1, DC4, DC8 and DC11 of the Local Plan, 2018, and the Council's SPD Guidelines for Lightwells in the Planning Guidance Supplementary Planning Document, 2018.

- 7) The development hereby approved shall only be used in connection with, and ancillary to, the use of the remainder of the application property as a residential unit. The resulting extended property shall not be used as housing in multiple occupation falling within Class C4 of the Town & Country Planning (Use Classes) Order 2015 (as amended) which is distinct from the use of the application property as a single residential unit.

The use of the property as a house in multiple occupation rather than as a single residential unit, would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with Policies DC1, H01, H02, H04, H05, H011, H08 of the Development Management Local Plan (2018).

- 8) The basement floorspace hereby approved shall not be converted to use as a separate dwelling, and shall only be used in connection with, and ancillary to, the use of the remainder of the application property as a single dwellinghouse.

The use of the basement accommodation as a self-contained flat, separate from the use of the remainder of the application property as a single dwelling house, would raise materially different planning considerations that the council would wish to consider at that time, in accordance with Policies DM H1, T2 and CC3 of the Local Plan (2018).

- 9) Prior to occupation of the development hereby permitted, flood mitigation/proofing measures shall be implemented in accordance with the details contained within

the Flood Risk Assessment submitted on 9th September 2019. A non return valve and pump device should be installed to prevent sewage 'back-surfing' into the basement in times of heavy rain, to allow the property's sewage to continue to flow into the sewer network. The measures shall thereafter be retained in perpetuity.

To protect the dwelling from flooding, as recommended by Thames Water and in accordance with Policy CC3 of the Local Plan (2018), London Plan (2011) Policy 5.12 and Part 10 of the NPPF.

- 10) Prior to commencement of the development hereby approved, a Construction Logistics Plan (in compliance with TfL Construction Logistics Plan Guidance) shall be submitted to and approved in writing by the Council. Details shall include the numbers, size and routes of demolition and construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. Approved details shall be implemented throughout the project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the operation of the public highway, the amenities of local residents and the area generally in accordance with The Local Plan 2018 Policy T7 and SPD Key Principle TR21.

- 11) Prior to commencement (excluding site clearance and demolition) of the development hereby approved for a Construction Management Plan shall be submitted to, and approved in writing by, the Council. The submitted plan shall include details of monitoring and control measures for noise, vibration, lighting, delivery locations, contractors' method statements, waste classification and disposal procedures and locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with policies CC11 and CC13 of the Local Plan 2018.

- 12) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the

Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 13) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater . All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 14) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 15) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the

Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 16) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 17) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan (2018).

- 18) The external sound level emitted from condenser unit in the rear garden hereby approved shall be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 19) Prior to use, the condenser unit in the rear garden, shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with Policies CC11 and CC13 of local Plan 2018.

- 20) The initial excavation of the first 500mm for the front lightwell should be undertaken by hand, and any roots found should be cleanly severed with secateurs or a sharp saw, no mechanical digging shall be undertaken down to the front, as this will rip up any roots present. as per BS5837:2012.

To ensure that the Council is able to properly assess the impact of the development on the tree and to prevent its unnecessary loss/damage, in accordance with Policy OS5 of the Development Management Local Plan 2018.

Justification for Approving the Application:

- 1) It is considered that the proposal would have an acceptable impact on the existing amenities of the occupiers of neighbouring residential properties, and would be of an acceptable visual appearance. Further it is considered that the development would preserve the character and appearance of the conservation area in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In this respect the development is judged to be acceptable when assessed against Policies HO11, DC1, DC4, DC6, DC8, DC11, and CC3 of the Local Plan (2018), and Key Principles HS6, HS7, AH1, AH2, CAG3, FR1, FR3, and FR6 of the Planning Guidance SPD (2018).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 9th September 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:

Comments from:	Dated:
Environment Agency - Planning Liaison	25.09.19
Thames Water - Development Control	17.09.19

Neighbour Comments:

Letters from:	Dated:
136-138 Colwith Road Hammersmith W6 9EZ	10.10.19
144 Colwith Road London W6 9EZ	13.10.19

OFFICER'S REPORT

1.0 BACKGROUND

Site

1.1 The application site relates to a 3-storey mid-terrace single family dwelling on the northern side of Colwith Road. The site is surrounded by predominantly residential properties with the river. To the west, is the rear of the five/ six storey Thames Reach flatted development which faces the River Thames. To the north is the 5-storey block of flats at King Henry's Reach. To the south is the opposing 3-storey terrace of houses in Colwith Road.

