

# Planning and Development Control Committee

## Agenda

Tuesday 7 November 2023 at 7.00 pm

Main Hall (1st Floor) - 3 Shortlands, Hammersmith, W6 8DA

Watch the meeting live: [youtube.com/hammersmithandfulham](https://youtube.com/hammersmithandfulham)

### MEMBERSHIP

Administration:	Opposition
Councillor Omid Miri (Chair) Councillor Florian Chevoppe-Verdier (Vice-Chair) Councillor Wesley Harcourt Councillor Rebecca Harvey Councillor Nikos Souslous Councillor Patrick Walsh	Councillor Alex Karmel Councillor Adrian Pascu-Tulbure

**CONTACT OFFICER:** Charles Francis  
Governance and Scrutiny  
Tel: 07776 672945  
E-mail: [charles.francis@lbhf.gov.uk](mailto:charles.francis@lbhf.gov.uk)

### Public Notice

This meeting is open to the public and press but spaces are limited. If you'd like to attend please contact: [charles.francis@lbhf.gov.uk](mailto:charles.francis@lbhf.gov.uk). The building has disabled access.

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 2 November 2023**

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

## **PUBLIC SPEAKING AT PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

### **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 Councillors, 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 is by email only. Requests should be sent to [speakingatplanning@lbhf.gov.uk](mailto: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

7 November 2023

<u>Item</u>		<u>Pages</u>
1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>DECLARATION OF INTERESTS</b>	
	<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 Standards Committee.</p>	
3.	<b>MINUTES</b>	5 - 7
	<p>To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 17 October 2023.</p>	
4.	<b>81 BLYTHE ROAD, LONDON W14 0HP, BROOK GREEN, 2022/02439/FUL</b>	8 - 53
5.	<b>STORE C - WESTFIELD LONDON SHOPPING CENTRE, ARIEL WAY, LONDON W12 7GA, SHEPHERD'S BUSH GREEN, 2022/03538/FUL</b>	54 - 79

- |    |   |           |
|----|---|-----------|
| 6. | 2 HYDE MEWS, 163 DALLING ROAD, LONDON W6 0ES,<br>RAVENSCOURT, 2023/01413/DET  | 80 - 90   |
| 7. | 101 - 105 SHEPHERD'S BUSH ROAD, LONDON W6 7LR, BROOK<br>GREEN, 2023/02202/FUL | 91 - 109  |
| 8. | 14 ELLINGHAM ROAD, LONDON W12 9PR, CONINGHAM,<br>2023/01529/FUL               | 110 - 122 |

London Borough of Hammersmith & Fulham



## Planning and Development Control Committee Minutes

Tuesday 17 October 2023

### **PRESENT**

**Committee members:** Councillors Omid Miri (Chair), Florian Chevoppe-Verdier (Vice-Chair), Wesley Harcourt, Nikos Souslous, Patrick Walsh and Adrian Pascu-Tulbure

### **Officers:**

Matt Butler (Assistant Director of Development Management)  
Ieuan Bellis (Team Leader)  
John Sanchez (Deputy Team Leader)  
Catherine Paterson (Principal Transport Planner)  
Mrinalini Rajaratnam (Chief Solicitor - Property and Planning)  
Charles Francis (Clerk)

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Rebecca Harvey and Alex Karmel.

### **2. DECLARATION OF INTERESTS**

There were no declarations of interest.

### **3. MINUTES**

The minutes of the previous meeting held on 5 September 2023 were agreed as an accurate record.

4. **92 WOOD LANE, LONDON W12 0FJ, COLLEGE PARK & OLD OAK, 2022/03492/FUL**

An addendum was circulated prior to the meeting that modified the report. John Sanchez presented the item and started by drawing attention to the representations received post publication of the report and the addendum, in particular the deletion of planning condition 56 relating to controls on use of the student accommodation which was now captured in the Heads of Terms to the planning agreement in more detail. He also mentioned a further change to the report whereby an additional obligation was to be added to the Heads of Terms, whereby the obligation in respect of the delivery of the Underpass would be reflected on similar terms as that in the schedule to existing planning agreement relating to the master plan, as it related to the delivery of plot A and G.

The applicant spoke in support of the application.

During the course of discussions, the Committee raised a number of issues. These included the effect of tall buildings on local residents (sunlight, daylight and overshadowing), the use of the roof terrace (the potential for overlooking, privacy and noise and nuisance) and differences between PTAL values across the site. Further issues included cycle storage, the need for sufficient external charging points for e-bikes/ scooters (to mitigate fire risk), vehicular access to the site, the provision of a cycle route and the underpass. There was also a request that the Condition relating to the Construction Management Plan assessment include reference to Sunday and bank holidays.

Recommendation 1 as amended:

<b>FOR</b>	<b>Unanimous</b>
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

<b>FOR:</b>	<b>Unanimous</b>
AGAINST:	0
NOT VOTING:	0

**RESOLVED**

1. That, subject to there being no contrary direction from the Mayor for London, that the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed in the report as amended by the Addendum.

2. That the Director of Planning and Property, after consultation with the Assistant Director, Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition, or deletion of conditions, any such changes shall be within their discretion.

## **Addendum**

Meeting started: 7.03 pm  
Meeting ended: 8.07 pm

Chair .....

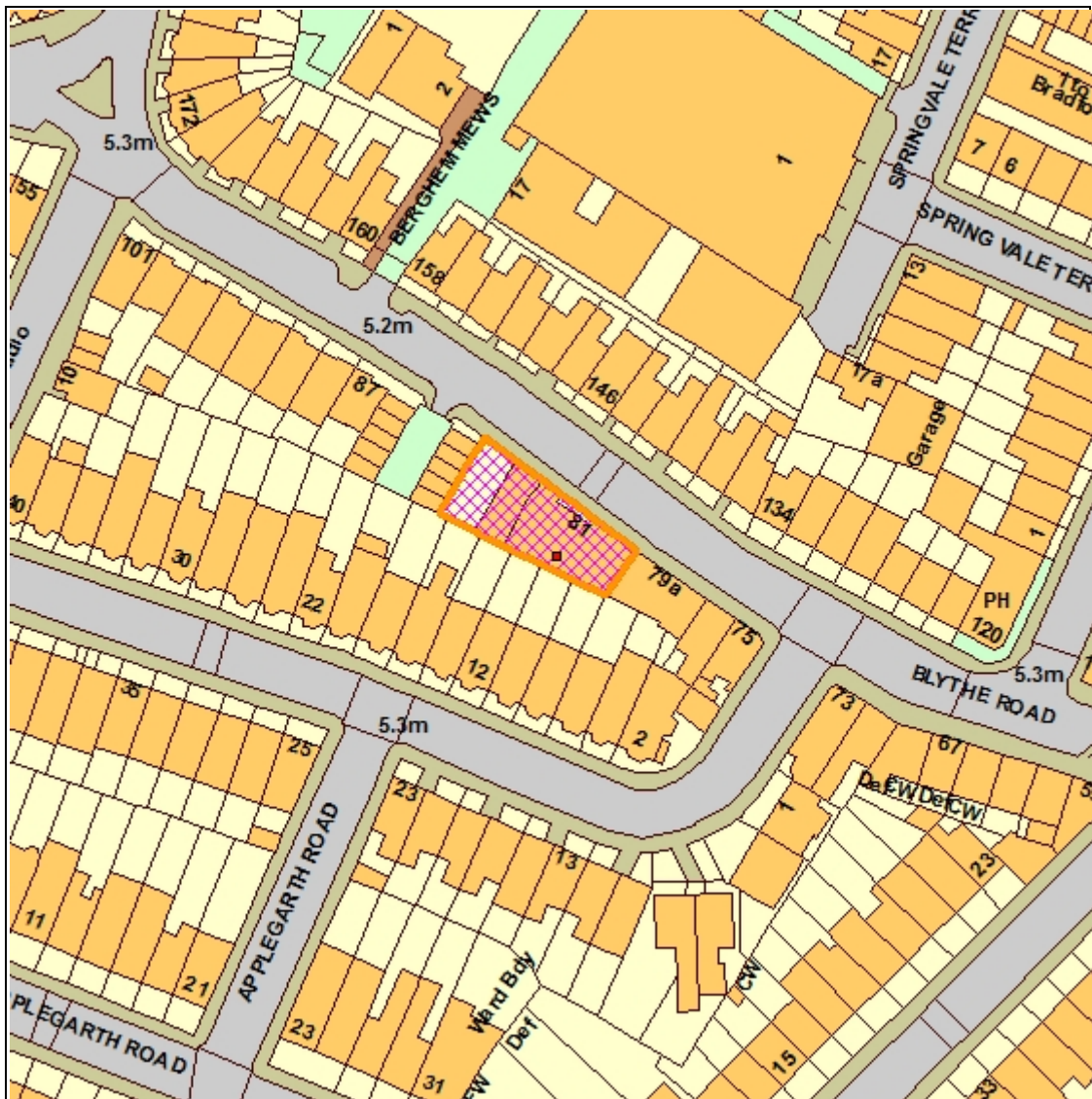
Contact officer: Charles Francis  
Committee Co-ordinator  
Governance and Scrutiny  
Tel 07776 672945  
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# Agenda Item 4

**Ward:** Brook Green

**Site Address:**

81 Blythe Road London W14 0HP



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

**Reg. No:**

2022/02439/FUL

**Case Officer:**

Zhirong Li

**Date Valid:**

30.09.2022

**Conservation Area:**

Constraint Name: Lakeside/Sinclair/Blythe Road  
Conservation Area - Number 36

**Committee Date:**

07.11.2023



**Applicant:**

Rathplace Developments Ltd

**Description:**

Redevelopment of the site, comprising demolition of the existing building and, provision of 8no. residential apartments (Class C3) across four floors including at lower ground level together with associated cycle parking, refuse stores, and associated amenity space at lower ground and roof top level.

Drg Nos: Refer to condition 2

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;
- 2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

**Conditions:**

- 1) The development hereby permitted shall not commence later than 3 years from the date of this decision.

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 be carried out and completed in accordance with the following approved drawings:

Floor Plans:

3542\_PL(90)001\_E (Proposed site plan)  
3542\_PL(20)100\_E (Proposed lower ground floor plan)  
3542\_PL(20)101\_E (Proposed upper ground floor plan)  
3542\_PL(20)102\_E (Proposed first floor plan)  
3542\_PL(20)103\_E (Proposed second floor plan)  
3542\_PL(20)104\_E (Proposed roof floor plan)

Proposed Elevations:

3542\_PL(20)201\_E (North elevation)  
3542\_PL(20)202\_E (Rear elevation)  
3542\_PL(20)204\_B (West Elevation)  
3542\_PL(20)205\_B (East Elevation)  
3542\_PL(20)206\_B (Proposed rear courtyards - east elevations)  
3542\_PL(20)207\_B (Proposed rear courtyards - west elevations)  
3542\_PL(20)208\_B (Proposed rear courtyards - rear elevations)

3542\_PL(20)401\_E (Detailed street elevation)  
3542\_PL(20)402\_E (Detailed garden elevation)  
3542\_PL(20)403\_E (Detailed closet wing elevation)  
3542\_PL(20)501\_C (Bay Study - front elevation)  
3542\_PL(20)502\_C (Bay Study - rear elevation)

Proposed Sections:

3542\_PL(20)302\_E (Section A)  
3542\_PL(20)304\_E (Section B)

Supporting Documents:

Arboricultural Implications Report (SJA Trees Arboricultural Planning Consultants, August 2022)  
Energy Strategy Report Rev 2 (Jaw Sustainability, dated 19th August 2022)  
Noise Assessment (Ardent Consulting Engineers, dated August 2022)(Ref. 2104910-03A)  
Transport Statement (Ardent Consulting Engineers, dated August 2022)(Ref. 2104910-04D)  
Outline Construction Logistic Plan (Ardent Consulting Engineers, dated April 2022)(Ref. 2104910-05D)

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC2, and DC8 of the Local Plan (2018).

- 3) Prior to commencement of the development hereby permitted, details (including manufacturer's specifications, photographs and/or brochures) of the external surfaces (including fenestration) and, where applicable, all areas of hard surfacing shall be submitted to, and approved in writing by the Council.

The development shall be carried out and completed in accordance with the approved details. The development shall be permanently retained in accordance with the approved details. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

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

- 4) No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Condition requested by Thames Water. The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 5) No works (excluding Enabling Works) on development hereby permitted shall commence until a signed building contract for the redevelopment of the site in accordance with this consent has been submitted to and approved in writing by the Council.

To ensure that demolition works do not take place prematurely and to preserve the character and appearance of the Conservation Area in accordance with Policy DC8 of the Local Plan (2018).

- 6) Prior to commencement of the development hereby approved, a demolition management plan and a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays with no works permitted on Sundays and Bank Holidays, 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. 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 Policy D14 of the London Plan (2021), Policies DC1, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

- 7) Prior to commencement of the development hereby permitted (excluding Demolition, Ground and Enabling Works), details including palette and a sample panel of all materials to be used on the external faces of the building and boundary treatments, shall be submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance of the development, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 8) Prior to commencement of the development hereby permitted (excluding Demolition, Ground and Enabling Works), details in plan, section and elevation (at a scale of not less than 1:20) of the following matters shall be submitted to and approved in writing by the Council. No part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details.

- a) a typical bay of the Blythe Road elevation; and
- b) boundary treatment

To ensure a satisfactory external appearance of the development, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 9) The development hereby approved shall be carried out in accordance with the approved Arboricultural Impacts Assessment and Arboricultural Method Statement (by SJA Trees Arboricultural Planning Consultants dated August 2022) and in particular the Tree Protection Plan set out in Appendix 2 of the document. The tree protection measures shall be carried out in full for the duration of the construction works.

To ensure that trees within and around the site to be retained are protected during the building works, in accordance with Policies G5 and G7 of the London Plan (2021), and Policies DC1, DC4, OS1 and OS5 of the Local Plan (2018).

- 10) Prior to commencement of the development hereby permitted, a scheme for temporary fencing and/or enclosure of the site shall be submitted to and approved in writing by the Local Planning Authority. The temporary fencing and/or enclosure shall thereafter be retained for the duration of the building works in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1 and D8 of the London Plan 2021, Policies DC1, DC2, DC8 and CC12 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

- 11) The residential units at this address shall only be used as residential units falling within Class C3 of the Town & Country Planning (Use Classes) Order 1987 (as amended). The residential units shall not be used as housing in multiple occupation falling within Class C4 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (as amended).

The use of the property as a residential units in multiple occupation rather than as single residential units would raise materially different planning considerations that the council would wish to consider under a full planning application, in accordance with Policies DC1, HO1, HO2, HO4, HO5, HO8,HO11, CC11, CC13 and T1 of the Local Plan (2018).

- 12) No plant, water tanks, water tank enclosures, external rainwater goods, air-conditioning units, ventilation fans, extraction equipment, flues or other plant equipment and associated external pipework or ducting shall be fitted to the exterior of the building unless otherwise shown on the approved drawings.

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, DC2, and DC4 of the Local Plan (2018).

- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved building, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the character and appearance of the building and its setting, in accordance with Policy D3 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 14) The extent of the roof terraces shall not exceed that indicated on the approved drawings, and the roof terraces shall not be subsequently enlarged prior to the submission and approval in writing of a further planning application. Other than the terraces indicated on the plan, no part of any roof of the remaining building hereby approved shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roof. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to the property to form access onto the roofs.

The use of the roof(s) as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of overlooking, and noise and disturbance, contrary to Policies HO11 and CC11 of the Local Plan (2018), and Key Principle 8 of the Planning Guidance SPD (2018).

- 15) The roof terraces hereby approved shall not be first used until the privacy screening has been installed as shown on drawing no. 3542\_PL(20)202\_E and 3542\_PL(20)201\_E . The privacy screen to the rear (southern) elevation shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terraces. The privacy screen to the front (northern) elevation shall achieve a minimum level

of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.1m above the finished floor of the terraces. The privacy screen shall thereafter be permanently retained as approved.

To protect the amenities of neighbouring occupiers in terms of overlooking and privacy in accordance with Policy HO11 of the Local Plan (2018).

- 16) No works above ground level shall commence until a statement of how Secured by Design requirements are to be adequately achieved has been submitted to and approved in writing by the council. The development shall be carried out and completed in full accordance with the approved details and permanently retained as such.

To ensure a safe and secure environment for users of the development, in accordance with Policies DC1 and DC2 of the Local Plan (2018).

- 17) Prior to occupation of the development hereby permitted, a Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority.

1. Times, frequency and management of deliveries and collections including collection of waste and recyclables
2. Emergency access, and vehicle movement at the site entrance and throughout the development
3. Quiet loading/unloading mitigation including silent reversing measures in accordance with Building Design Guidance for Quieter Deliveries, TFL, June 2018,

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained for the lifetime of the development.

To ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policies T2 and T7 of the London Plan (2021) and Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

- 18) Prior to commencement of the relevant parts of the development hereby permitted, details of safe, secure and accessible bicycle storage shall be submitted to, and approved in writing by the Council. The cycle parking facilities should be in accordance with London Cycling Design Standards (LCDS). The bicycle storage facilities shall be implemented as approved prior to the occupation of the residential and non-residential uses, and shall thereafter be permanently retained for such use.

To ensure satisfactory provision for the bicycle and thereby promote sustainable and active modes of transport, in accordance with Policy T5 London Plan (2021) and Policy T3 of the Local Plan (2018).

- 19) Prior to the occupation of the development hereby permitted, all the windows located to the rear (southern) elevation (as shown on drawing nos. 3542\_PL(20)202\_E and 3542\_PL(20)208\_B) shall be fitted with obscure glass to a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3, and shall be non-opening and fixed shut up to a height of 1.7m above the finished floor level. The windows shall thereafter be permanently retained as approved.

To protect the amenities of adjoining occupiers in terms of privacy and overlooking in accordance with Policy HO11 of the Local Plan (2018).

- 20) The development shall be carried out in accordance with the measures set out in the approved Energy Strategy Report (by Jaw Sustainability dated 19th August 2022).

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policies SI2, SI3 and SI4 of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

- 21) Prior to commencement of the development (excluding demolition) hereby permitted, a revised Flood Risk and Sustainable Drainage Strategy (SuDS) shall be submitted to and approved in writing by the Local Planning Authority.