1.2 The site is situated within the Crabtree Conservation Area and within Environment Agency's Flood Zone 2 and 3. The site does not contain any statutory or locally listed buildings.

Relevant History

1.3 The application follows on from a formal 2019 pre application submission involving a new basement under footprint of existing house plus part of rear garden and formation of lightwell in the front garden and an air conditioning condenser located in the rear garden. Officers were generally supportive of these proposals as they were in line with the Local Plan 2018.

Proposal

1.4 This application is for excavation of front garden and part of rear garden to form lightwells, in connection with the creation of the basement, the formation of a bin store in front garden, the installation of new sliding doors to replace existing folding doors to rear elevation at ground floor level and the installation of condenser unit in the rear garden.

2.0 PUBLICITY AND CONSULTATION RESPONSES

2.1 In addition to site and press notices 72 individual notification letters were sent to the occupants of surrounding properties. In response 2 objection letters were received on the following summarised grounds: -

- Out of character with surrounding properties and conservation area as none of the houses at Colwith Road includes a basement.
- The houses along Colwith Road are close to the river with water table being only 4m in this area.
- structural stability of the houses as they were built on gravel.
- Risk to foundations, due to movement and being close to water table.
- Noise from air condition units.
- Increased building insurance.

(Officer Comment: building insurance is not a material planning application; as required by the planning application validation process a structural report has been included in the submissions; the matters relating to FRA and noise are covered in the main body of the report)

2.2 Thames Water - raised no objections subject to information to prevent sewage flooding, by installing a pump device.

2.3 Environmental Agency - raised no objections subject to compliance with the FRA.

3.0 PLANNING CONSIDERATIONS

3.1. The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 (hereafter referred to as LP2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include: design and appearance and the existing residential amenities of neighbouring properties.

Draft London Plan

3.2. 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.

3.2a 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 (SPD) (2018) and the Mayor's Supplementary Planning Guidance.

HERITAGE, CHARACTER AND APPEARANCE

3.3 London Plan Policies 7.4 and 7.8 require development to have regard to the pattern and grain of the existing site context, to contribute positively toward the character of a place, be informed by the surrounding historic environment, and be adaptable to the changing needs of users and the neighbourhoods in which the developments are located.

3.4 Policy DC1 (Built Environment) of the Local Plan (2018) notes that all development should seek to create a high-quality urban environment which respects and enhances its townscape setting, whilst Policy DC4 (Alterations and Extension) notes that all alterations and extensions to existing buildings should be a subservient addition to the parent building and compatible with the scale and character of existing development, neighbouring properties and their settings.

3.5 Policy DC8 (Heritage and Conservation) seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's historic environment including its conservation areas and is supported by Key Principle CAG3 of the Planning Guidance SPD (2018).

3.6 Policy DC11 (Basements and Lightwells) of the Local Plan (2018) outlines where new basements and extensions to existing basements may be permitted.

3.7 The site lies within the Crabtree conservation area, and as such, the Council has a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, together with the requirements set out in the NPPF.

Basement

3.8 Local plan policy DC11 (Basement and lightwells) states that new basement accommodation will be permitted only where [inter alia] it does not extend into or underneath the garden greater than 50% of the depth of the host building or garden; does not comprise more than one storey; there is no unacceptable impacts on the amenities of the adjoining properties or the historic or natural environment during and post construction; and does not increase the chance of flood risk.

3.9 The proposal relates to excavation of a basement underneath the application property. The proposed basement would be occupying the footprint of the house with rear and front lightwells extending beyond that.