Information shall include details of the proposed sustainable drainage measures, and the relevant maintenance information and supporting information, including plans to confirm the inclusion of sustainable drainage measures such as permeable paving and green roofs to achieve a peak discharge rate of no more than 2 l/s. The Strategy shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that sufficient drainage capacity is made available to cope with the new development, and to avoid adverse environmental impact upon the community and to prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policies SI 12 and SI 13 of the London Plan (2021) and Policy CC3 and CC4 of the Local Plan (2018).

- 22) Prior to the occupation of the development hereby approved, details of the siting, gradient and number of Solar PV Panels to be installed on the new dwellings as shown on drawing no. 3542\_PL(20)104\_E, shall be submitted to and approved in writing by the Local Planning Authority, implemented as approved and thereafter permanently maintained.

To ensure a satisfactory external appearance of the development, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

- 23) The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

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 the Local Plan 2018.

- 24) Prior to the commencement of the demolition phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) to mitigate air pollution from the demolition phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP submitted shall be in accordance with the Councils AQDMP Template 'A' and shall include the following details:

1. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
2. Construction Site and Equipment Layout Plan
3. Inventory and Timetable of dust generating activities during Demolition site activities.
4. Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM10 (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments
5. Site Specific Dust, and NO<sub>x</sub> Emission mitigation and control measures including for on-road and off-road construction traffic as required by the overall Medium/High Dust Risk Rating of the site and shall be in a table format.
6. Details of Site Particulate (PM10) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant Particulate (PM10) monitors on the site boundaries used to prevent levels exceeding predetermined PM10 Site Action Level (SAL) of 190  $\mu\text{g}/\text{m}^3$ , measured as a 1-hour mean. Prior to installation of the PM10 monitors on site the calibration certificates of MCERTS compliant PM10 monitors and the internet-based log-in details to enable access to the real-time PM10 monitoring data from the PM10 monitors shall be issued to Hammersmith & Fulham Council by e-mail to [constructionairqualitymonitoring@lbhf.gov.uk](mailto:constructionairqualitymonitoring@lbhf.gov.uk). The data from the on-site Particulate (PM10) monitors shall also be made available on the construction site air quality monitoring register website <https://www.envimo.uk>
7. Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage V NO<sub>x</sub> and PM10 emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of demolition works and thereafter retained and maintained until occupation of the development.



8. Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NOx rating A) and Euro VI

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

25) Prior to the commencement of the construction phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) to mitigate air pollution from the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP submitted shall be in accordance with the Councils AQDMP Template 'C' and shall include the following details:

a.Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries

b.Construction Site and Equipment Layout Plan

c.Inventory and Timetable of dust generating activities during construction site activities.

d.Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM10 (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments

e.Site Specific Dust, and NOx Emission mitigation and control measures including for on-road and off-road construction traffic as required by the overall Medium Dust Risk Rating of the site and shall be in a table format.

f.Details of Site Particulate (PM10) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant Particulate (PM10) monitors on the site boundaries used to prevent levels exceeding predetermined PM10 Site Action Level (SAL) of 190  $\mu\text{g}/\text{m}^3$ , measured as a 1-hour mean. Prior to installation of the PM10 monitors on site the calibration certificates of MCERTS compliant PM10 monitors and the internet-based log-in details to enable access to the real-time PM10 monitoring data from the PM10 monitors shall be issued to Hammersmith & Fulham Council by e-mail to

constructionairqualitymonitoring@lbhf.gov.uk. The data from the on-site Particulate (PM10) monitors shall also be made available on the construction site air quality monitoring register website <https://www.envimo.uk>

g.Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage V NOx and PM10 emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of

all NRMM for the first phase of construction shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of construction works and thereafter retained and maintained until occupation of the development.

h. Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NOx rating A) and Euro VI

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

- 26) Prior to commencement of above ground works in the development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the forty two self-contained residential units (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all receptor locations where the Annual Mean Nitrogen Dioxide (NO<sub>2</sub>), and Particulate (PM10, PM2.5) concentrations are equal to 30ug/m<sup>3</sup>, 20ug/m<sup>3</sup> and 10 ug/m<sup>3</sup> respectively and where current and future predicted pollutant concentrations are within 5 % of these limits. The report shall include the following information:
1. Details and locations of the ventilation intake locations
  2. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, to minimise the potential for the recirculation of extract air through the supply air ventilation intake in accordance with paragraph 8.9 part 'C' of Building Standards, Supporting Guidance, Domestic Ventilation, 2nd Edition, The Scottish Government, 2017
  3. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM2.5, PM10) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM2.5, PM10) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016

The whole system shall be designed to prevent summer overheating and minimise energy usage. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

- 27) Prior to occupation of the development hereby permitted, details of a post installation compliance report of the approved ventilation strategy as required by condition 8 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Services Engineer (CIBSE). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

- 28) 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).

- 29) 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).

- 30) 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).

- 31) 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).

- 32) 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).

- 33) 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).

- 34) The development shall be carried out and completed in full accordance with the details contained within the approved Fire Statement ((BB7, dated 17 August 2022). No part of the development shall be used or occupied until all mitigation, measures and means within the approved document have been implemented in full and shall thereafter be retained for the lifetime of the building hereby approved.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Policy D12 of the London Plan (2021).

- 35) The rear boundary wall of new building shared with Nos. 8 - 18 Sterndale Road shall not exceed a height of 4.75m at the closet wing section and 2m at the void in between each closet wings, measured from the existing ground level at Nos.8 - 18 Sterndale Road immediately adjoining the new building, as indicated on approved drawings.

To protect the amenities of neighbouring occupiers in terms of overlooking and privacy, and to ensure the proposal would not result in an unacceptable sense of enclosure to the adjoining residential properties, in accordance with Policy HO11 of the Local Plan (2018).

- 36) Prior to occupation of the development hereby permitted, details of the installation/commissioning reports of the Zero Emission MCS certified Air Source Heat Pumps to be provided for space heating and hot water for the proposed self-contained residential units 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.

The development site is within the borough wide Air Quality Management Area (AQMA). Mitigation measures are required to make the development acceptable in accordance with Policies CC1 and CC10 of the Local Plan (2018).

- 37) No part of the development hereby approved shall be occupied until the approved refuse storage enclosures, as indicated on the approved drawings, have been provided for the storage of refuse and recyclable materials. All the refuse/recycling facilities shall be retained thereafter in accordance with the approved details.

To ensure the satisfactory provision of refuse storage and recycling and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policies DC2, CC6 and CC7 of the Local Plan 2018 and SPD Key Principle WM1 2018.

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

- 1) 1. Land Use: The loss of employment use is considered to be acceptable in this instance, the proposal would provide eight residential units contribute to the overall housing need in the Borough at this predominately residential location. The proposed residential units would make efficient use of land by optimising residential use at this infill site. The proposal is therefore considered to be in accordance with Policy D3 and GG2 of the London Plan (2021), Policies E1, E2, HO1, HO4, and HO5 of the Local Plan (2018).
2. Housing: The proposed building would provide a mixed size of residential units, which all would have acceptable standard of living accommodation in accordance with London Plan (2021) Policy D6, the Mayor's Housing Design Standards LPG (2023), the DCLG's Nationally Described Space Standards (2015), Local Plan (2018) Policies HO4, and HO11 and Key Principles of the Planning Guidance SPD (2018) which all require new housing to be of a high-quality design and be designed to have adequate internal and external space.
3. Design: The proposed development is acceptable in visual terms. The proposals are considered to be of a good quality of design having regard to the character and appearance of the existing site, area and surrounding Lakeside/Sinclair/Blythe Road Conservation Area. The proposal therefore accords with the NPPF (2023), London Plan (2021) Policies HC1 and D3, and Local Plan (2018) Policies DC1, DC2 and DC8.

4. Residential Amenity: The development would respect the principles of good neighbourliness. Subject to conditions the proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of daylight/sunlight, outlook, privacy and noise and disturbance. In this regard, the proposal complies with DC1, DC2, HO11, CC11, CC12 and CC13, and Key Principles of the Planning Guidance SPD (2018).

5. Transport & Highways: The application is supported by several documents including: a Transport Statement, ATZ Assessment, Outline Demolition and Construction Logistics Plan, and Outline Delivery and Servicing Plan which provide a comprehensive review of all the potential transport impacts of the proposed development. It is, therefore, considered that the scheme would not have a significant impact on the highway network or local parking conditions and is thus considered to be acceptable. There would be limited impacts on the local highway network or local car parking demands. Suitable bicycle parking and refuse storage would also be provided on site. The proposed development therefore accords with the NPPF (2023), London Plan (2021) Policies T1-T7, Local Plan (2018) Policies T1, T2, T3, T4, T7 and CC7, and relevant Key Principles of the Planning Guidance SPD (2018).

6. Environmental Issues: The impact of the development with regards to land contamination, flood risk, energy, sustainability and air quality are considered to be acceptable, in accordance with London Plan (2021) Policies SI 12 and SI 13 Local Plan (2018) Policies CC1, CC2, CC3, CC4, CC9 and CC10, and relevant Key Principles of the Planning Guidance SPD (2018).

7. Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. This includes, car permit free restrictions; s278 highways works; and the submission of Air Quality Dust Management Plan plus monitoring fees. The proposed development would therefore mitigate external impacts and would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy CF1.

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

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

Application form received: 25th August 2022

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2023  
The London Plan 2021  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

### **Consultation Comments:**

#### **Comments from:**

Thames Water - Development Control  
Crime Prevention Design Advisor - Hammersmith  
Thames Water - Development Control  
Crime Prevention Design Advisor - Hammersmith

#### **Dated:**

18.10.22  
14.10.22  
07.09.23  
25.09.23

### **Neighbour Comments:**

#### **Letters from:**

#### **Dated:**

Ground Floor Flat 16 Sterndale Road London W14 0HS	28.10.22
10 Sterndale Road London W14 0HS	10.10.22
Tintagel House 92 Albert Embankment London SE1 7TY	17.10.22
23 Flanchford Road London W12 9ND	18.10.22
129 Shepherds Bush Road London W6 7LP	19.10.22
37 Sterndale Road London W14 0HT	26.10.22
37 Sterndale Road London W14 0HT	20.03.23
37 Sterndale Road London W14 0HT	13.09.23
8 STERNDAL ROAD LONDON W14 0HS	27.10.22
8 STERNDAL ROAD LONDON W14 0HS	27.10.22
8 STERNDAL ROAD LONDON W14 0HS	30.03.23
2 Sterndale Road London W14 0HS	13.10.22
150A Blythe Road London W14 0HD	30.10.22
150 Blythe Road 3 London W14 0HD	31.10.22
18 Sterndale Road London W14 0HS	17.10.22
18 Sterndale Road London W14 0HS	31.03.23
22 Sterndale Road London W14 0HS	14.10.22
140 Blythe Road London W14 0HD	17.11.22
14 Sterndale Road London W14 0HS	24.10.22
18 Sterndale Road London W14 0HS	19.10.22
18 Sterndale Road London W14 0HS	19.10.22
Flat D Second Floor 140 Blythe Road London W14 0HD	16.11.22
Flat A Ground Floor 6 Sterndale Road London W14 0HS	25.11.22
42 Gratton Road Flat 2 London W14 0JX	02.11.22
Sterndale Road London W14 0HT	18.10.22
18A Rockery Road London W14 0DA	02.11.22
150 Blythe Road First Floor London W14 0HD	31.10.22
42 Gratton Road London W14 0JX	02.11.22
8 Sterndale Road London W14 0HS	12.10.22
8 Sterndale Road London W14 0HS	27.10.22
8 Sterndale Road London W14 0HS	23.09.23
69 Blythe Road London W14 0HP	24.10.22
Dalton House Dalton Newcastle Upon Tyne NE18 0AA	25.10.22
Dalton House Dalton Newcastle Upon Tyne NE18 0AA	19.09.23
10 Sterndale Road London W14 0HS	13.10.22
10 Sterndale Road London W14 0HS	13.10.22
10 Sterndale Road London W14 0HS	13.10.22
22 Sterndale Road London W14 0HS	14.10.22
9 Sterndale Road London W14 0HT	27.10.22



9 Sterndale Road London W14 0HT	31.03.23
37 Sterndale Road London W14 0HT	20.03.23
19 Brechin Place London SW7 4QB	30.03.23
18 Sterndale Road London W14 0HS	31.03.23
10 Sterndale Rd London W14 0HS	31.03.23
16 Sterndale Road London W14 0HS	24.10.23
140B Blythe Raid Brook Green London W14 0HD	31.03.23
10 Sterndale Rd London W14 0HT	04.10.23
10 Sterndale Rd London W14 0HT	04.10.23
10 Sterndale Rd London W14 0HT	04.10.23
10 Sterndale Rd London W14 0HT	04.10.23
2 STERNDAL ROAD LONDON W14 0HS	01.10.23
10 Sterndale Road London W14 0HS	28.03.23
10 Sterndale Road London W14 0HS	28.03.23
Hammersmith Town Hall King Street Hammersmith W6 9JU	12.10.23
37 Sterndale Road LONDON W14 0HT	03.10.23
24 Sterndale Road London W14 0HS	24.10.23
20 Sterndale road London W14 0HS	25.10.23
8 Sterndale Road Addison Gardens LONDON W14 0HS	29.03.23
10 Sterndale Rd London W3 9AD	31.03.23
140 A Blythe Rd London W14 0NL	28.03.23
140 Blythe Road London W14 0HD	31.03.23
10 Sterndale Rd London W14 0HS	19.09.23
Top Floor Flat 19 Brechin Place London SW7 4QB	25.09.23
10 Sterndale Road London W14 0HS	31.03.23
10 Sterndale Road London W14 0HS	30.03.23
140C Blythe Road London W14 0HD	05.10.23

## 1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two-storey 1980s office building, located on the southern side of Blythe Road. The building is currently vacant and has been since September 2020. The existing building provides under-croft parking for approximately 3-4 cars accessed from Blythe Road.
- 1.2 The site is surrounded by buildings of various styles, with a mix of residential and commercial properties. There are clusters of shops and commercial buildings to the east, a group of three storey modern stock brick houses to the west, and traditional three storey plus lower ground floor terraced housing opposite the site on the north side of Blythe Road. The rear elevation of the subject building abuts the rear gardens of Nos.8 to 18 Sterndale Road, which are also three storey plus basement terraced houses.
- 1.3 The site lies within Lakeside/Sinclair/ Blythe Road Conservation Area, however it is not subject to any other heritage designations.
- 1.4 The site is well-served by public transport. The site has a PTAL of 3 according to Transport for London's methodology, and is adjacent to areas with PTAL of 5, indicating the site has high levels of accessibility to public transport.
- 1.5 The site is located in Environment Agency's Flood Risk Zone 1 (low risk).

## 2.0 RELEVANT PLANNING HISTORIES

- 2.1 1998/02590/FUL - Erection of an extension at first floor level to provide additional class B1 office space (74 sq m.). Approved. 06.10.1999.
- 2.2 1989/01871/ADV - The display of a non-illuminated fascia sign. Drg Nos:- 89/0613-S10 89/0613/G00 and 213. Approved 27.11.1989.
- 2.3 2021/04049/FUL - Redevelopment of the site following the demolition of the existing office building (Class E) to provide a 4 storey residential building (Class C3), including a lower-ground level, comprising 4 x 2 bedroom apartments and 4 x 3 bedroom apartments, together with associated cycle parking, refuse stores, and associated amenity spaces. Withdrawn 11.08.2022. This was withdrawn prior to determination.

## 3.0 CURRENT PROPOSAL

- 3.1 The current proposal relates to the demolition of the existing building and the redevelopment of the site comprising:
  - Erection of a three-storey building plus basement, with roof terraces on the rooftop;
  - Provision of 8 self-contained flats comprising 2 x 1b2p, 3 x 2b4p, 2 x 3b5p and 1 x 3b4p flats.
- 3.2 The current application is an amended version of the previous application that was withdrawn. The main differences between the current application and the previous withdrawn application are:
  - Reduction to the overall height of the building, and reduction in height of the rear wings;
  - Introduction of 35-degrees pitched roofs to both the main part of the new building and the rear closet wings;
  - Design amendments to the street frontage at Blythe Road and the fenestration patterns to the rear elevation;
  - Change of proposed mix from 1 x 2b3p, 3 x 2b4p, 3 x 3b5p, 1 x 3b4p to 2 x 1b2p, 3 x 2b4p, 2 x 3b5p and 1 x 3b4p flats.

## 4.0 PUBLICITY AND CONSULTATION

### + Statutory Consultation

- 4.1 The planning application was publicised by way of site and press notice, as well as individual letters sent to 120 neighbouring properties.
- 4.2 To date, 3 rounds of consultations have been carried out (as a result of several changes to the originally proposed scheme). In response to the original consultation, 21 objections were received and 7 in support of the application.
- 4.3 Following receipt of revised plans, a re-consultation was carried out, 23 objections were received.

4.4 A final re-consultation was carried out following receipt of the current plans, and 20 objections were received.

4.5 The concerns raised by the objectors across all 3 consultation exercises raised similar issues and these can be summarised as follows:

Objection:

- The proposed building represents an overdevelopment of the site, the site is too narrow for development of this scale;
- The development has a very high density;
- The building is too close to the pavement on Blythe Road, resulting in lack of defensible space;
- The materials palette, form and design of the new building is out of character with the conservation area;
- Noise disturbance, overlooking and loss of privacy from the roof terraces;
- Overlooking from the new windows
- loss of daylight and overshadowing to the neighbouring properties;
- Viability of the street trees on Blythe Road;
- Concerns with the loss of the existing office
- Discrepancies on the plans and lack of accuracy with the supporting documents;
- The demolition of the existing building would cause damage to the gardens of the properties on Sterndale Road, and loss of outbuildings and trees in the gardens;
- The proposed flats are poorly designed;
- Noise issues associated with potential air conditioning units;
- Concerns to the refuse collection system, bin bags would be left out on the pavement;
- Concerns with potential subsidence;
- Increased pressure on the drainage and sewer system;
- Increased traffic and parking stress in locality;
- Lack of communication from the developer.

Support:

- The scheme would contribute towards the housing needs;
- The design is high quality, and the scale and massing are suitable for this area;
- The new building is in keeping with the immediate environment.