3.10 The design of the front lightwell, at 800mm in depth and following the form of the proposed bay window, is considered to be in accordance with the Council's planning guidelines for Lightwells (SPD Key Principle BL3). A metal grille would be set flush with ground level at the front garden.

3.11 The existing rear garden of the application site is approximately 5.7m in depth measured from the rear elevation of the subject building. The proposed rear lightwell would extend out approximately 1.0m from the rear wall of the property and would be covered with walk-on glass. The new basement would project less than 50% of the rear garden.

3.12 As the lightwells are of a modest design which are compatible guidelines for Lightwells (SPD Key Principle BL3), and the basement is located under the footprint of the house and is largely obscured from street level views, Officers consider that this element of the proposals would remain subservient to the building and would be sympathetic to the character and appearance of the property, its neighbours and setting, and would preserve the character and appearance of the surrounding conservation area.

3.13 For these reasons, Officers are satisfied that the character and appearance of the Crabtree Conservation Area would be preserved, and the excavation works are considered acceptable in accordance with Local Plan (2018) Policy, DC1, DC4, DC8 and DC11.

Bin Store and Condenser unit

3.14 It is also proposed to place bin store at the front garden, the bin store would be concealed by with timber screens are constructed against the back of the front garden wall so as to be less visible from the street.

3.15 The proposed condenser unit is located at the back of the rear garden and would not be visible from the street and would also be, concealed by hardwood timber screens.

3.16 Based on the above, officers consider that the proposed erection of the subservient bin store and hidden condenser unit would not be harmful to the character of the parent building or the surrounding conservation area and in accordance with DC1, DC4 and DC8.

Tree Preservation

3.17 There is a tree in the immediate vicinity of the site which could be affected through the proposed excavation underneath the building. The Council's tree officer has recommended that the initial basement excavation of first 500mm for the front lightwell to be undertaken by hand and any roots found should be cleanly severed with secateurs or a sharp saw in line with BS5837:2012. This would be secured by condition.

Impact on Heritage Assessment

3.18. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 of the NPPF (July 2018) states that "...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 194 states that "any harm to or loss of, the significance of a designated heritage assets, (from its alteration or destruction, or from development within its setting), should require clear and convincing justification". Paragraph 197 states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

3.19 The designated heritage asset that stands to be affected by the proposals is the character, appearance, and setting of the Crabtree conservation area.

3.20 The proposed basement is not visible from the street. Considering the wider setting of the Crabtree conservation area heritage asset, at street level the front lightwell would only be visible from restricted views within the conservation area. The proposed front light well and bin store within the front garden are considered modest in scale and are subservient to the parent building. Given the location and scale of the proposed development at the front and the obscured views of the rear lightwell which is also small in scale, the proposed scheme would have less than significant harm to the heritage asset overall.

3.21 The application site is situated within the Crabtree conservation area. Our records show that there have been 194 approvals for basements in the Crabtree Conservation area - albeit there are no examples of similar basements within the application terrace. Given the relatively modest scale of the proposal scheme and its limited visibility from the surrounding street scene, the development would not have any detrimental impact upon the character or appearance of the conservation area.

RESIDENTIAL AMENITY

3.22 The borough has a high density of development and it is necessary to ensure that the amenities of existing residential occupiers are not unduly affected. Local Plan Policies HO11 and DC4 require that development proposals be formulated to respect the principles of good neighbourliness and seek to protect the amenities of neighbouring residential properties. The above is supported by Key Principles HS6 and HS7 of the Planning Guidance SPD (2018).

3.23 Criterion e) of Policy DC11 also states that new basement accommodation will only be permitted where there is no adverse impact on the amenity of adjoining properties.

3.24 The new basement accommodation would be used in connection with the property as a single dwelling house. In this case, there the proposed front and rear lightwells together with small front bin store would not result in any undue harm in terms of outlook, loss of light or privacy and the main concern relates to noise.

Noise

3.25. Local Plan Policy CC11 considers noise levels both inside the dwelling and in external amenity spaces. The policy deals with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties.

3.26 Local Plan Policy CC13 (Control of Potentially Polluting Uses) states that 'all proposed developments will be required to show that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'. This is supported by Key Principle NN6 (Construction and demolition works) of the Planning Guidance SPD (2018) which requires consideration of the impact of demolition and construction works upon the amenity (noise, vibration and dust) of neighbouring properties through the submission of a Demolition Method Statement and/or Construction Management Statement.

3.27 The Council's Environmental Protection Team have considered the submitted proposals in relation to the air condenser unit in terms of its noise impact and raise no objection subject to restrictions on the external sound level emitted from the condenser unit. This would be secured by condition to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from condenser unit in the rear garden area.

3.28 Furthermore, conditions would be attached requiring the submission of a Construction Management Plan and a Construction Logistics Plan be submitted prior to the commencement of development to ensure that the amenities of local residents including noise are protected as far as possible during the construction phase.

3.29 Subject to conditions, the proposals would not result in undue harm to neighbouring amenity in terms of noise or nuisance and the proposals therefore accord with Policies HO11, CC11 and CC13 of the Local Plan (2018).

FLOOD RISK

3.30 The NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'. London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15 require development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.31 Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use) of the Local Plan requires that new development is required to reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 (Minimising Surface Water Run-off with Sustainable Drainage Systems) which seeks that developments manage surface water run-off and to promote the use of water efficient fittings and appliances.

3.32 The site is located within the Environment Agency's Flood Zone 3 and inside the breach extent area. The proposal includes the creation of the basement to this single-family dwelling, to include games and cinema rooms.

3.33 As required a Flood Risk Assessment (FRA) has been submitted with the application, which provides details of adequate flood proofing measures to the proposed basement accommodation. This also states that the occupiers will be encouraged to sign up to the EAs Early warning flood system. The Council's Environment Policy Team has considered the submitted FRA which outlines adequate flood protection and water efficiency measures, and subject to conditions they raise no objections. The proposed development is considered compliant with policy CC3 of the Local Plan (2018).

LAND CONTAMINATION

3.34 Local Plan Policy CC9 (Contaminated Land) states that the council will support remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.35 Although potential contaminative land uses (past or present) are understood to occur at, or near to, this site and/or the applicant is proposing a sensitive use. Following a review by officers of the Council's Contamination Team, conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policies CC9 and CC13 of the Development Management Local Plan.

COMMUNITY INFRASTRUCTURE LEVY:

Mayoral CIL

3.36. Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the scheme would be liable for a CIL payment. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3. The proposals are exempt.

Local CIL

3.37. The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. The proposals are exempt as the net increase in floor area would be less than 100sqm.

4.0 CONCLUSION

4.1 The proposal would have no adverse visual impact and would preserve the character and appearance of the conservation area. The proposals would have an acceptable impact on the existing amenities of the occupiers of neighbouring residential properties and flood risk.