+ Technical Consultations

4.6 Thames Water: No objection, recommended a condition requiring a Piling Method Statement; and informatives relating to water pressure and Groundwater Risk Management Permit.

4.7 Crime Prevention: No objection provided Secured by Design principles are incorporated into the development. This will be secured by condition.

4.8 POLICY FRAMEWORK

4.9 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory

considerations for town planning in England. Additionally, for sites in Conservation Areas, the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant.

4.10 Collectively these Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

4.11 In this instance the statutory development plan comprises of the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

#### National Planning Policy Framework (NPPF)

4.12 The NPPF (2023) is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

4.13 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

#### London Plan

4.14 The latest London Plan was published in March 2021. 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. As Hammersmith & Fulham is one of the 32 London Boroughs, the London Plan forms part of the development plan for the borough.

#### Local Plan

4.15 The Council adopted the current Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The role of the development plan is to guide decision making on planning applications and inform investment in social and physical infrastructure.

4.16 The 'Planning Guidance' Supplementary Planning Document (SPD) 2018 is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

## 5.0 PLANNING ASSESSMENT

5.1 The main planning considerations in this assessment include:

- Principle of Development / Land Use (Loss of the office use and the provision of residential units);
- Quality of the Residential Accommodation;
- Accessibility; Secure by Design; and Fire Safety
- Design and Visual Amenity;
- Arboriculture and Ecology;
- Residential Amenity;
- Transport and Highways;
- Environmental Considerations (flood risk, air quality, sustainability, contamination);
- Planning Obligations.

### PRINCIPLE OF DEVELOPMENT/LAND USE

#### Loss of Existing Office Space

5.2 Policies E1 and E2 of the London Plan (2021) seek to retain and enhance existing viable office floorspace for all sizes of business. Part C of Policy E2 states that where development proposals that involve the loss of existing business space should demonstrate there is no reasonable prospect of the site being used for business purposes or ensure that an equivalent amount business space is re-provided where possible.

5.3 Local Plan (2018) Policy E1 also seeks to ensure that accommodation is available for all sizes of business including small and medium sized enterprises by retaining premises capable of providing continued accommodation for local services or significant employment. Policy E2 acknowledges amongst other things that the loss of employment land may be acceptable where it can be satisfactorily demonstrated that the property is no longer required for employment purposes. Specifically, Policy E2 states:

1. continued use would adversely impact on residential areas; or
2. an alternative use would give a demonstrably greater benefit that could not be provided on another site; or
3. it can be evidenced that the property is no longer required for employment purposes.

Where the loss of employment use is proposed, the Council will have regard to:

- the suitability of the site or premises for continued employment use with or without adaptation;
- evidence of unsuccessful marketing over a period of at least 12 months;
- the need to avoid adverse impact on established clusters of employment use; and
- the need to ensure a sufficient stock of premises and sites to meet local need for a range of types of employment uses, including small and medium sized enterprises, in appropriate locations.'

5.4 The application site comprises a two-storey office building fronting Blythe Road and a yard adjacent which provides access to the under-croft parking. The building was last occupied by Wayte Travel. The site area extends to approximately 324sqm as noted on the application form, this includes

approximately 288.6sqm (NIA) for the building. The building is predominantly single aspect and north facing. The first floor has rooflights to the rear elevation and windows to the flank elevation.

- 5.5 The proposal is for the demolition of the existing office building and the erection of a three-storey plus basement residential building. As a result, there will be a loss of existing office space on site. In considering the loss of employment use, Local Plan (2018) Policy E2 is relevant.
- 5.6 Marketing information submitted by the applicant indicates that the premises has been marketed by two different agents at separate times since August 2020. Hanover Green was first instructed by Wayte Travel in August 2018 to assist in the leasing or disposal of the building. As the result of Covid 2019, the business no longer requires the premises. The summary report by Hanover Green notes that the majority of the property was unoccupied since 1st September 2019 when the marketing campaign began. The premises was marketed by means of internet listing, a sign board, unsolicited letters, and network referrals, however there were limited interest with only one enquiry was for an office use but did not go through with the leasing. The report concludes that the lack of interest largely due to the configuration of the space (that it is not open plan), its location outside a traditional office centre, combined with the fact that there are number of new high quality office developments in the area.
- 5.7 In March 2020, due to the change of the ownership, there was a break in the marketing activities for one month. Savills became the new agent, and the marketing activities resumed in April 2020 at a reduced rate. The marketing report by Savills states the property was advertised by ways of distribution of property particulars, a sign board, and advertisement on various webpages. Records have also been provided of the enquiries received from potential tenants, this including other estate agents, business owners, a local school, a dog grooming company, a local pub owner and local residents, there were also enquiries related to purchasing the site for redevelopment opportunities rather than continued employment use. However, none of the interested parties decided to take the property forward. This is largely due to the lack of facilities and outdoor space at this property; some only required part of the space; the building would require substantial refurbishment to be fit for purpose at a significant cost to the occupier; and other alternative options being available in the area.
- 5.8 The marketing report by Savills also highlights that there has been an increase of new office developments in the surrounding area, that provide more modern and flexible office spaces with facilities such as showers, changing rooms, locker facilities, additional bookable meeting rooms, and onsite café facilities. The report suggests many companies are seeking much higher quality flexible floorspace that is closer to major London train stations and or that would benefit directly from the Elizabeth Line in the future.
- 5.9 On balance, the reports by Hanover Green and Savills have demonstrated that the premises have been unsuccessfully market for at least 12 months. Both marketing reports noted that there are specific aspects of the premises that cause the property to be unattractive to potential tenants and therefore make the property difficult to let in the short to medium term without significant investment. Officers also recognise that Blythe Road is not a traditional office location and is removed

from nearby Hammersmith Town Centre which remains the borough's primary office hub. Blythe Road is primarily a residential location, and the loss of office space on this site would not significantly impact any of the established cluster of office uses in this area. Therefore, it is considered that the principle of the change of use can be justified by virtue of Local Plan Policy E2(3).

- 5.10 In view of the above, on balance, officers consider satisfactory evidence has been provided to justify the loss of the existing employment use. Together with the benefit of provision of residential accommodation, no objection is raised in terms of London Plan (2021) Policies E1 and E2 and Local Plan (2018) Policies E1 and E2.

#### + Housing Supply

- 5.11 Policy H1 of the London Plan (2021) states that 66,000 net additional units should be delivered per annum in London. From that, this Borough has a target to deliver 1,609 net additional dwellings per annum. Policy H2 supports housing on small sites, The need to increase housing supply is reiterated in Local Plan (2018) Policy HO1.
- 5.12 Policy H2 (Small sites) of the London Plan (2018) sets out that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making. The site is approximately 0.08 hectares in size and therefore represents a small site for the purpose of this policy.
- 5.13 Officers consider that the proposed 8 units scheme on this small site would contribute to a more efficient use of this land. The proposals would contribute to the overall housing need in the Borough in accordance with the above London Plan Policy H1 and Local Plan (2018) Policy HO1.

#### + Residential Mix

- 5.14 London Plan (2021) Policy H10 expects that schemes should generally consist of a range of unit sizes. The policy recognises that a higher proportion of one and two bed units is generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.
- 5.15 Policy HO5 of the Local Plan (2018) also seeks to ensure that developments provide a mix of housing types and sizes, in particular, it seeks to increase the proportion of family accommodation (3 or more bedrooms).
- 5.16 The proposal would provide 8 self-contained flats comprising 2 x 1b2p, 3 x 2b4p, 2 x 3b5p and 1 x 3b4p flats. The proposed mix is considered appropriate for the site, including flats of various size, both smaller units and larger family size units.

#### + Affordable Housing

- 5.17 London Plan (2018) Policy H4 (Affordable Housing Thresholds) normally requires that affordable housing be provided on sites which include 10 or more homes and that negotiations should take account of development viability.

- 5.18 Local Plan (2018) Policy HO3 states that to maximise affordable housing supply, the Council will seek affordable housing contributions on schemes of 11 or more dwellings. In seeking, the maximum reasonable amount of affordable housing, the Council take into account: site size and site constraints; financial viability; individual circumstances and characteristics of the site.
- 5.19 Supporting paragraph 6.26 of Policy HO3 makes clear that on schemes of 10 or less dwellings which have a maximum combined gross floorspace of more than 1,000 square metres (GIA), the Council will also seek for affordable housing where there is considered to be capacity for more units. The proposed scheme is for 8 units, and the development has a total GIA of 905.37sqm, therefore less than 1,000sqm.
- 5.20 Officers consider that the site dimensions and surrounding context are the determining factors to establish the most suitable building scale and layout, internal arrangement, and density configuration for this development.
- 5.21 Due to the physical constraints of this site, it is considered that the scale and massing of the proposed buildings are at an acceptable maximum. The height and volume of the proposed building is limited by the need to maintain a suitable level of outlook, sense of openness, privacy, and daylight to nearby neighbours. The proposed building has been carefully designed so as to generally respect the envelope of the existing office building. It is noted that the massing of the proposed building has been reduced since the original pre-application discussions.
- 5.22 It is considered that the number of units on the site cannot be physically increased to 10. Whilst the floor area and layouts of all flats comply with the Nationally Described Space Standards and London Plan standards, whilst there are family sized units included, it is considered that none of the flats are so generous that they could accommodate additional units. Reducing the size of the proposed flats could result in unsatisfactory quality of accommodation. Officers are satisfied that the units have not been deliberately oversized to avoid the requirement for affordable housing, and the number of flats within the envelope of the building could not reasonably be increased.
- 5.23 In summary, it is considered that the submitted 8-unit scheme represents the most effective and efficient use of this site and maximises its development potential. The proposed scheme has been designed to take account of the site specific context in terms of appropriate scale and massing, the form and character of surrounding development and the historic grain and impact on neighbours, as well as complying with the Council's standards on the size of residential units which are addressed in the section below.
- 5.24 Officers consider that it would not be appropriate in this case to include further units within the proposed development to meet the affordable housing threshold. Notwithstanding the above, given that the development is close to the established thresholds (in terms of unit numbers and floorspace), Officers have negotiated with the applicants, and a contribution towards off site provision of affordable housing was secured in this instance (See section on S106 agreement). The proposed development is considered acceptable terms of London Plan (2021) Policy H4 and Local Plan (2018) Policy HO3.



## QUALITY OF ACCOMMODATION

### + Internal Space and Ceiling Height

- 5.25 London Plan (2018) Policy D6 outlines housing quality and standards including internal space standards. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. Together with the recently adopted Mayor's Housing Design Standards LPG, and the DCLG's Nationally Described Space Standards it provides detailed standards which set out the minimum level of quality and design that new homes should meet.
- 5.26 Local Plan Policies HO4 and HO11 requires all housing to provide a high-quality residential environment and be well designed internally and externally. Planning Guidance SPD Key Principles HS1 and HS2 are also relevant with regards to internal space and amenity space provision for new dwellings, and reflects the requirements set out in the abovementioned London and National standards.
- 5.27 To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, London Plan (2018) Policy D6 requires a minimum floor to ceiling height of 2.5 metres for at least 75% of the gross internal area of each dwelling. Where area that has ceiling height of less than 1.5 metres, they can only be counted up to 50 per cent of its floor area, and any area lower than 0.9m is not counted at all.
- 5.28 The proposed section plans indicate all the floor areas within the basement and ground level would have a floor to ceiling height of 2.5m, therefore the lower duplexes would achieve 100% floor to ceiling height of 2.5m. The first and second floors would have a pitched roof design towards the rear, a small section of the first floor at the closet wings would have a headroom of less than 1.5m high, this area has been allocated to be storage space; the first floor would have a minimum floor to ceiling height of 2.5m, therefore all the floorspace proposed can be accounted towards the total Gross Internal Area (GIA). Notwithstanding the minor reduction of floor to ceiling height in some areas, the upper-floor duplex would achieve a minimum finished floor to ceiling height of 2.5m for at least 75% of the GIA. On balance, the proposed development has been designed to accord with London Plan (2018) Policy D6 standard which indicates a good standard of accommodation would be provided.
- 5.29 The proposal would provide following units and floorspaces:
- Unit 01, 2B4P (LGF and UGF) - 112.59sqm
  - Unit 02, 3B5P (FF and SF) - 118.86sqm (102.82sqm excluding area with less 2.5m ceiling height)
  - Unit 03, 2B4P (LGF and UGF) - 110.99sqm
  - Unit 04, 3B5P (FF and SF) - 121.26sqm (103.39sqm excluding area with less 2.5m ceiling height)
  - Unit 05, 1B2P (LGF and UGF) - 75.48sqm
  - Unit 06, 3B4P (FF and SF) - 97.90sqm (81.67sqm excluding area with less 2.5m ceiling height)
  - Unit 07, 1B2P (LGF and UGF) - 83.69sqm

Unit 08, 2B4P (FF and SF) - 95.11sqm (78.82sqm excluding area with less 2.5m ceiling height)

5.30 All the proposed units would comply with the standards for their given size, therefore, it is considered that the units would provide a suitable internal living arrangement.

#### + External Amenity Space

5.31 London Plan (2018) Policy D6 states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m in new housing development. Key Principle HS1 of the Planning Guidance SPD (2018) requires all new dwellings to have access to an area of amenity space appropriate to the type of housing being provided. Supporting paragraph 3.2 further notes that access to high quality and adequate amounts of private open space significantly adds to the quality of life of all occupants.

5.32 All proposed the units would have access to their own external amenity areas. The lower duplexes would have access to patio spaces at the lower-ground floor, ranging in size from 8sqm to 12.5sqm and the upper duplexes would have access to roof terraces, ranging from 8sqm to 15.3sqm. In addition, Unit 03 would also have a winter garden. The proposed amenity space would exceed the standard as set out under Policy D6 of the London Plan (2018) and therefore is considered to be acceptable.

#### + Outlook, Daylight and Sunlight

5.33 All units would benefit from dual aspect, with predominantly floor to ceiling height windows. The windows to the front elevation would be north facing and the windows to the rear would be south facing. Whilst the rear elevation windows would include partially obscured glazing in the interest of the protection of the privacy of neighbouring occupiers. Overall, across all units it is considered that there would be sufficient light and outlook to all habitable rooms, which would afford reasonable living conditions to future occupiers.

5.34 A daylight and sunlight assessment has been submitted with the application, it includes an assessment of the daylight levels provided to the new residential units. This was carried out using the 2022 revision of the BRE guidelines published on 9th June 2022. The updated guidance consists of an assessment based on the Climate Based Daylight Modelling (CBDM) methodology. The new CBDM methodology is based on the British Standard 'Daylight in Buildings' (BS EN17037).

5.35 The daylight and sunlight assessment carried out by eb7 Ltd (dated 19th July 2023) shows that all the habitable rooms (26 rooms) within the development would meet the target daylight illuminance. In accordance with the BRE standard, a target of 100 Lux is used for bedrooms and a target of 150 Lux is used for Living / Kitchen / Dining Room. Paragraph C17 of the BRE standard (BR208 2022 Edition) states that where a room has a shared use, the highest target should apply, however, local authorities could use discretion here. In this instance, due to the

layout of the Living / Kitchen / Dining Rooms, the kitchens across all units are of reasonable sizes and they have not been treated as separate spaces, Officers are considered it is appropriate to use a target of 150 Lux for Living / Kitchen / Dining Rooms in this instance. The complete compliance with the target daylight illuminance indicates all rooms in the new units would receive good levels of daylight.

- 5.36 With regards to direct sunlight, BS EN 17037 recommends that a room in a dwelling should receive a minimum 1.5 hours of direct sunlight on a selected date between 1 February and 21 March with cloudless conditions. The report demonstrated that all the units within the proposal would enjoy at least 1.5 hours of direct sunlight on 21st March, this complies with standard. Overall, the level of daylight and sunlight provided to units within the proposed scheme would be very good. Therefore, it is considered that the proposal would provide a suitable standard of amenity for future occupiers.

#### + Noise and Disturbance

- 5.37 Local Plan (2018) Policies HO11 and CC11 are aimed at ensuring that residents of future housing are not unduly affected by noise and disturbance from adjoining sites or the wider setting. SPD Noise Key Principle NN3 concerning the sound insulation between dwellings states that "...careful consideration should be given to stacking and layout of rooms in relation to adjoining walls/floors/ceilings."
- 5.38 The proposal has been reviewed by the Council's specialist officers who raised no objections, subject to a condition to ensure the noise level between different rooms meet the noise standard specified in BS8233:2014,
- 5.39 On this basis, Officers are satisfied that the development would provide a suitable standard of accommodation in accordance with London Plan Policy D6, Local Plan Policies HO4 and HO11, the Mayor's Housing Design Standards LPG and the DCLG's Nationally Described Space Standards.

#### ACCESSIBILITY; SECURE BY DESIGN; AND FIRE SAEFTY

##### + Accessibility

- 5.40 London Plan (2021) Policy D7 and Local Plan (2018) Policy HO6 seek to ensure high quality accessible homes. Local Plan (2018) Policy HO6 states that 90% of new housing should meet Building Regulations Approved Document M (Access to and use of buildings), specifically the optional requirement M4(2) - 'Accessible and adaptable dwellings'. The remaining 10% must be built to the Approved Document M's optional requirement M4(3) - 'Wheelchair user dwellings'.
- 5.41 In this instance, all the flats are duplexes with facilities spread across two levels and therefore can not meet the optional requirement M4(2) standards. Unit 01 could be adapted for a stairlift if required and would therefore be wheelchair adaptable in accordance with optional requirement M4(3) standard.
- 5.42 However, officers are mindful that supporting paragraph 3.7.7 under Policy D7 of the London Plan (2021) states that on developments of four storeys or less, these accessibility requirements may need to be applied flexibly. The need for flexibility

also relates to specific small-scale infill developments (in line with Policy H2 of the London Plan (2021)), such as this one, where the site is approximately 0.08 hectares in size and the overall dimensions of the site inhibit the overall scale and massing of a building and as such the number of the units which can reasonably be accommodated. Other factors that would have bearing on the flexibility in achieving M4(3) standard is stacked maisonettes where the potential for decked access to lifts is restricted, which is the case in this instance.