5.0 RECOMMENDATION

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

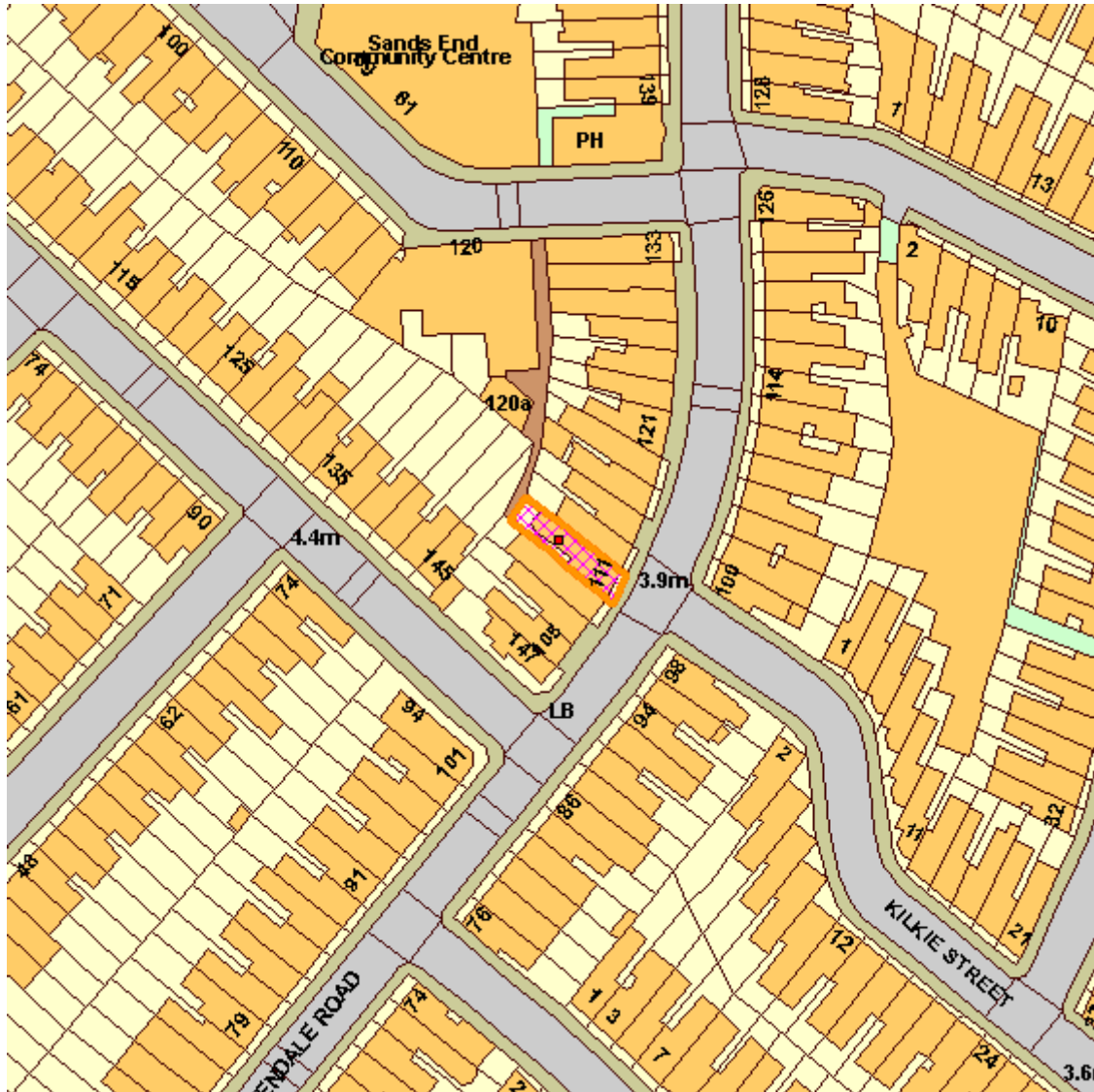
5.2. That the Strategic Director, The Economy Department, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of the conditions,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

Agenda Item 5

Ward: Sands End

Site Address:

Maisonette First And Second Floors 111 Stephendale Road London SW6 2PS



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For identification purposes only - do not scale.

Reg. No:
2019/02422/FUL

Case Officer:
Nisreen Karsou

Date Valid:
21.08.2019

Conservation Area:

Committee Date:
04.02.2020

Applicant:

Miss Anna-Cristina Haynes
111 Stephendale Road London SW6 2PS

Description:

Erection of a front roof extension.
Drg Nos: PR-001; PR-002; PR-003;FRA

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be refused for the following reason(s):

- 1) The proposed development is considered to be unacceptable on visual grounds. More particularly, the proposed front roof extension would represent a visually dominant and discordant feature, out of keeping with the architectural character of the application property, and would disrupt the uniform appearance of the subject terrace, which remains significantly unimpaired by such extensions. In this respect, the proposal is contrary to Policies DC1 and DC4 of the Local Plan 2018.

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

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

Application form received: 14th August 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:

Comments from:

Dated:

Neighbour Comments:

Letters from:

71 Stephendale Road London SW 1BQ
Top Floor Flat 141 Stephendale Road London SW6 2PR

Dated:

15.09.19
23.08.19

OFFICER'S REPORT

1.0 BACKGROUND

Site

1.1 The application site relates to a two-storey mid-terrace single family dwelling on the western side of Stephendale Road. Immediately to the north is the rear garden at No.145 Hazlebury Road, a two-storey end of terrace building.

1.2 The site is surrounding area is residential in character. To the south and north, on the opposite side of the road and to the south-west are similar two-storey terraced residential properties on Stephendale Road.

1.3 The site is situated within the Environment Agency's Flood Zone 2 and 3 but is not listed or located within a conservation area.

Relevant Planning History

1.4 in 1987, planning permission (ref 1987/00528/FUL) was granted for the erection of a rear roof extension and a roof terrace at second floor level in connection with a conversion to a self-contained one bedroom flat and one self-contained two-bedroom maisonette. This permission has been implemented.

Proposal

1.5 This application is for the erection of front mansard roof.

2.0 PUBLICITY AND CONSULTATION RESPONSES

2.1 A site notice and press advert were published to advertise the application and 14 individual notification letters were sent to the occupants of surrounding properties. In total, 4 representations were received in support of the proposals - no objections were received.

3.0 PLANNING CONSIDERATIONS

3.1. The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 (hereafter referred to as LP2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include: design and appearance and the existing residential amenities of neighbouring properties.

Draft London Plan

3.2. 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.

3.2a 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 (SPD) (2018) and the Mayor's Supplementary Planning Guidance.

DESIGN AND APPEARANCE

3.3 London Plan Policies 7.4 and 7.8 require development to have regard to the pattern and grain of the existing site context, to contribute positively toward the character of a place, be informed by the surrounding historic environment, and be adaptable to the changing needs of users and the neighbourhoods in which the developments are located.

3.4 Policy DC1(Built Environment) of the Local Plan (2018) notes that all development should seek to create a high-quality urban environment which respects and enhances its townscape setting, whilst Policy DC4 (Alterations and Extension) notes that all alterations and extensions to existing buildings should be a subservient addition to the parent building and compatible with the scale and character of existing development, neighbouring properties and their settings.

3.5 The parent property is a mid-terrace Victorian house with pitched roof. The proposal relates to the erection of front roof extension formed off the existing front roof. The proposed front roof extension would be finished in artificial slate.

3.6 The application terrace is largely unimpaired by front roof extensions. Of the 16 properties within the application terrace, only one property at No.129 has planning permission for an approved front roof extension which was granted in 1983 (ref 1983/00369/FUL). That extension was granted almost 40 years ago under a different set of planning policies.

3.7 In the immediate surrounding area there are very few properties with front roof extensions in adjacent terraces including the following pattern: -

- To the east, No.100-126 includes 14 properties - no front extensions

- To the south, No.76-98 includes 12 properties - 1 implemented permission at No.94 (1978/20555/FUL) granted in 1978
- To the south-west, No. 61-101 includes 21 properties with 2 implemented permissions at No.93 (1980/01953/FUL) and No.101 (1987/00324/FUL), granted in 1980 and 1987 respectively.

3.8 The above approvals for front roof extensions relate to permissions on average dating back some 40 years ago. The adopted local plan policies in place at that time has been superseded many times although the general approach as set out in the current Local Plan 2018 and Planning Guidance SPD (2018) remains the same. In principle, where terraces are unimpaired and retains its uniformity, it is considered that a front roof extension would normally be out of keeping.

3.9 Planning permission has also been refused for front roof extensions in 1998 and 2015 respectively at No. 91 (1998/00783/FUL) and No. 75 (2015/00158/FUL). Stephendale Road. Notably, in 2019 planning permission was refused for a front roof extension at No.99 (2019/01977/FUL) and that application is currently subject to an appeal against the grounds of refusal which states the following: -

"The proposed development is considered to be unacceptable on visual grounds. More particularly, the proposed front roof extension would represent a visually dominant and discordant feature, out of keeping with the architectural character of the application property, and would disrupt the uniform appearance of the subject terrace, which remains significantly unimpaired by such extensions"

3.10 In this case, the proposed front roof extension would be built up to match the height of the existing roof but would include a 70-degree front roof slope (set back 1m) clad in artificial slate with three grey rooflight windows. The party walls at roof level would rise 710mm above the new flat built up roof and would extend some 7m from the rear to the front of the property.