- 5.43 Furthermore, the height and massing of the proposed building is significantly impacted by the need to protect the existing residential amenities of adjoining properties, and to avoid a harmful visual impact to the townscape and conservation area. This must also be balanced against the need to maximise the development potential and number of units that can be accommodated on the site. To fit 8 units on site without significant increases in the height of the proposed building, the proposed units have been arranged in duplexes, including a basement level. This allows the proposed building to provide a mix of smaller and larger family sized units to assist in meeting established housing needs in the borough whilst ensuring that all units benefit from satisfactory daylight/sunlight, outlook, and general levels of amenity.
- 5.44 Whilst the ground floor level of the proposed building provides level access from the pavement, only sleeping accommodation for the four lower duplexes are located at this level. This is due to the constraints of the depth and width of the site, which means that the proposal cannot physically accommodate kitchen and living space as well on this level.
- 5.45 Therefore, the lack of compliance with the optional requirement M4(2) standard is not considered to be sufficient justification on its own to warrant a refusal of planning permission in this instance. The minimum Building Regulations M4(1) standard would be required through the Building Regulations process.

#### + Secured by Design

- 5.46 London Plan (2021) Policy D11, Local Plan (2018) Policy DC1 and SPD "Sustainable Design and Construction" Key Principles requires new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. The details of how the proposal will incorporate measures for crime prevention will be secured by condition.

#### + Fire Safety

- 5.47 The London Plan Policy D12A (Fire Safety) requires that all development proposals must achieve the highest standards of fire safety including suitable access and equipment for firefighting which is appropriate for the size and use of the development.
- 5.48 The applicant has submitted a Fire Safety Strategy prepared by BB7. The document has been reviewed by the Council's Building Control team and they consider that the proposed fire strategy is suitable for the planning stage and no objection is raised in this case.

## DESIGN AND HERITAGE

- 5.49 The National Planning Policy Framework (NPPF 2023) recognises that creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.50 London Plan (2021) Policy D3 (Optimising site capacity through the design-led approach) states that, in terms of quality and character, development proposals should "respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character; and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well".
- 5.51 Local Plan (2018) Policy DC1 states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.
- 5.52 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. All proposals must be designed to respect:
- a. the historical context and townscape setting of the site, and its sense of place;
  - b. the scale, mass, form and grain of surrounding development and connections to it;
  - c. the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
  - d. the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
  - e. good neighbourliness and the principles of residential amenity;
  - f. the local landscape context and where appropriate should provide high quality landscaping and public realm with good permeability;
  - g. sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
  - h. the principles of accessible and inclusive design; and
  - i. principles of Secured by Design.
- 5.53 It is key to the assessment of this application that the decision-making process is based on the understanding of the specific duties in relation to listed buildings required by the relevant legislation, particularly the principal statutory duties stated within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act together with the requirements set out in the NPPF.
- 5.54 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] any of the provisions mentioned in subsection, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 5.55 Local planning authorities are required to assess the significance of any heritage asset affected by development proposals, including effects on their setting. This assessment shall be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (NPPF, para 195).
- 5.56 When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 199 of the NPPF states that "...great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be". Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting...any harm or loss should require clear and convincing justification.
- 5.57 Where a proposal would result in harm to the significance of a designated heritage asset it should be identified whether the harm is substantial or less than substantial. If the harm is substantial the proposed development should be considered in respect of paragraph 201 of the NPPF and if the harm is less than substantial the development should be considered in respect of paragraph 202 of the NPPF.
- 5.58 Policy DC8 of the Local Plan (2018) states that the council will conserve the significance of the borough's historic by protecting, restoring, and enhancing its heritage assets, including conservation areas. Furthermore, proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

+ Demolition of the existing building

- 5.59 The current application proposes the complete demolition of the existing Class E office building, and to replace this with a new three storey plus lower-ground level residential use building. The existing building is a more recent development within the conservation area, designed in a post-modern architectural style. As such, the development makes little no contribution to the character, appearance, and significance of the Lakeside/Sinclair/ Blythe Road Conservation Area. The proposed demolition of the existing building is therefore considered acceptable in this instance.
- 5.60 This is subject to there being a building contract condition attached to any planning permission for redevelopment of the site to ensure that demolition does not occur prematurely and is linked to delivery of a new development. This condition would hopefully reduce the likelihood of the application site being vacant for an extended period, which could cause harm to the character and appearance of the streetscape and conservation area.

+ Scale, massing and appearance of the proposed building

- 5.61 The proposed new building would be a flat roofed, three-storey building plus a basement level. There would be four projecting offshoots to the rear of the building which terminate a full storey below the main building, these elements would feature a pitched roof to minimise their visual appearance. The design of the rear

offshoots reflects the character of the Victorian terraced houses to the rear on Sterndale Road and ensure a subservient relationship with the surrounding properties. To the front elevation, the three-storey appearance on the Blythe Road frontage is compatible with the predominant scale of other existing buildings within the immediate surroundings.

- 5.62 The building would have a contemporary appearance and would be constructed of light buff brickwork with exception of the ground floor on the Blythe Road elevation. The ground floor street elevation would be finished in light white/grey colour to provide a contrast with the upper-floors brickwork; this approach would assist in visually breaking-up the massing of the building. There would be a precast lintel detail extend across the full length of the property at the ground level frontage, with precast concrete piers framing the entrances for each flat and the bicycle/bin stores. This provides a strong base to the building and introduce a clear hierarchy to the elevation. The precast lintel detail is also featured above each window both to the front and rear elevations. The windows at the upper floors would be finished in similar themed colour to match the brick works, the windows and doors at the ground floor would finish in a green colour to provide visual interest at the street level.
- 5.63 The proposed roof terraces would set back from the front elevation of the building, they would have a 1.1m high obscure glazed screens to front elevation and 1.7m high obscure glazed screens to the rear elevation. The lightweight appearance of the glazing screens together with their high-level position and setback from the front elevation would limit the visual appearance of this element of the proposal.
- 5.64 Again at roof level, the proposed solar panels would sit on top of the main part of the building, behind the parapet in four rows adjacent to each of the roof terrace (15 in total). The submitted drawings demonstrate that these would not protrude above the roofline. Overall, the panels would be installed within the envelope of the building in an unobtrusive manner which would minimise their visual impact. Details of the solar panels would be secured by condition.
- 5.65 The proposal scheme is considered to represent a good quality of design, in keeping with the visual appearance of the locality, notably, the use of the different material and colour pallet add visual and architectural interest to the area. The proposal is also considered to optimise the development potential of the site, providing a high-density housing scheme.

#### +Heritage Impacts

- 5.66 The proposal site is situated in the Lakeside/Sinclair/Blythe Road Conservation Area. The buildings currently occupying the site have no designations as heritage assets, and given the scale of the proposed development, it is not considered that the proposals would result in impacts to the setting of any other heritage assets.
- 5.67 The historic significance of the Lakeside/Sinclair/Blythe Road Conservation Area mainly relates to the Victorian evolution and development of the local area. The western section of Blythe Road includes a series of modern developments which make a limited/neutral contribution to the significance of the conservation area overall. As such, it is considered that the proposal would replace a contemporary building of limited/neutral contribution to the significance of the conservation area,

with a replacement building of a higher quality of design and detailing. As such, it is not considered that the proposal scheme would result in any harm to the character or significance of the Lakeside/Sinclair/ Blythe Road Conservation Area.

5.68 Officers consider that the proposal scheme represents a good quality of design, which optimises the use of this site. The proposals are not considered to result in any harm to the character, significance or setting of any heritage assets, namely the Lakeside/Sinclair/Blythe Road Conservation Area. As such, the development would therefore be acceptable with due regard for section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is considered to be in accordance with the NPPF (2021), London Plan (2021) Policies HC1 and D3, Policies DC1, DC4, and DC8 of the Local Plan (2018) and Key Principle CAG3 of the Planning Guidance SPD (2018).

## ARBORICULTURE AND ECOLOGY

### + Trees

5.69 Local Plan (2018) Policy OS5 seeks to enhance biodiversity and green infrastructure. Planning Guidance SPD (2018) Key principle CAG6 reinstates the importance of trees within the conservation areas and their contribution to the character, appearance, and the local distinctiveness of the area.

5.70 There are a group of approx. 6 no. trees to the rear of the site within the private gardens of the adjoining properties on Sterndale Road and a row of street trees to the front of the site on Blythe Road. It is proposed to retain all the trees. An Arboricultural Implications Report has been submitted, including an outlined Arboricultural Method Statement. The report concluded that the impact of the proposed development on these trees will be negligible. The submitted information has been reviewed by the Council's Arboricultural Officer and considered to be acceptable, subject to the works are carried out in accordance with the submitted report.

### + Ecology

5.71 The application site currently comprises mostly hard surfacing with limited ecological value. The proposal would demolish the existing office building. The Council's Ecology team has raised no objection to the proposal.

5.72 The proposed development will deliver an improvement in the overall greening of the site through the introduction of the amenity courtyards and the green roofs.

## RESIDENTIAL AMENITY

5.73 Local Plan (2018) Policy HO11 states that proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on:

- Privacy enjoyed by neighbours;
- Daylight and sunlight to rooms in adjoining properties;
- Outlook from windows in adjoining properties.



5.74 Local Plan (2018) Policies DC1 and DC4 require all proposals for new builds and extensions to be formulated to respect the principles of good neighbourliness. Planning Guidance SPD (2018) Key Principles HS6, HS7 and HS8 support Local Plan Policy HO11 and set out a more detailed means of assessment.

5.75 The nearest adjacent properties are Nos.6-16 Sterndale Road to the rear (adjoining the application site to the south) and Nos.138-150 Blythe Road (opposite the application site to the north).

#### + Outlook

5.76 Nos.8-18 Sterndale Road adjoin the application site to the rear at a distance of between 7m to 10m approx and are subject to a close back-to-back relationship. Currently the rear wall of the office building forms the party wall with the neighbours gardens (4.75m high approx.). The proposal would demolish the existing office building and in turn the boundary wall. In its place, the new boundary wall would be formed by the rear elevations of the closet wings to the new building, approx.4.75m (similar height as the existing rear elevation of the office building) in height, and in between the voids of each closet wings, the boundary wall would be rebuilt at a height of 2m.

5.77 Key principle HS6 notes that the proximity of a development can have an overbearing and dominating effect detrimental to the amenities of adjoining residential occupiers. Depending on the depth of the rear gardens of the properties adjoin the rear of the application site and the 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 at ground level or at 2m on the rear curtilage. On-site judgement will be a determining factor if any part of the proposed building extends beyond these lines.

5.78 In this instance, Nos.8-18 Sterndale Road that adjoin the rear of the application site have rear gardens of various depths. Some properties such as Nos.8 and 18 that have larger existing single storey rear extensions, and as such their gardens have a shorter depth of circa 7m, other properties in general have a depth of around 10m. Nevertheless, regardless of the depth of the rear gardens of Nos.8-18, given the new building would adjoin the rear curtilage of Nos.8-18, it would infringe an angle of 45-degrees from a point at ground level or at 2m from the rear curtilage. However, this needs to be viewed in the context of the siting and scale of the existing building which, due to its proximity to the rear boundary, already infringes this guidance. The proposed rear closet wings of the new building would follow the height and roof profile of the existing office building, and together with the inclusion of voids in between where the party boundary would be reduced to 2m, the proposal would not harm the sense of openness to the adjoining rear gardens. Whilst the third floor of the new building would be higher than the existing office building, it would be raked away from the Sterndale Road properties, and incorporates a sloped roof (of some 35 degrees) to match the roof of the closet wings. The increase in height would be relatively modest at 0.9m at the eaves rising to 2.8m at the roof level. Furthermore, the building at this level would set back from the rear boundary by a further 2.9m, with an overall separation distance of 9.9m to 12.9m from the rear elevations of Nos.8-18 Sterndale Road. On this basis, it is considered that the proposal would not result in a significant adverse impact upon the outlook or the sense of enclosure

experienced by the neighbouring properties.

5.79 In terms of Nos. 136-150 Blythe Road opposite, whilst Blythe Road is relatively narrow, the relationship between the new building and the opposing properties would not be an unusual one in this street. There are other examples of similar relationships further along this road with three-storey buildings to both the northern and southern side of the road. It is not considered that the proposal would result in an unneighbourly form of development such to significantly increase the sense of enclosure to these occupants.

5.80 Overall, the development would not result in an unacceptable loss of outlook or increased sense of enclosure to adjacent properties and it is considered that the development complies with Policies DC1, DC4 and HO11 of the Local Plan (2018).

#### + Daylight and Sunlight

5.81 The Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2022 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as an aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design.

5.82 The BRE's guidance outlines detailed methods for calculating daylight to neighbours, this including, the Vertical Sky Component (VSC), the No-Sky Line (NSL) and Annual Probable Sunlight Hours (APSH).

5.83 The applicants have submitted a Daylight and Sunlight Report (by eb7) and this document is based on the latest changes to the BRE assessment methodologies made in June 2022. The Daylight and Sunlight Report considered the following properties:

- 138 - 150 Blythe Road (Odd)
- 2 -18 Sterndale Road (Even)

5.84 Vertical Sky Component (VSC) - VSC is a measure of the direct skylight reaching a point from an overcast sky. It is the ratio of the illuminance at a point on a given vertical plane to the illuminance at a point on a horizontal plane due to an unobstructed sky. For existing buildings, the BRE guidelines state that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.

5.85 No-Sky Line (NSL) - NSL is a measure of the distribution of daylight within a room. It maps out the region within a room where light can penetrate directly from the sky, and therefore accounts for the size of and number of windows by simple geometry. The BRE guidelines suggest that the area of the working plane within a room that can receive direct skylight should not be reduced to less than 0.8 times its former value.

5.86 Annual Probable Sunlight Hours (APSH) - In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.

## Daylight

5.87 In terms of daylight amenity, the majority of neighbours will not experience a noticeable change in the daylight amenity within their properties. The results of the VSC and NSL assessment for the Sterndale Road properties demonstrated full compliance with the BRE guidance, all the windows tested would meet or exceed the 80% recommendation for VSC and NSL, meaning all the windows would retain more than 0.8 times of the existing levels of daylight.

5.88 All the rooms within properties on Blythe Road would meet or exceed the 80% recommendation for VSC test, with exception of four basement level windows (all understood to be bedrooms) that would fall short of the 80% recommendation for NSL test. These four windows are:

- The basement window at No.142, it would retain 0.73% direct sky light of its area (marginal fail);
- The basement window at No.144 would experience 0.64% direct sky light of its area;
- The basement window at No.146 would experience 0.63% direct sky light of its area;
- The basement window at No.148 would experience 0.76% direct sky light of its area (a very marginal fail)

5.89 Overall, the reduction is considered to be relatively minor. The BRE guidelines suggest flexibility especially in an urban setting. All these rooms are located at basement level and beneath the pavement level which provides a further obstruction to daylight amenity in the existing conditions.

## Sunlight

5.90 For sunlight, in assessing sunlight effects to existing properties surrounding a new development, only those windows orientated within 90-degree due south require assessment. The only properties which are relevant for testing are these properties to the south of the application site on Blythe Road. The results of the analysis indicate all windows within Nos. 136-150 Blythe Road that face onto the application site will retain APSH levels well in excess of the annual target (25%), however there would be marginal reductions in retained winter sun by 1% below the recommended guidance target affecting the rooms at the basement level in Nos. 142, 146 and 148 Blythe Road. This reduction of 1% is considered to be minor and would not amount to a significant change in the levels of sunlight received.

5.91 Overall, it is considered that the development would not have an unacceptable impact on the daylight and sunlight to the neighbouring properties. Where minor reductions do occur, these are either marginal or the result of existing obstructions, and within the flexibility of the guidance. Officers consider that all of

the affected properties would retain sufficient access to daylight and sunlight complying with Policies DC1, DC4 and HO11 of the Local Plan (2018).

#### + Privacy

- 5.92 Key Principle HS7(iii) states that new windows should normally be positioned so that they are a minimum of 18m away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. In addition, a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.
- 5.93 As noted in the above sections, Nos.8-18 Sterndale Road adjoin the application site to the rear at a distance of between approx.7m to 10m. There are no windows proposed to the rear of the closet wings. The proposed windows located in the main rear elevation would be fitted with 1.7m high obscure glazing from the finished floor level to prevent overlooking which would be secured by condition. There would also be a ventilation panels to the side, this would be largely solid and to allow air circulation for the future occupants. There is no objection raised to this aspect of the design.
- 5.94 To the north of the site, with regards to Nos.138-150 Blythe Road. All new windows would be clear glazed. The new windows to the front elevation of the building would be no closer than the existing front elevation windows to the existing office building, as such it is not considered the proposal would introduce significantly greater overlooking than the current situation. Additionally, in the existing street context along Blythe Road, the relationship between the terraces on either side of the street is largely the same. As such this proposal would replicate the existing character of the street.
- 5.95 Four small roof terraces are proposed for the upper floor maisonettes on top of the roof of the main part of the building. These have been set back from the front elevation. Due to the shape of the plot, the separation distance between the roof terraces and the nearest windows to the rear of Sterndale Road properties ranges from 14m to 17m, and mindful of this relationship with the neighbours obscurely glazed screens (1.7m in height) are proposed which would protect the privacy of neighbours. To the front elevation, the roof terrace would also be enclosed with obscurely glazed screens, albeit at a lowered height on 1.1 metres. Given that the terraces are set back from the parapet of the front elevation it is considered that a screen of 1.7m is not required.
- 5.96 Overall, it is considered that the proposal would not result in a significant loss of privacy or overlooking. In this regard the proposed development complies with Policies DC1, DC4 and HO11 of the Local Plan (2018) and Key Principle HS8.

#### + Noise and Disturbance

- 5.97 Key Principle HS8 adds that where roof terraces or balconies are likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance they will not be supported. Policy CC11 and HO11 of the Local Plan (2018) relate to noise and neighbouring amenity and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties.

5.98 The roof terraces would have relatively footprints of 8.9sqm, 11.1sqm, 15.1sqm and 15.4sqm. It is not considered the size of the roof terraces would have the capacity to accommodate a significant number of people that would cause harmful levels of noise and disturbance. The proposal is therefore considered to be consistent with Policy HO11 and CC11 of the Local Plan and Key Principle HS8 of the Planning Guidance SPD.

5.99 On this basis, this element of the proposed development is therefore considered to comply with Policies DC4, HO11, and CC11 of the Local Plan (2018), and SPD Key Principle HS8.

#### + Solar Glare

5.100 The proposed solar PV panels proposed would be of a low profile set adjacent to the roof terraces, behind the parapets. They would have a subtle and unimposing appearance. The solar panels would absorb sunlight rather than reflect sunlight and they would not cause any undue impact in terms of solar glare. Further details of the panels would be secured by condition.

#### + Demolition and construction phases

5.101 In accordance with SPD Key Principle NN7 a Demolition Management Plan (DMP) and Construction Management Plan (CMP) will be secured by a condition to ensure the amenity of neighbouring properties would not be adversely affected during the demolition and building works.

### TRANSPORT AND HIGHWAY

5.102 Paragraph 110 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved. Paragraph 111 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 113 states all developments that will generate significant amounts of movement should be required to provide a travel plan, and should also be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. Policies 1-T7 of the London Plan (2021) set out that all development should make the most effective use of land, reflecting connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. These policies also provide cycle and parking standards.

5.103 Local Plan (2018) Policy T1 sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'.

5.104 Local Plan Policy T2 relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to

traffic generation and their impact on congestion, particularly on bus routes and on the primary route network". Local Plan Policies T3, T4, T5 and T7 relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction logistics.

5.105 The above policies are supported by Key Principles TR1 -TR4, TR7, TR21 and TR27 of the Planning Guidance SPD (2018).

5.106 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste.

#### + Transport Assessment

5.107 The Transport Statement submitted with the application includes a Healthy Streets style review / assessment of the pedestrian and cycle environment between the application site and nearby amenities/facilities, including public transport facilities, and an Active Travel Zone (ATZ) assessment of the three routes, including destinations such as Hammersmith Road (A315), Kensington Olympia Station and Shepherd's Bush underground station. The findings of the assessment concluded the routes are in general of good quality, but also highlighted a number of issues along the routes which could be improved.

5.108 In response, the applicant has agreed to several S278 Highways Works obligations to address some of the issues identified in the ATZ route assessment. The Council's Highways Officers have also requested for the removal all redundant crossovers with Blythe Road, which will also be secured under the S278 works.

#### + Trip generation

5.109 The applicant has submitted trip generation information for both the existing office building on site and the proposed development. The assessment was derived from the TRICS database and calculated by applying adjusted 2011 census to calculate the modal split. The trip generation information indicates that the existing office use would generate a total of 70 total trips across the course of a typical day. These trips are comprised of 5 cycling trips, 8 pedestrian trips, 14 vehicle trips, 9 bus trips and 34 rail/underground trips. The proposed residential use would generate up to 41 total trips over the course of a typical day (07:00-19:00). The 41 total trips are comprised of 4 cycling trips, 6 pedestrian trips, 6 vehicle trips, 5 bus trips and 20 rail/underground trips.

5.110 It is estimated that the proposed development would result in a net reduction of 29 trips across the course of a typical day. The reduction of 29 trips across the course of the day comprise of a reduction of 1 cycling trip, a reduction of 2 pedestrian trips, reduction of 8 vehicle trips, a reduction of 4 bus trips and a reduction of 14 rail/underground trips.

5.111 The submitted trip generation information is considered to be acceptable. The Council's specialist Highway Officers raised no specific objection to the proposal.

#### + Deliveries and Servicing

- 5.112 The Transport Statement states that delivery and servicing activities are proposed to take place from the public highway. There would be a dedicated bin store on the ground floor. It is expected that the Refuse Collection Vehicle (RCV) will park adjacent to the bin collection store which will allow the bins to be collected and returned to the bin store once unloading is complete. Bins will not be left on street. A final DSP is to be secured by a condition.

#### + Car Parking

- 5.113 Local Plan Policy T4 and Key Principle TR3 of the Planning Guidance SPD sets out vehicle parking standards and states that the council will require car parking permit free measures on all new developments, particularly those in Public Transport Accessibility Level (PTAL) areas of 3 and above, unless evidence is provided to show that there is a significant lack of public transport available. London Plan Policy T6 specifies that car-free development should be the starting point for all development proposals in places that are well connected by public transport.
- 5.114 The site has a PTAL of 3 score of using Transport for London's methodology, and adjacent to areas with PTAL of 5 indicating that it has a good public transport accessibility. The proposed development would be car permit free. Future residents will be prevented from obtaining parking permits via a legal agreement under section 16 of the Greater London (General Powers) Act 1974.

#### + Cycle Parking

- 5.115 London Plan Policies T2 Healthy Streets and T5 Cycling (Table 10.2 and Figure 10.3) set out the need to provide suitable on-site cycle storage for a development. Local Plan Policy T3 seeks to increase and promote opportunities for cycling and walking and states that new development to include provision of accessible and safe secure parking within the boundary of the site.
- 5.116 A total of 16 cycle parking spaces are proposed at the at ground floor level in a dedicated cycle parking space. Full details of the proposed cycle parking will be secured by a condition.
- 5.117 The main impact of the development in highway terms would be during the construction stage. In accordance with Local Plan Policy T7 and Planning Guidance SPD Key Principle detailed Demolition and Construction Logistics Plans will be secured by a condition.

### ENVIRONMENTAL CONSIDERATIONS

#### + Flood Risk

- 5.118 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.

- 5.119 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 5.120 Local Plan Policy CC3 requires that new development reduce the use of water and be designed to take account of increasing risks of flooding. Policy CC4 states that new development would be expected to manage surface water run off by implementing a range of measures, such as sustainable drainage systems (SuDs) where feasible and the use of water efficient fittings and appliances.
- 5.121 The site is within the Environment Agency's Flood Zone 1 indicating a low risk of flooding from the Thames. However, a basement/lower ground level is proposed, and surface water and sewer flood risk are known issues in the borough which could be at risk of sewer/groundwater flood risk. The area could also be at risk of surface water flooding in a major storm. The site will be changing use to a more sensitive residential use, which increases its vulnerability to flood risk. The Planning Guidance SPD (2018) Key Principle FR6 states developments that include a subterranean element must provide details of the structural waterproofing measures to be integrated to prevent any increase in on or off-site groundwater flood risk.
- 5.122 The application is supported by a FRA which includes information on structural waterproofing measures, to help manage groundwater. Additional flood resilience measures are also detailed, including sewer surcharge protection.
- 5.123 The FRA also includes proposals in relation to Sustainable Drainage Systems (SuDS). This includes green roofs, attenuation tanks and permeable paving. Where stormwater needs to be discharged to the sewer, this will be at a peak rate of 2 l/s. Whilst this is above the greenfield rate for this site, it is considered to be acceptable and achieves a reduction in run-off rate of 85% for the 1 in 100 year storm.
- 5.124 The Council's specialist officers (Environmental Policy) considered sufficient information have been provided at this stage. In principle the approach is acceptable. It is noted that the full details of the proposed strategy in relation to the SuDS element are still subject to further detailed design work. Therefore, a condition will secure the submission of a finalised FRA with full details of the proposed SuDS measures. Subject to this condition the proposal is considered to be acceptable on flood risk grounds.

#### + Sustainability and Energy

- 5.125 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, and biodiversity.



- 5.126 Policy CC1 of the Local Plan (2018) requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.
- 5.127 Whilst this application not a major scheme, an Energy Statement has been provided which includes details of other sustainability measures. The statement shows that the development will incorporate energy efficiency and renewable energy generation on-site in forms solar PV panels. These measures will provide a significant improvement in the CO2 emissions for the scheme, reducing CO2 by 54% compared to a Building Regulation compliant building. It is also proposed to install water efficient fixtures/fittings, utilise materials with low environmental impacts where possible, landscaping will be included to help improve biodiversity and measures will be implemented to minimise pollution impacts during construction. The measures covered in the report are welcomed in terms of the carbon reductions they provide and the improved sustainability performance of the new building. The implementation of the energy efficiency and low/zero emission measures outlined in the Energy Statement will be secured by a condition.

#### + Air Quality

- 5.128 London Plan Policy SI 1 states that development proposals should not lead to deterioration of existing poor air quality, create any new areas that exceed air quality limits or create unacceptable risk of high levels of exposure to poor air quality.
- 5.129 Local Plan Policies CC1 and CC10 seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.
- 5.130 The development site is within the borough wide Air Quality Management Area (AQMA). The site is in an area of existing poor air quality due to the road traffic emissions from Blythe Road. Blythe Road is an alternative vehicle route between Hammersmith Road (A315) and Shepherds Bush Road (A219), it is also one of the vehicle routes for serving and deliveries to Kensington Olympia Exhibition Centre. As a result, Blythe Road has a high levels of vehicle traffic flows and high concentrations of nitrogen Dioxide (NO2).
- 5.131 The development proposal will introduce new residential receptors into an area of very poor air quality. The construction and operation of the development also has the potential to contribute to a worsening of local air quality, unless appropriate steps are taken to prevent it.
- 5.132 An Air Quality Assessment has been submitted with the application to assesses the development's potential impacts on local air quality taking into account of the potential temporary impacts during the demolition and construction

phase and the operational impacts caused by increase in traffic flows and emissions from the plant on the site. The assessment has been reviewed by the Council's Air Quality Officer. Further details are required by conditions, including the submission of Air Quality Dust Management Plans (Demolition and Construction phases); a Ventilation Strategy and post installation compliance report; and details of the installation of Zero Emission MCS Certified Air/Water Source Heat Pumps and Electric Boilers. A payment of £5,000 per year of the demolition and construction phases of the development for the council's compliance monitoring of the AQDMP and to maintain the councils Construction Site Monitoring Register Website will be secured. Subject to the conditions and obligations recommended above, no objection would be raised under London Plan Policy SI 1 and Local Plan Policies CC1 and CC10 on air quality grounds.

#### + Land Contamination

5.133 Local Plan Policy CC9 states 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. The Policy requires applicants to carry out site assessment and submit a report of findings on sites where contamination is known to be present, to establish the nature and extent of contamination.

5.134 Records indicate that this site was a former Swan Laundry. Accordingly, the Council's Land Contamination team recommended that standard conditions be attached requiring appropriate contamination studies and any subsequent remediation works to be carried out in order to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works.

#### PLANNING OBLIGATIONS / COMMUNITY INFRASTRUCTURE LEVY (CIL)

##### + Mayoral and Local CIL

5.135 The Mayor's CIL (Community Infrastructure Levy) came into effect in April 2012 and new fee rates came into effect in April 2019. 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 DF1. This development would be subject to a London wide community infrastructure levy. This development is liable for an estimated Mayoral CIL of approximately £72,430 (plus indexation).

5.136 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 CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. The applicants have agreed to a contribution of some £320,000 (including estimated Borough CIL of £190,000), which includes a contribution towards off site affordable housing provision.

+ S106 Heads of Terms

- 5.137 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.
- 5.138 London Plan Policy DF1 (Delivery of the Plan and Planning Obligations) states that: "Development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan."
- 5.139 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 5.140 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the Proposed Development.
- 5.141 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include the variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Director of Planning and Property, after consultation with the Assistant Director Legal Services and the Chair of the Planning and Development Control Committee , to authorise the changes they consider necessary and appropriate, within the scope of such delegated authority.
- 5.142 The Applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items (i.e. items which are not on the CIL r123 list):
- 1) Affordable Housing - to provide a contribution towards provision of off-site affordable housing.
  - 2) Air Quality - £5,000 per annum for the demolition and construction phases of the development will be required for the Council's compliance monitoring of the AQDMP and to maintain the councils Construction Site Monitoring Register Website.
  - 3) Demolition and Construction Logistics Plans - submission; and a contribution of £3,000 per year until completion of construction towards monitoring.

- 4) Car Permit Free - To prohibit any occupiers of the 8 residential units, other than Blue Badge Holders, from obtaining a parking permit, under Section 16 of the Greater London Council (General Powers) Act 1974.
- 5) Prior to the commencement of development, enter into a S278 Agreement to fund the following works:
- Removal of redundant dropped kerb and footway reinstatement works and associated amendments to parking on Blythe Road;
  - Reinstatement of site frontage footway and removal of redundant crossovers with Blythe Road;
  - Provision of tactile paving at the junction of Blythe Road/Augustine Road to provide assistance for people from all walks of life;
  - Provision of tactile paving at the junction of Blythe Road/Dewhurst Road to provide assistance for people from all walks of life;
  - Provision of tactile paving at between Olympia Way/Maclise Road to provide assistance for people from all walks of life;
  - Contribution towards trees/low level planting provided along three ATZ routes to help reduce the overall air pollution emitted by local traffic.

## 6.0 CONCLUSION

- 6.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.2 In the assessment of the application regard has been given to the NPPF, London Plan, Publication London Plan, and Local Plan policies as well as guidance.
- 6.3 In summary, the redevelopment of this land in this location is acceptable in land use terms. The proposed development would contribute towards the quantity of the borough's housing stock, and the proposal is acceptable in visual terms and is considered to be of a good quality of design which would not adversely impact upon the setting of the Conservation Area. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. The new residential units comply the relevant standards and provide a good quality of accommodation for the new occupants. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality, land contamination, and ecology have also been satisfactorily addressed and will be subject to conditions and a legal agreement. In these respects, the proposals comply with the relevant policies of the NPPF (2021), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the Planning Guidance Supplementary Planning Document (2018).
- 6.4 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report it is considered, having regard to the development plan as a whole and all other material considerations, that planning permission should be granted subject to the conditions listed, and the completion of a s106 agreement.

6.5 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.

## 7.0 RECOMMENDATION

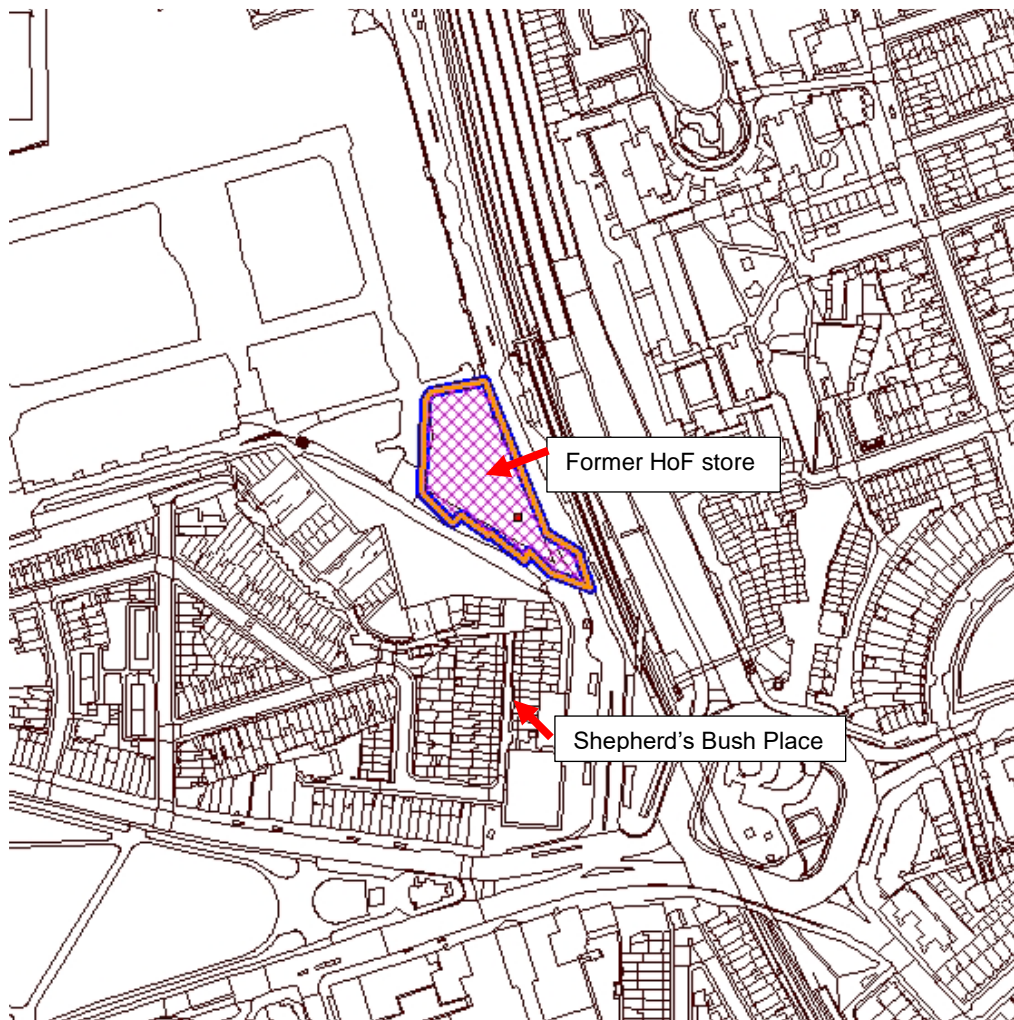
7.1 The application is therefore recommended for approval, subject to the two recommendations above.

# Agenda Item 5

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**Ward:** Shepherd's Bush Green

**Site Address:** Store C - Westfield London Shopping Centre Ariel Way London W12 7GA



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

**Reg. No:**  
2022/03538/FUL

**Case Officer:**  
Jesenska Oezdalga

**Date Valid:**  
06.12.2022

**Conservation Area:**  
N/A

**Committee Date:**  
07.11.2023

**Applicant:**  
Westfield Europe Ltd.  
C/o Agent

**Description:**

Erection of a single storey extension on the upper level (L55), and a roof terrace, enclosed by a perimeter screen of 3m in height; to provide additional food and beverage floorspace (Class E(b)); erection of a ground floor infill extension (L30) to incorporate two reception areas, serving the office space on the upper levels (L40, L50 and L55) and the food and beverage use at (L55); alterations to the south-east and Eat Street facades, replacing the stone and metal composite cladding panels and glazing units with double height glazed windows; and the installation of new plant equipment at roof level (L65) in association with the food and beverage use.

Drg Nos: See Condition No.2

**Application Type:**

Full Detailed Planning Application

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**Officer Recommendation:**

1) That the Committee resolve that the Director of Planning and Property be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.

2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director, Legal Services and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or proposed conditions, which may include the variation, addition, or deletion of conditions, any such changes shall be within their discretion.

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**CONDITIONS****1. Time Limit**

The development hereby permitted shall not commence later than 3 years from the date of this decision.