3.11 Given its prominent position and bulk and bulk at roof level within a largely unimpaired terrace, officers consider that the proposed front roof extension would have an adverse visual impact on the application terrace which it forms a part. The extension would appear unduly visible and prominent in the street scene and would represent an unsympathetic and over dominant feature on the application building, which would be out of keeping with the existing character and appearance of the unimpaired application terrace.

3.12 The proposal is contrary to Policies DC1 and DC4 of the Local Plan.

RESIDENTIAL AMENITY

3.13 The borough has a high density of development and it is necessary to ensure that the amenities of existing residential occupiers are not unduly affected. Local Plan Policies HO11 and DC4 require that development proposals be formulated to respect the principles of good neighbourliness and seek to protect the amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance. The above is supported by Key Principles HS6 and HS7 of the Planning Guidance SPD (2018).

Outlook

3.14 Key Principles HS6 and HS7 (i) acknowledge that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. To test this, the Council use a reference line produced at an angle of 45 degrees from a point at ground level on the boundary of the site, or a point of 2 metres above ground level where rear gardens exceed 9 metres. 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.

3.15 In this case, the entirety of the proposed extension would be contained within the existing roof and would not extend beyond the established front building line and would not be higher than existing ridge. Given that the proposals are situated towards the front of the property, there would be no impact to No.145 Hazelbury Road which is situated to the rear nor the immediately adjoining properties within the terrace at No. 109 and 113 Stephendale Road. The application site is directly to the north and opposite the road junction with between Stephendale Road and Kilkie Street - officers consider the proposed extension would have no undue impact in terms of outlook on Nos 98 or 100 Stephendale Road which are positioned either side of the Stephendale Road junction with Kilkie Street.

Privacy

3.16 Local Plan Policy DC2 ensures that the design and quality of all new housing will respect the principles of good neighbourliness. These policies are supported by SPD Key Principle 7 which states that windows should normally be positioned so that the distance to any existing residential windows is not less than 18m measured in an arc of 60 degrees from the centre of the new window.

3.17 The proposed front extension would include 3 windows in the front roof slope, but these would be no closer to the opposing terraces in Stephendale Road than the existing windows in the same front elevation on the storeys below. Officers consider that the proposals would not result in any undue loss of privacy or overlooking to neighbouring residential properties.

3.18 In this regard the proposed development is in accordance with Policy HO11 of the Local Plan (2018) and relevant Key Principles of the Planning Guidance SPD (2018).

Noise

3.19 Local Plan Policy CC13 (Control of Potentially Polluting Uses) states that 'all proposed developments will be required to show that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'. This is supported by Key Principle NN6 (Construction and demolition works) of the Planning Guidance SPD (2018) which requires consideration of the impact of demolition and construction works upon the amenity (noise, vibration and dust) of neighbouring properties through the submission of a Demolition Method Statement and/or Construction Management Statement. Officers have considered the noise impacts and raise no objections to this element of the proposals.

FLOOD RISK

3.20 Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use) requires that new development should reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 (Minimising Surface Water Run-off with Sustainable Drainage Systems) which seeks that developments manage surface water run-off and to promote the use of water efficient fittings and appliances.

3.21 The site is located within the Environment Agency's Flood Zone 3 and inside the breach extent area. However, the proposed extension relates to works at roof level, the ground floor footprint remains unchanged. There would be no increased flood risk implications from this development. The proposals are in line with Policy CC3.

4.0 CONCLUSION

4.1 The proposed front roof extension would be a visually dominant and discordant feature, out of keeping with the character of the application property, and would disrupt the uniform appearance of the subject terrace, which remains significantly unimpaired by such extensions.

5.0 RECOMMENDATION

5.1 That the application be refused planning permission.

Ward: Fulham Reach

Site Address:

25 Thames Reach 80 Rainville Road London W6 9HS



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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.

**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:

Comments from:	Dated:
Port Of London Authority	06.11.19
Environment Agency - Planning Liaison	14.11.19

Neighbour Comments:

Letters from:	Dated:
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.