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. Drawings**

The development hereby permitted shall be carried out and completed in accordance with the following and documents submitted:

MOS-LAH-M9-LL-DR- A- 00000 Rev P01  
MOS-LAH-M9-30-DR-A-6000 Rev P00  
MOS-LAH-M9-30-DR-A-6001 rev P01  
MOS-LAH-M9-55-DR-A-6002 rev P00  
MOS-LAH-M9-55-DR-A-6003 Rev P01  
MOS-LAH-M9-67-DR-A-6004 Rev P01  
MOS-LAH-M9-67-DR-A-6005 Rev P00  
MOS-LAH-M9-40-DR-A-6007  
MOS-LAH-M9-50-DR-A-6008  
MOS-LAH-M9-40-DR-A-20061  
MOS-LAH-M9-50-DR-A-20062  
MOS- LAH-M9-SW-DR-A-21001 Rev P00  
MOS- LAH-M9-EZ-DR-A-22000 Rev P01  
MOS- LAH-M9-EZ-DR-A-22001  
MOS- LAH-M9-SZ-DR-A-21000  
MOS-LAH-M9-55-DR-A-20034 Rev P02  
Design and Access Statement Rev P03 dated November 2022  
Planning Noise Assessment prepared by Suono Consultancy Ltd; and  
Cover letter dated 24 November 2022 prepared by Montague Evans LLP.

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies WCRA, TLC1, TLC2, DC1, DC2, DC4, E1, E4, CC10, CC11, CC13, T1 and T2 of the Local Plan (2018).

### **3. Noise from Use and Activities**

Noise from uses and activities within the building/development site, including the use of the outdoor terrace 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 the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

### **4. External noise from machinery, extract/ ventilation ducting, mechanical gates, etc.**

Prior to commencement of the development, final details shall be submitted to and approved in writing by the Local Planning Authority, of the external sound levels emitted from plant/machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from cumulative plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA 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. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Any necessary mitigation measures shall be implemented prior to occupation of the development and thereafter be permanently retained. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

## **5. Anti- vibration mounts and silencing of machinery etc.**

Prior to use, machinery, plant or equipment, extract/ ventilation system and ducting at the development 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/ surrounding premises is not adversely affected by vibration, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

## **6. Hours of use (food and beverage use at L55)**

The food and beverage use (Class E(b)) at level L55 shall not be used other than between the hours of:

- Monday to Friday: Start Time: 07:00 & End Time: 01:00 (next day)
- Saturday: Start Time: 07:00 & End Time: 03:00 (next day)
- Sunday / Bank Holiday: Start Time: 07:00 & End Time: 01:00 (next day)

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

## **7. Hours of use (roof terrace)**

The external roof terrace at level L55 shall not be used other than between the hours of 09:00 to 23:00 Monday to Sunday including Public/Bank Holidays.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

## **8. Maximum Capacity (terrace use)**

The maximum capacity of the terrace hereby permitted shall not exceed 50 guests / visitors in total at any one time.

To ensure that the use would not lead to potential noise and disturbance which could be harmful to the amenities adjoining residents, in accordance with Policies CC11, CC13 and T2 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

## **9. Details of materials**

Prior to commencement of the development, details (and samples where appropriate) of the materials used in the construction of L30 and L55 extensions and the roof terrace perimeter acoustic walls/screens hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no further alterations or additions shall be made to the appearance or materials of the same without planning permission first being obtained.

To ensure a satisfactory external appearance and to ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and light pollution, in accordance with Policies DC1, DC4, DC8, CC11, CC12 and CC13 of the Local Plan 2018 of the Local Plan (2018).

### **10.1:20 Detailed drawings**

Prior to the commencement of the development, detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of window detailing, typical bays, junctions, and facades shall be submitted to and approved in writing by the Local Planning Authority. This shall include detailed drawings of facades that are altered, including the ground floor level. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1, DC4, and DC5 of the Local Plan (2018).

### **11.1:20 Roof Top Plant and Terrace Enclosures**

Prior to commencement of the works to L55 extensions and roof terrace screens, detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of the roof top plant terrace enclosures for the development shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied until the enclosures have been constructed in accordance with the approved details, and the enclosures shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan, Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018).

## **12. Roller Shutters**

No roller shutters shall be installed on any external entrance or display façades hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1, DC2, DC4 and DC5 of the Local Plan (2018).

## **13. Level Threshold**

The ground floor entrance doors to the development hereby permitted shall not be less than 1-metre-wide and the threshold shall be at the same level as the adjoining ground level fronting the entrances to ensure level access.

To ensure the development provides ease of access for all users, in accordance with Policy DC1 of the Local Plan (2018).

## **14. Window Glass**

The window glass of the development hereby approved shall be clear and shall not be mirrored, or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policies DC1 and DC2 of the Local Plan (2018).

## **15. Self-Closing Doors**

Prior to first occupation of development hereby permitted, all external doors including access to the roof terrace shall be fitted with self-closing devices, which shall be maintained in an operational condition; and at no time shall any external door be fixed in an open position.

To ensure that the amenity of occupiers of the development site and surrounding properties are not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

## **16. External Appearance**

No alternations shall be carried out to the external appearance of the building, including the installation of air-conditioning units, ventilation fans, or extraction equipment not shown on the approved drawings.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with DC1, DC2, DC4 and CC11 and CC13 of the Local Plan (2018).

## **17.No advertisements**

No advertisements shall be displayed on any elevation of the development (including inside windows) without details of the advertisements having first been submitted to and agreed in writing by the Local Planning Authority.

In order that any advertisements displayed on the building are assessed in the context of an overall strategy, to ensure a satisfactory external appearance and to preserve the integrity of the design of the building, in accordance with Policies DC1, DC4, DC5 and DC9 of the Local Plan (2018).

## **18.External Lighting**

Prior to their installation, details of external artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/21: Guidance Notes for the Reduction of Obtrusive Light'. Such details shall include the number, exact location, height, design, and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures. Details shall also be submitted for approval of measures to minimise use of internal lighting and prevent glare and sky glow by correctly using, locating, aiming, and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the surrounding is not adversely affected by lighting, and to ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D9 of the London Plan (2021) and Policies DC1, DC8, and CC12 of the Local Plan (2018).

## **19.Lights off**

Prior to first occupation of the development hereby permitted, a scheme for the control and operation of the proposed lighting within the building, during periods of limited or non-occupation, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented prior to the occupation and be operated only in accordance with the approved details.

To ensure that the building does not cause excessive light pollution and to conserve energy when they are not occupied, in accordance with Policies D9 of the London Plan (2021) and Policy CC12 of the Local Plan (2018).

## **20.Green Roof**

Prior to commencement of the development hereby permitted, details of a green roof to be re-provided within the development; including the identification of further

opportunities for green roofs, and a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure the provision of green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with Policies SI 12, S1 13, G1 and G6 of the London Plan (2021) and Policy OS5 and CC4 of the Local Plan (2018).

## **21. Cycle Parking**

Prior to the first occupation, details of external lockable cycle storage areas at the ground floor level shall be submitted to and approved in writing by the Local Planning Authority. Cycle storage shall be designed in accordance with The London Cycling Design Standards (LCDS).

To ensure cycling is promoted and to comply with Policy T5 Cycling of the London Plan 2021 and Policy T3 of the Local Plan (2018).

## **22. Construction Method Statement**

Prior to commencement of the development hereby permitted, a method statement for the construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. Details shall include control measures for dust, noise, vibration, lighting, delivery times/location, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 - 1300 hrs 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. 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 site, in accordance with Policies T1, T6, CC11, CC12 and CC13 of the Local Plan (2018)

## **23. Operational Management Plan**

Prior to first occupation of the development hereby approved, an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Operational Management Plan shall include details of hours of operation for the different permitted uses, including details relating to the operational hours and management of the food and beverage use, the terrace space including restriction on the number of smokers permitted outside on the terrace at any one time and new plant (individually and cumulatively) in terms of operational hours and appropriate mitigation measures. The Operational Management Plan shall also include a commitment to conduct regular Community Liaison meetings and provide on-site numbers/contact

details in the event of any noise/disturbance issues that may arise from the premises. The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbances, in accordance with Policies T1, CC11, CC12, and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

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**Justification for Approving the Application:**

- 1) The proposed development is acceptable in land use terms. The proposal is compatible with the objectives of the White City Regeneration Area which is well served and accessible by public transport. The development is considered acceptable with no significant adverse impact in terms of additional noise and disturbance to surrounding residential amenity, nor does it impact negatively on transport. The use is compatible with the surrounding uses within Westfield Shopping centre and ensures the vitality and viability of the centre, as well as enhancing the diversity on offer. In this respect the proposal complies with Policies WCRA, TLC1, TLC2, T1, CC10, CC11, CC12 and CC13 of the Local Plan (2018) and relevant Key Principles of the Planning Guidance Supplementary Planning Document (2018).
- 2) The proposed alterations to the existing anchor unit are considered of an acceptable in visual amenity terms and do not cause significant harm to the amenities of neighbouring properties. Further, the development is considered not to adversely impact on the character and appearance of the nearby Conservation Areas. In these respects, the development accords with Policies DC1, DC4, DC8 and HO11 of the Local Plan (2018).
- 3) Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. Subject to conditions and obligation, the proposal would not have an adverse impact on neighbouring residential amenity in terms of noise and disturbance, loss of sunlight, daylight, overshadowing or outlook and loss of privacy to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with Policies CC11, CC12, CC13, and DC2 of the Local Plan (2018) and Key Principle HS6 and HS7 of the Planning Guidance SPD.

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

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

Application form received: 5 December 2022

Drawing Nos: see above.

**Policy documents:**

National Planning Policy Framework (NPPF) 2021

The London Plan 2021 and

LBHF - Local Plan and Supplementary Planning Guidance Document 2018

**Consultation Comments:**

**Dated:**

**Comments from:**

Royal Borough of Kensington and Chelsea

03.03.23

**Neighbour Comments:**

**Dated:**

**Objection Letters from:**

1 Shepherd's Bush Place London W12 8LX	12.02.23
12 Shepherd's Bush Place London W12 8LX	10.02.23
19 Shepherd's Bush Place London W12 8LX	12.02.23
20 Shepherd's Bush Place London W12 8LX	10.02.23
21 Shepherd's Bush Place London W12 8LX	10.02.23
22 Shepherd's Bush Place London W12 8LX	10.02.23
23 Shepherd's Bush Place London W12 8LX	10.02.23
24 Shepherd's Bush Place London W12 8LX	10.02.23
24A Shepherd's Bush Place London W12 8LX	10.02.23

## 1.0 SITE DESCRIPTION AND SURROUNDINGS

- 1.1 The application site ('the site') forms part of the Westfield London Shopping Centre in White City, which opened in 2008 and specifically relates to one of the original main anchor department stores: Also known as 'the South-East Anchor Store' or 'Store C'.
- 1.2 Store C was most recently occupied by the House of Fraser (HoF) retail department store. The unit is located in the southeast corner of Westfield Shopping Centre and comprises approximately 9,900 sqm (GIA) floorspace, and span across four levels. The lowest level (L30) comprises the main entrance level from Eat Street with escalators leading up to three upper floors (L40, L50 and L55). The three floors comprise broadly similar sized levels of retail accommodation. The existing unit also benefits from internal access via The Village Mall, within the Westfield London Shopping Centre.
- 1.3 The site is bounded to the north and east by existing retail units and public malls forming part of the Westfield Shopping Centre. To the west and south is the existing Southern Terrace and Eat Street, with numerous restaurants and links to adjacent amenities. Residential streets are located to the east and south of the Westfield Shopping Centre and include properties in Shepherd's Bush Place south of Eat Street.
- 1.4 The wider Westfield London site covers approximately 16.6 hectares (40 acres) of land situated west of the A3220 and the West London Railway Line, south of Ariel Way, east of Wood Lane and north of the residential streets comprising Bulwer Street, Caxton Road, and Shepherd's Bush Place.



c/o Google Earth

- 1.5 The site is located within the White City Regeneration Area (WCRA). The WCRA is also designated as an Opportunity Area in the London Plan (WCOA). The



framework for the WCRA marks the site as one for housing, commercial, creative & academic uses as part of a mixed-use area.

- 1.6 The site is not within any of the borough's Conservation Areas; however, the Wood Lane Conservation Areas sits to the North of the wider site context and the Shepherds Bush Conservation is located to the south and includes the neighbouring residential streets. The site is close to both the DIMCO buildings (Grade II listed) and the former BBC Television Centre (Grade II listed).
- 1.7 The site benefits from an excellent Public Transport Accessibility Level (PTAL) of 6a, the highest possible level. The Westfield London SE Anchor scheme is served by the London Underground (LU), railway and bus services. Shepherds Bush Rail Station is a 500m walk to the proposed entrance. Wood Lane Underground station is 1000m walk from Westfield London SE Anchor and has step-free access from the street to the platform.

## **2.0 RELEVANT PLANNING HISTORY:**

- 2.1 Westfield has a long and complex planning history. The history most relevant to this application is as follows:
  - 29 March 1996 – (Ref: 1993/01830/OUT) - Redevelopment comprising: (a) A shopping centre including uses falling within Class A1 A2 A3; (b) Leisure buildings including multi-screen cinema; (c) Residential dwellings; (d) Workshop accommodation; (e) A bus station/stand; (f) A railway station; (g) New buildings for the Vanderbilt Racquet Club; (h) Multi-storey surface and rooftop car parking; (i) Together with associated alterations to the LUL depot and track (including electricity sub-station) highways works pedestrian walkway network public open areas and landscaping; (j) Ancillary facilities including shoppers' creche and workplace nursery.
  - A further outline planning permission (Ref: 2000/01642/OUT) was granted in January 2003 for the south-west corner retail expansion.
  - Several applications have been made in relation to reserved matters and to vary conditions attached to those previous and subsequent permissions that relate to Westfield as a whole, such as various change of use application. None of these applications however relate directly to the site and thus have not been included.
  - (Ref: 2020/00795/FUL) – Detailed application for the subdivision and change of use of the former House of Fraser store from retail (Class A1) into 2 separate units comprising of retail (Class A1) and office (Class B1a). The application was considered and reported to committee on the 21 July 2020 with a resolution to grant planning permission subject to the completion of a S106 Agreement and conditions. The legal agreement was not finalised, and no planning decision notice was issued. The application was subsequently lapsed.
  - 10 August 2020 – (Ref: 2020/01703/FUL) - External façade alterations to the Southwest and East elevations of the former House of Fraser store. Permission not implemented.

- 2 December 2022 – (Ref: 2022/01716/CLP) - Application for a Lawful Development Certificate for a proposed use or development (CLPUD) for the change of use of the existing retail store (previously occupied by House of Fraser) - Class E(a), was granted to an office use - Class E(g)(i), gym - Class E(d) and F&B provision - Class E(b); defined under Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulation. Granted 2 December 2022.
- Enforcement planning history (Ref: 2023/00091/ADVERT): Complaints received in respect of bright lights from the former House of Fraser store and building works taking place (not in accordance with ref: 2022/01716/CLP). In addition, complaint received in respect to a full-motion digital, large-format advertising panel by the southeast entrance and exit to the Westfield Shopping Centre. Officers visited the site on 12 March 2023. Confirmed internal works were in progress and there is no breach of the planning control. The LED sign has been in situ for some time - since at least 2014 and therefore, would be lawful through time. (Section 171B TCPA 1990). Case was closed.

### **3.0 CURRENT PLANNING APPLICATION**

- 3.1 Application submitted by Westfield on behalf of a proposed future tenant: "The Ministry". The Ministry are a world renowned global entertainment and hospitality brand (also known as the Ministry of Sound) who intend to bring a unique concept of combining workspace and hospitality in the space currently occupied by the former House of Fraser store. Internal construction works are currently in progress and is due to open 2024. The Ministry operate a similar use in Borough Road (L.B Southwark) and is a popular place to work and network in London. The Ministry state that the use would provide a state-of-the-art flexible office space for over 1,200 people with a varied cultural programme including social events, professional development, education, and wellness, alongside a health and fitness offer open to the public and designed event space and meeting room suite with the latest technology to host events and gatherings of up to 300 persons and a dedicated members bar and 150 cover rooftop bar & restaurant also open to the public.
- 3.2 The proposal seeks full planning permission for extensions and external alterations to the former House of Fraser department store within the Westfield Shopping Centre, to create additional Class E floorspace, together with amendments to the façade, the formation of a roof terrace/screening and associated roof top plant.
- 3.3 A Certificate of Lawfulness of Proposed Development was granted in December 2022 on behalf of The Ministry. The CLPUD confirm that the existing lawful use of the site falls within Class E, meaning that a flexible shared workspace with supporting facilities/amenities including a food and beverage use fall within the lawful permitted Use Class and do not require planning permission.
- 3.4 The current application seeks planning permission only for the erection of minor extensions and external alterations to the building, to provide additional Class E

floorspace. The purpose of the works are to provide dedicated access and additional food and beverage provision open to the general public and members of the workspace. The following works are proposed:

- A single storey infill extension (88 sqm floorspace) on the lowest (ground floor) level and street entrance off Eat Street (L30). The extension would incorporate two main reception areas leading to the proposed office spaces on the upper levels (L40, L50 and part L55) and a proposed restaurant use (L55) and replacement escalators.
- A single storey roof top extension (167 sqm floorspace) at level L55, to provide additional Class E floorspace (food and beverage space). The proposed extension would sit atop an existing 'prow' like element comprising a flat sedum roof which is situated on the southeast corner of the unit (known as 'the Shard') and directly above Ariel Way and adjacent to the train line.
- The provision of an outdoor roof terrace, linked to the bar and restaurant use at L55. The triangular shaped roof terrace would extend off the proposed extension. The roof terrace would measure 128 sqm in area, with a seating capacity for approximately 50 patrons. The terrace would be 'enclosed' to the sides by a 3 metres high perimeter screen. The outdoor terrace would be closed at 11pm and will only be accessed for smoking after this time via a doorway in the corridor to the restaurant space to minimise any noise breakout.
- Alterations to the south-east and Eat Street facades, replacing part of the existing stone and metal composite cladding panels and glazing units with double height glazed windows, thereby introducing natural light to the converted offices on L40 and 50. Planning permission was granted on 10 August 2020 previously for similar façade works, (ref. 2020/01703/FUL)
- Installation of additional plant equipment at roof level on (L65) associated with the restaurant use.

#### **4.0 PUBLICITY AND CONSULTATION**

4.1 The application was advertised by way of a site notice and 540 notification letters sent to neighbouring properties.

4.2 **Royal Borough of Kensington and Chelsea (RBKC):**  
RBKC has raised no objection to the proposed development.

##### **Residents and Amenity Groups**

4.3 9 representations received all from residents in Shepherd's Bush Place, objecting to the proposals. The objections can be summarised as follows:

- The Ministry of Sound is the proposed new tenant and was originally a music / night club company. Reference made to their existing development at the Ministry Borough Road and associated late-night music events held in the bar and terrace.

- The existing application building should not be permitted to be extended and there should be no public use of the existing high level outside areas for proposed terraces.
- The proposed roof terrace will directly overlook the residential houses in Shepherd's Bush Place.
- The proposed outside terraces / public areas used by customers associated with the proposed use would have a detriment impact on the amenity of local residents in Caxton Village, including Shepherd's Bush Place, Bourbon Lane, and Sterne Street.
- The provision of additional food and beverage floor space within the building and a roof terrace will result in an adverse impact on neighbouring residential amenity in terms of overlooking and loss of privacy.
- The proposed alterations to the building will increase noise disturbance - whether music or people – potentially at all hours of the day and into the night.
- Light pollution associated with new exterior bright lighting (and signage) and any light spillage / projections into nearby homes will impact on residential amenity and heritage assets.
- The proposal would result in a considerable increase of people using the surrounding area at night which already has problems of people noise, litter, and all types of other anti-social behaviour.
- Shepherd's Bush Place is the nearest street parking street, and visitors to the proposal would take up residents' parking spaces outside the CPZ times.
- Local residents have already lived through years of noise and disturbance since Westfield was built.
- Adverse residential amenity already experience from an existing LED billboard, which constantly shines into neighbouring bedrooms. Light spillage from the proposed roof terrace will make this situation worse.

## **5.0 POLICY CONTEXT**

- 5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.
- 5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act). In this instance the statutory development plan comprises the London Plan 2021, LBHF Local Plan 2018 and the LBHF Planning Guidance SPD 2018.
- 5.3 The National Planning Policy Framework - NPPF (2021) is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and

proposed development that conflicts should be refused unless other material considerations indicate otherwise.

- 5.4 The London Plan was published in March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years.
- 5.5 The Council adopted the Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

## **6.0 PLANNING CONSIDERATIONS**

- 6.1 The main planning issues raised by the submitted development proposal that should be considered are:

- Land Use
- Design and Conservation
- Highways
- Amenity Impacts (principally noise and disturbance and light pollution)
- Environmental Considerations (Sustainability and Energy; Flood Risk; Land Contamination; Air Quality)

### **LAND USE**

- 6.2 The site lies within the White City Regeneration Area (WCRA), as identified in the Borough's Local Plan (2018). Local Plan Strategic Policy WCRA recognises the need to focus regeneration and growth within the WCOA by promoting a range of uses.
- 6.3 The White City Regeneration Area (WCRA) is also designated as an Opportunity Area in the London Plan, where necessary social and other infrastructure to sustain growth is encouraged including where appropriate, containing a mix of uses (London Plan Policy SD1).
- 6.4 The London Plan (2021) sets out that the opening of the Westfield London Shopping Centre has raised the status of Shepherd's Bush to a Metropolitan Town Centre and identifies (in table A1.1) that Shepherd's Bush has the potential to be upgraded to an International Town Centre within the Town Centre Network. International centres provide London's globally renowned retail and leisure destinations, with excellent levels of public transport accessibility, the environment is of the highest architectural quality, and is interspersed with internationally recognised leisure, culture, heritage, and tourism destinations.
- 6.5 London Plan Policy GG2 seeks to make the best use of land by enabling development of brownfield land, prioritising Opportunity Areas and sites which

are well-connected within town centres. Therefore, intensifying the land uses on site, should be proactively explored. London Plan Policy GG5 seeks to conserve and enhance London's global economic competitiveness, promoting its existing strengths and potential and seeking economic diversity.

- 6.6 The proposed development seeks the introduction of additional Class E floorspace, providing an extension to an existing flat roof area together with an infill extension at ground level. The combined area of the two proposed extensions totals 167 sqm. The combined area of the food and beverage extension and the associated outdoor terrace totals 295 sqm. The proposal is estimated to provide a further 51 full time equivalent jobs, in addition to the other 99 jobs The Ministry anticipates providing as part of the wider use on the site.
- 6.7 The Local Plan identifies the need to regenerate town centres, specifically through the better utilisation of sites, to ensure the continued provision of a wide range of high-quality retailing, services, arts, and cultural and other leisure facilities to serve local residents, visitors, and workers. The proposed development forms part of a wider component which has been closed for over a year. The repurposing of the former House of Fraser department store would overall provide vitality and vibrancy to the Shepherd's Bush Town Centre, as well as support the night-time economy. Furthermore the proposals would support local businesses still seeking to recover from the impacts of COVID-19. Reactivating this large vacant space within the Westfield Shopping Centre would diversify and attract a wide range of new users to the area and would be beneficial to the regeneration of the area generally. The proposal will add to the existing range of facilities on offer in White City and Shepherd's Bush Town Centre, in terms of both employment and social space and will complement the existing and proposed uses within the various surrounding developments. Accordingly, the proposed development is considered acceptable in terms of the vitality and viability of the Westfield Shopping Centre and wider town centre.
- 6.8 Local Plan Policy TLC5 (Managing the Impact of Food, Drink and Entertainment Uses) controls the hours of operation for Class E uses (former A3, A4 and A5 uses). Policy TLC5 allows for hours of operation to be extended where the use would not be likely to cause adverse impacts on the amenity of the surrounding area. The policy requires food and drink establishments as well as arts, culture, entertainment, and leisure use to be subject to conditions controlling hours of operation, as follows:
- a. except in predominantly commercial areas, such as parts of town centres premises shall not be open to customers later than the hour of 23:00; and
  - b. within predominantly commercial areas, such as parts of town centres - premises shall not be open to customers later than the hour of 24:00.
- 6.9 The restaurant use is intended to operate: Monday to Friday: Start Time: 07:00 / End Time: 01:00; Saturday: Start Time: 07:00 / End Time: 03:00 and Sunday / Bank Holiday: Start Time: 07:00 / End Time: 01:00. The roof terrace is proposed to be operated at reduced hours, with no serving of food or drinks proposed after

2300 on any day. These proposed operating hours would be applied as part of a separate Licensing application.

- 6.10 Exceptions to the normal closing times are possible provided the activities proposed are not likely to cause an impact especially on local residents and that appropriate measures would be put in place to prevent this. Regard is also given to the cumulative impact from similar activities, the public transport accessibility and car parking demand. In terms of Policy TLC5, it is noted that the proposed development would form a small part of a wider co-working space with ancillary facilities, permissible in planning terms to be operational 24/7. The site is also in an area of high level of public transport accessibility and subject to appropriate conditions is not considered will cause an adverse impact to local residential amenity to warrant withholding planning permission.
- 6.11 The proposed use is intended to provide further diversity, attracting local community and visitors to the site. The impact of the activities would be subject to licensing restrictions and would operate in accordance with the submitted planning documentation, which proposes. The Applicant has also added:
- Co-working space with ancillary activities, as a whole, intends to operate within Store C providing access for its members on a 24/7 basis.
  - It is anticipated that not all of the ancillary activities of the co-working space will be operational or manned at all times. The front desk would be manned 0700 to 2000 during weekdays, with a 24/7 security presence and card access for members. Similarly, the deli counters and gym are unlikely to be manned during the night, and opening hours for these activities are anticipated to be demand led.
  - The applicant intends to pursue a separate licensing application that will stipulate hours of use and sale of alcohol.
  - The terrace has been designed with the addition of the acoustic barriers to limit noise transfer to residents and would be used up to 2300.
- 6.12 Condition would be attached any permission to control the hours of operation of both the restaurant use and associated roof terrace.
- 6.13 It is considered that the proposals would overall complement the retail outlets of the centre and increase the footfall and the vitality and viability of the centre as an attraction. No objections are raised in terms of land use.
- 6.14 The proposed development is therefore considered to be in accordance with the abovementioned policies which seek to promote sustainable uses that will further diversify the mix of uses within the town centre and provide economic and social regeneration benefits to LBHF and London.
- 6.15 The proposal in terms of visual amenity, environmental nuisance and transport and highway impacts is considered later in this report.

## DESIGN AND CONSERVATION

- 6.16 Together with London Plan (2021) Policy HC1, Local Plan policies require development proposals to incorporate exemplary standards of sustainable and inclusive design. Policy DC1 (Built Environment) requires all development proposals within the borough to create a high-quality urban environment that respects and enhances its townscape context and heritage assets. Policy DC2 (Design of New Build) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. Policy DC4 (Alterations and Extensions) requires a high standard of design in all alterations and extensions to existing buildings, which should be compatible with the scale and character of the existing development, neighbouring properties, and their setting, successfully integrate into the architectural design and be subservient, never dominating the parent building in bulk, scale, materials, or design. Policy DC8 (Heritage and Conservation) states that the council will conserve the significance of the Borough's historic environment by protecting, restoring, or enhancing its heritage assets, including the borough's conservation areas.
- 6.17 The character of the area is a busy urban location characterised by a main road highway (Wood Lane) and large-scale commercial property and the height and bulk of Westfield Shopping Centre. In this context the proposed extension at the ground (L50) and roof level (L55) and alterations to the façade to allow for more glazed areas are considered to be subservient, and do not dominate the parent building in terms of bulk, scale, materials, or design and are not considered to be unduly obtrusive.
- 6.18 The proposed alterations to the ground floor Entrance Lobby at Level 30 consist of an infill extension, extending the building line and forming an entrance within the glazed façade. The proposed alterations to Level 55 consists of extending the building line over part of an existing flat roof forming a single storey extension, with a glazed frontage onto a proposed terrace area. The materials would match the existing adjacent insulated cladding panels. A flat roof will be installed with short parapets to match existing. A new 3m high painted plaster effect wall to the perimeter would create a wall garden effect on the terrace. The wall will contain access points/doors that are required to clean and maintain the existing facade below. The proposed replacement plant on Level 65 would remain within existing roof and behind existing screens.
- 6.19 Officers consider that the scale and massing of the roof extension with the materiality to match the existing would not overwhelm the existing proportions and form of the Westfield Centre building. Alterations to the façade were previously approved in 2020 and this proposal seeks similar changes. The new entrance would enhance and improve the appearance of the building and bring life and visual interest to the south-eastern corner of the overall facade. The



windows are proportionate and take reference from existing vertical and horizontal emphasis and partitions have been carefully considered.

- 6.20 It is considered that the design is appropriate and broadly complies with the objectives of the London Plan and Policies DC1, DC2 and DC4 of the Local Plan 2018.

#### Heritage Impacts

- 6.21 The application site is not situated in a Conservation Area; however, Wood Lane Conservation Area lies to the north and the Shepherd's Bush Conservation Area to the south of the site, whilst the former BBC Television Centre (Grade II listed) lies to the west and the DIMCO building to the north (Grade II listed). The proposals would have very limited intervisibility from key views of surrounding heritage assets, including the Grade II Listed Television Centre and the DIMCO building. Whilst the proposed extension would be visible in some views from the south and east, these are limited in scale, such that it is likely to have an impact on its setting. As such, the development is not considered to result in any harm to adjacent heritage assets; and the character and appearance of the Wood Lane and the Shepherd's Bush Conservation Areas would be preserved by the development.

#### Advertisements

- 6.22 Local Plan Policy DC9 requires high standard design of advertisements. The existing House of Fraser signage is to be removed, and new signage will come forward for the tenant 'The Ministry', pursuant to a separate advertisement application process.
- 6.23 Officers have assessed the impact of the proposal on the adjacent heritage assets and consider that it is in line with national guidance in the NPPF. Officers also consider that the proposals would be in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan 2018 and Policy HC1 of the London Plan 2021. The proposed scheme would also accord with Sections 66 and 72 of Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **HIGHWAYS IMPLICATIONS**

- 6.24 In determining this application, consideration has been given to the requirements of Policies T1, T2, T4, T5, T6, T6.5 and T7 of the London Plan, as well as the Healthy Streets for London strategy, published by TfL in 2017, in assessing the effects on the local highway network along with the proposed car parking, cycling parking and servicing requirements. London Plan Policy T6 and T6.5 state that proposals should encourage the reduction in the need to travel, especially by car.

- 6.25 Policies T1, T2, T3, T4, T5 and T7 of the Local Plan which relate to traffic impact/transport assessments, car parking standards, cycle parking, encouraging walking have been considered. Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste.
- 6.26 The site is very well connected to all modes of travel including public transport options, and pedestrian and cycle network facilities, with a Public Transport Accessibility Level (PTAL) of 6a, one of the highest possible levels. A range of public transport facilities are available within a short walk, including bus and underground services. The site is located within close distance of a range of everyday amenities. Staff and visitors accessing the site will therefore benefit from excellent access to public transport. The site also enjoys excellent accessibility by walking and cycling and is located within close distance of a range of everyday amenities.
- 6.27 No new car parking is proposed as part of this proposal. Accessible car parking bays are provided within the existing car parking area for Westfield London with Monday -Sunday opening hours of 05:00 - 03:00. Taxi and private vehicle drop-off areas are provided within the car parking area for Westfield London on Level 20. Staff would be encouraged to travel to the site using sustainable transport modes.
- 6.28 The roads surrounding the site are in Controlled Parking Zone (CPZ) "G" with parking restrictions in place Monday to Sunday (including bank holidays, except Christmas Day and Easter Sunday) from 9am to 10pm "J" with parking restrictions in place on Monday to Sunday between 9am and 9pm, "OO" Monday to Sunday between 9am and 10pm and "O" Monday to Saturday from 0900-1700. Due to these parking restrictions, the existing CPZ zones offer short parking opportunities for those visiting the proposed site.
- 6.29 Waste would be segregated at source for recycling and deposited via goods lift route into Landlord bins within the service yard.
- 6.30 Deliveries to the restaurant / office levels will be via the Service Yard, the goods are routed via the goods lift and then transferred in the landlords BOH corridors at levels 40, 50 & 55.

#### Cycle Parking

- 6.31 There are three locations of Santander Cycle Hire Dock located close to the site along Wood Lane, Ariel Way and to the south of the site. These will provide enough capacity for those wishing to cycle to the venue without impacting on existing users. The submitted Design and Access Statement indicates that external lockable cycle storage areas would be provided on the pavements around and adjacent to the office entrance on Level 30, however such details were not provided at the application stage and would therefore be conditioned in order for the proposal to comply with Policy T5 Cycling (London Plan 2021) and Policy T3 of the Local Plan 2018.

## Trip Generation

- 6.32 The site is located within an area of excellent public transport accessibility. Given the location of the site and excellent public transport links it is expected that few people would need to arrive by car. Furthermore, the level of transport links is considered to ensure that the intensification of the use at the site would not result in any transport capacity issues subject to the measures outlined above.
- 6.33 Officers consider that the proposed development would be acceptable and in accordance with Policies T1, T2, T4, T5, T6, T6.5 and T7 of the London Plan and Policies T1, T2, T3, T4, T5 and T7 of the Local Plan.

## AMENITY IMPACTS

### Daylight, Sunlight and Overshadowing

- 6.34 Local Plan Policy DC2 (Design of New Build) refers to impact generally and the principles of 'good neighbourliness'.
- 6.35 Sun path analysis and an overshadowing assessment was provided within submitted Design and Access Statement. Officers consider the additional floorspace at L55 is unlikely to give rise to any daylight/sunlight impacts on neighbouring residential properties. The extended area forms a triangle shaped extension that projects eastwards towards the northern road and railway. Due to the position, orientation and distance of the proposed extension and terrace screening to existing neighbouring residential properties to the south, the proposal would not result in detrimental impacts in terms of loss of daylight or sunlight nor result in harm from overshadowing on surrounding residential properties.

### Noise and Vibration

- 6.36 London Plan Policy D14 (Noise) sets out measures to reduce, manage and mitigate noise to improve health and quality of life.
- 6.37 Local Plan Policy DC1 and DC2 seeks to protect the amenity of existing neighbours and the visual amenity of the community as a whole. This is measured in terms of potential impacts in relation to outlook and privacy, noise and disturbance, lighting, and impacts during construction. Local Plan Policy CC11 (Noise) advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout, and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity.
- 6.38 Residential properties are located in close proximity to the site. A Planning Noise Assessment prepared by Suono (dated 21 November 2022) was submitted with the application. The assessment refers to potential noise from new replacement plant and the use of the roof terrace. It notes that new plant details are indicative

at this stage for complete assessment to be undertaken. Therefore, a condition is recommended, to secure further details in terms of type of plant and potential noise emission with proposed mitigation measures, including an assessment of the cumulative impact details of both the existing plant plus plant associated with the restaurant plant.

- 6.39 The main consideration relates to potential impact of noise and disturbance associated with the use of the extensions in respect to activities inside the building, the use of the roof terrace, visitors arriving or leaving the site and associated plant use. Full details of how events would be managed to minimise impacts on residential amenity would be controlled via an Operational Management Plan and Noise conditions. The objections received by nearby residents in terms of the noise impact relate primarily from the use of the outdoor roof terrace. It is noted that the roof terrace would include a high perimeter screen (acoustic wall) to reduce potential impact in terms of noise overspill. The submitted noise assessment and modelling confirms that, with the proposed screen, noise levels from the roof terrace are not expected to exceed relevant noise limits. Further details of material and screen performance would be secured by condition. This would ensure that the proposal accords with Local Plan policy CC11 and London Plan policy D14.
- 6.40 Concern has also been expressed by local residents regarding neighbourhood security, and that the proposed food and beverage use would result in an increase in anti-social behaviour, crime, and drugs. The operator will be required to submit a final Operational Management Plan (OMP) which will be secured by condition. The OMP will deal with how the venue would be managed with regards to operational hours, site control and people management. Staff monitoring would be required to operate to ensure that visitors leave the event as quickly and quietly as possible. No drinks will be permitted outside the premises. A 'soft closure' approach would also allow a gradual flow of customers arriving and leaving throughout the evening, reducing the potential for noise or disturbance. A S106 contribution has also been secured towards improvements towards public realm and public safety which will also serve the needs of local residents and the wider community; and make tangible improvements to connectivity and public safety in the wider regeneration area.
- 6.41 No objection has been raised by the Council's Noise and Nuisance officers to the proposed development subject to compliance with conditions relating to noise levels and monitoring to control any sound impact outside the site. The proposal is therefore considered to comply with Policies CC11 and CC13 the Local Plan.

#### Light Pollution

- 6.42 Local Plan Policy CC12 (Light Pollution) seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination.
- 6.43 No specific details were submitted in terms of any potential external lighting; however, concerns were raised by local residents in terms of light overspill from

the roof terrace and glazed office areas. A condition would be secured that details of any external artificial lighting within the development shall be designed in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/21 for the reduction of obtrusive light 2021' and submitted to the council for approval. Furthermore, to prevent light pollution and conserve energy a condition would be added to secure control and management details for lights to be turned off when not in use.

- 6.44 As such officers consider that the proposal accords with the requirements of Policies CC12 of the Local Plan 2018.

## **ENVIRONMENTAL CONSIDERATIONS**

### **Sustainability and Energy**

- 6.45 The proposal has been considered against Policies SI 1, SI 2, SI 3 and SI 4 of the London Plan 2021 and Policies CC1 and CC2 of the Local Plan which promote sustainable design, adaption to climate change and carbon emissions reductions.
- 6.46 As part of their design review process, the applicants have considered the energy performance of the building and although this is not a major application (with a policy requirement to meet sustainability targets) they have sought to make enhancements and energy efficiency measures to ensure consistency with the current London plan. Details of energy measures and BREEAM are set out in the submitted DAS. The current prediction is that a 'Very Good' rating is likely to be achieved.

### **Flood Risk**

- 6.47 London Plan Policy SI 12 (Flood Risk Management) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 6.48 Local Plan Policy CC3 (Minimising Flood Risk and Reducing Water Use) requires that new development is designed to take account of increasing risks of flooding.
- 6.49 The application site is not within a flood risk zone and has a low risk of surface water flooding. Given the nature of the proposals, it is not considered to give rise to flood risk concerns that would require a Flood Risk Assessment.

### **Land Contamination**

- 6.50 NPPF Paragraph 183 states planning decisions should ensure that sites are suitable for its new use taking account of ground conditions and after remediation the land should not be capable of being determined as contaminated land.
- 6.51 London Plan Policy SD1 encourages the strategic remediation of contaminated land.

- 6.52 Local Plan Policy CC9 ensures that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works.
- 6.53 Similarly, given the nature of the proposals, no earthworks which involve breaking into the ground are proposed and as such the proposal is not considered to give rise to any land contamination concerns.

#### Air Quality

- 6.54 Paragraph 124 of the NPPF states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas.
- 6.55 London Plan Policy SI 1 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMA) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people).
- 6.56 Policy CC10 of the Local Plan explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives. The site is located within an Air Quality Management Area which covers the whole borough due to the exceedance of the annual mean nitrogen dioxide (NO<sub>2</sub>) in the area. Given the proposed alterations are contained within the existing building and due to the proximity of Wood Lane Underground Station and local bus routes, it is anticipated most visitors to the site would use public transport or other sustainable modes of transport which will help minimise negative air quality impacts from the development.

#### Green Roof

- 6.57 Policy G5 (Urban Greening) of The London Plan states that the inclusion of urban greening measures in new development will result in an increase in green cover and should be integral to planning the layout and design of new buildings and developments. Policy OS4 (Nature Conservation) of the Local Plan states that proposals should enhance the nature conservation interest through initiatives such as new green infrastructure and habitats, tree planting and brown and green roofs and protect any significant interest on the site and any nearby nature conservation area, appropriate to the scale and nature of the development.
- 6.58 Officers note that approx. 167 sqm of the existing green roof at the level L55 would be lost due to the proposed extension. Whilst officers recognise the size and scale of the existing provision of green roofs across the wider Westfield site, the loss of green roof is regrettable. Therefore, it is considered that there is an opportunity within the proposed development (on the top of proposed extension) or elsewhere within the wider Westfield site for a green roof to be re-provided. This would be secured by suitably worded condition.

## **7.0 SECTION 106 HEADS OF TERMS AND COMMUNITY INFRASTRUCTURE LEVY (CIL)**

7.1 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) states: 'The Council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms: 'Community Infrastructure Levy the Council will charge CIL on developments in accordance with the CIL Regulations (as amended) and the LBHF CIL Charging Schedule. The Council will spend CIL on:

- infrastructure in accordance with the H&F Regulation 123 (R123) List.
- projects identified for 'Neighbourhood CIL'; and
- CIL administration expenses (no more than the statutory cap).

7.2 The application Heads of Terms are as follows:

- **Public Realm and Public Safety Contribution: £125,000**

7.3 Mayoral CIL came into effect in April 2012 and LBHF CIL came into effect on 1 September 2015 and are material considerations to which regard must be had when determining this planning application. This development is exempt from Borough CIL and is not liable for Mayoral CIL due to its minor nature.

## **8.0 CONCLUSION**

8.1 The proposal would comply with the development plan. The proposal is consistent with the Council's policies for the area. The use is considered to be compatible with other retail, cultural and entertainment uses in the vicinity. On this basis it is considered that the proposal is consistent with the requirements of Policy WCRA of the Local Plan 2018.

8.2 The supporting information addresses the operational issues pertaining to the proposed extensions, alterations, plant, and hours of use in terms of noise and light management. These are recommended to be controlled by a number of conditions to ensure that the proposal operates in accordance with the documents. Subject to appropriate conditions the proposal is considered acceptable.

## **9.0 RECOMMENDATION**

9.1 For the reasons detailed in this report it is considered, having regard to the development plan as a whole and all other material considerations, that planning permission should be granted subject to the completion of a satisfactory legal agreement based on the Heads of Terms outlined above and the conditions listed at the beginning of the report.

# Agenda Item 6

**Ward:** Ravenscourt

**Site Address:**

2 Hyde Mews 163 Dalling Road London W6 0ES



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

**Reg. No:**

2023/01413/DET

**Case Officer:**

Anisa Aboud

**Date Valid:**

15.06.2023

**Conservation Area:**

Constraint Name: Ravenscourt And Starch Green

Conservation Area - Number 8

Constraint Name: Bradmore Conservation Area - Number 25

**Committee Date:**

07.11.2023



**Applicant:**

Mr Liam Beatty

2 Hyde Mews 163 Dalling Road W6 0ES

**Description:**

Submission of details of a Demolition and Construction Logistics Plan, pursuant to Condition 5; and details of a Demolition Method Statement and a Construction Management Plan, pursuant to Condition 6 of planning permission reference: 2020/00556/FUL dated 18th May 2020.

Drg Nos: Construction Management Plan (Rev 3 dated 20.10.2023) Demolition Method Statement Construction Management Plan (Rev 5 dated 20.10.2023),

**Application Type:**

Details to Meet Conditions Full/Outline

**Officer Recommendation:**

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant permission.

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

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

Application form received: 30th May 2023

Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2023  
The London Plan 2021  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

**Comments from:**

**Dated:**

## **Neighbour Comments:**

### **Letters from:**

### **Dated:**

Nasmyth Street London W6 0HA	08.08.23
1, Wellesley Avenue, Hammersmith, LONDON W6 0UP	08.08.23
1, Wellesley Avenue, LONDON W6 0UP	08.08.23
19 Wingate Road London W60ur	27.08.23
178 Dalling Road London W6 0EU	09.08.23
52 Perrers Road London W6 0EZ	11.08.23
23 Wingate Road Wingate Road London W6 0UR	11.10.23
23 Wingate Road Wingate Road London W6 0UR	11.10.23
30 Dorville Crescent, London W6 0HJ	09.08.23
180 Dalling Road London W6 0EU	06.08.23
No Address Given	10.08.23
160 Dalling Road London W6 0EU	14.08.23
131 DALLING ROAD HAMMERSMITH London W6 0ET	22.08.23
7 Wingate Road Hammersmith London W6 0UR	09.08.23
1 Holly Villas Wellesley Avenue London W6 0UW	09.08.23
No Address Given	09.08.23
9 Wingate Road London W6 0UR	09.08.23
No Address Given	09.08.23
No Address Given	09.08.23
3 Nasmyth Street London W6 0HA	03.08.23
3, Holly Villas Wellesley Avenue London W6 0UW	08.08.23
26 Wingate Road London W6 0UR	30.07.23
21 Wingate Road London W6 0UR	12.09.23
29 Wingate Road London W6 0UR	17.08.23
29 Wingate Road London W6 0UR	08.08.23
3 Wellesley Avenue London W6 0UP	07.08.23
19 Wingate Road London W6 0UR	29.08.23
27 Wingate Raod London W6 0UR	08.08.23
21 Wingate Road London W6 0UR	08.08.23
27 Wingate Road London W6 0UR	13.09.23
27 Wingate Road London W6 0UR	21.08.23
27 Wingate Road London W6 0UR	17.08.23
166 Dalling Road London London W6 0EU	09.08.23
169 Dalling Road London W6 0ES	08.08.23
5 Wingate Road London W6 0UR	08.08.23
2 Holly Villas Wellesley Ave	09.08.23
46 Wingate Road London W6 0UR	09.08.23
23 Wingate Road London W6 0UR	07.08.23
13 Wingate Road London W6 0UR	06.08.23
25 Wingate Road London W6 0UR	11.09.23
16 Wingate Road London W6 0UR	13.09.23
1 Wellesley Ave LONDON W6 0UP	08.08.23
177 Dalling Road London W6 0ES	12.09.23
25 Wingate Road London W6 0UR	09.09.23
30 Wingate Road, W6 0UR	21.08.23

Imperial College London, Department Of Cancer And Surgery, Faculty Of Medicine, 1st Floor ICTEM, Room 145 Du Cane Road, London W12 0NN	21.08.23
2 Wellesley Avenue London W6 0UP	08.08.23
38 Wingate Road London W6 0UR	09.08.23
1 Wellesley Avenue Hammersmith London W6 0UP	07.08.23
19 Wingate Road London W60UR	27.08.23
175 Dalling Road London W6 0ES	08.08.23
1 Holly Villas Wellesley Avenue London W6 0UW	09.08.23
38 Wingate Road London W6 0UR	09.08.23
3 Holly Villas Wellesley Avenue London W6 0UW	29.08.23
2 Holly Villas Wellesley Avenue London W6 0UW	22.08.23
40 Wingate Road London W6 0UR	11.09.23
3 Holly Villas Wellesley Avenue London W6 0UW	12.09.23

## 1.0 SITE DESCRIPTION

1.1 Hyde Mews is a warehouse-style brick building which has been converted into two dwellings (1 and 2 Hyde Mews). The mews is set back from the street off of Dalling Road and is accessed principally via a private gate and driveway in between Nos. 159 and 165 Dalling Road, which leads to small garden in front of the building. No. 2 Hyde Mews, to which this application relates, also has pedestrian access from Wingate Road via a private driveway shared with Cressy Court.

1.2 There have been buildings on the site from the late 19th Century, appearing on an Ordnance Survey map for the first time in 1896. The rear yards to these buildings appear to have been infilled in the early 1950s. Planning permission for conversion of the buildings, which were in long-standing industrial use, to provide two live/work units was granted in 1996.

1.3 The site is within the Bradmore Conservation Area, but the buildings are not statutorily or locally listed.

1.4 The site is located within the Environment Agency's Flood Zone 3.

1.5 Relevant planning history:

1996/01308/CAC - Demolition of single storey part of former joinery works.  
Approved.

1996/01307/FUL - Conversion of existing two storey building and erection of two storey side extension to provide two live/work units. Erection of two storey building at rear of boundary with 165 Dalling Road to provide garage/studio accommodation. Approved.

2009/02485/FUL - Erection of a glazed roof to enclose the rear courtyard.  
Approved.

2011/01929/FUL - Erection of a first-floor extension to the rear elevation, including the creation of a roof terrace; enclosure of existing rear courtyard; replacement of

3no. rooflights at ground and first floor levels; excavation of the front garden to form a lightwell in connection with the creation of a new basement. Approved.

2011/01931/FUL - Erection of a first-floor extension to the rear elevation, including the creation of a roof terrace; enclosure of existing rear courtyard; replacement of 3no. rooflights at ground and first floor levels.

2018/03985/FUL - Enlargement of the existing basement in connection with the creation of new lightwells and formation of an indoor swimming pool at basement level; demolition of the first floor rear back addition and the creation of a plant room at ground floor level; alterations to the external glazing at ground and first floor level. Approved by Planning and Development Control Committee on 13 June 2019.

2020/00556/FUL - Demolition of the existing building and erection of a replacement part one, part two storey plus-basement single dwelling. The finished development would be very similar in terms of design and scale to the previously approved scheme, albeit it would now be a brand-new development following demolition and rebuilding of the existing dwelling. ('the approved scheme'). Approved under delegated authority 18 May 2020.

## 2.0 CURRENT APPLICATION

2.1 This application only relates to the discharge of the following conditions that were attached to planning permission (ref: 2020/00556/FUL):

- o Condition 5 (Demolition and Construction Logistics Plan)
- o Condition 6 (Demolition Method Statement and Construction Management Plan)

Condition 5 reads:

Prior to commencement of the development hereby approved, a Demolition and Construction Logistics Plan shall be submitted to, and approved in writing by, the Council. This must be in accordance with Transport for London (TfL) requirements and should seek to minimise the impact of demolition and construction traffic on nearby roads and restrict demolition and construction trips to off-peak hours only. Thereafter the approved details shall be implemented throughout the project period.

To ensure that demolition and construction works do not adversely impact on the operation of the public highway, in accordance with Policies T1 and T7 of the Local Plan (2018).

Condition 6 reads:

Prior to commencement of the development hereby approved, a Demolition Method Statement and a Construction Management Plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs 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. Thereafter 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).

### 3.0 CONSULTATION RESPONSES

3.1 As per the commitment from of the planning committee (in regard of the first application) details of the submitted information for these matters were shared with residents by way of notification letters. The scope of the consultation was extended after the initial posting, so that 117 letters were sent out. Officers would also note that the consultation period was extended to 13th September 2023 and an additional 75 letters sent out. As a result of these notifications, a total of 53 objections were received. The concerns raised by the local residents can be summarised as follows:

- Planning permission granted in May 2018 clearly expired on May 18th 2023 before any work was commenced. There is insufficient evidence of a material start to the work prior to the expiry date.
- If the Council accepts that work had commenced prior to 18 May 2023, it would have been illegal in any case to start work before discharging pre-commencement conditions.
- Insufficient consultation with neighbours for second 2020 planning permission.
- The Council should enforce the expiry date and require that a new planning permission is sought.
- Insufficient consultation for the construction, development and logistics plans and consultation period should be extended for at least 2 months from 9 August 2023.
- The council should hold a meeting for all residents affected to inform us of the construction, demolition and excavations processes.
- Dust, vibration, noise and health concerns, how will these be mitigated?
- Traffic concerns - Wingate Road is a narrow residential street along which one car can pass at a time and has a significant traffic problem at key times as its used as a cut through by drivers. The plan envisages up to 37 heavy vehicles per week. This will cause major disruption.
- If the proposal proceeds, it is essential the developer be instructed to bring in and exist vehicles by the shortest possible route from Paddenswick Road, coming down Wellesley Avenue rather than Wingate Road.
- The noise levels will be highly disruptive in a family area with lots of children who will need to take regular midday naps etc.
- There is already congestion around school runs.
- Request the developers advise all residents how they propose to minimise the adverse potential effects of their proposed activities and the council insist at a minimum that building traffic be tightly restricted in volume, and completely excluded from all the smaller neighbouring streets (Wellesley Avenue, Wingate Road, Dalling Road and Nasmyth Road).
- Lived close to a similar excavation and it was two years of loud drilling, traffic and parking problems, pollution, dust throughout our flat. The developer said it would only take a year, yet so many things went wrong that it was double that.

- Mental health was affected and concerned this would happen again.
- Brackenbury will be turned into a danger zone for children. If planning permission were to be granted all this heavy traffic should be accessed from Goldhawk road only.
- The developers, owners, council and residents should get together for a meeting to understand how the demolition and excavation will affect us. The area is already heavily polluted so this construction will exacerbate this further. What are the risk and environmental assessments?
- In addition what protection is in place for trees and other arboriculture? A number of them will be affected and are at risk.
- We are a road of mainly families with young children, and numerous disabled residents. By increasing traffic on the road, this poses a huge risk for our most vulnerable residents. There has been no consideration for the vulnerable groups located on Wellesley, for their safety and access needs.
- We already have an incredibly noisy construction site over the road- another one would be unbearable.
- We trust that the construction is fully in accordance with the Basement Impact Assessment & all the recommendations in this Assessment have been taken on board in the works proposed by the developer.
- There is under-pinning of our Party Wall which will obviously require careful & regular review, via inspection. We assume your Building Inspector will be closely involved and with regular visits to the site.
- It is obviously a very complex demolition / reconstruction process with many piles & we would thus expect the developer to have in place a movement strategy during the temporary works & the underpinning process.
- Could you please ensure that we are provided with contacts tel nos/ email details (needs to be 24/7) of the key people to contact at both the Council & the Construction Team in the event of any problem arising.
- The Demolition and Construction Logistics plan shows large vehicles coming down our narrow roads at a time when hundreds of children, particularly at Brackenbury and John Betts Schools, are going to or coming back from school, or heading to and from Ravenscourt Park after school. Dalling Road and Wellesley Avenue are particularly full children at these peak times. As such, vehicle movements for this project must (at a minimum) be restricted to between 9.30am-3pm daily.
- The proposed number of vehicle movements, over well over two years of the planned works, doesn't tally with the Council's push for Clean Air Neighbourhoods.
- Is an underground swimming pool appropriate for one of the small properties in this area anyway?
- The whole proposal appears uncharacteristic and unnecessary for the neighbourhood area, where it is quiet and residential within a conservation area. I object to such construction; I would like the planning permission to be reconsidered.
- The council should monitor the health and environmental effect of this development regularly and report the findings to the developers and affected neighbours.
- The environmental impact of demolition, noise and pollutants released is ludicrous for a built up area and in such close proximity to a school playground.
- Level of disruption from potential building works intolerable and far too disruptive.
- Inconsistencies in the report over possible access routes for lorries. Document also contains errors and refers to London Borough of Newham. Conditions should be imposed regarding hours of site operations and the hours of operation for

vehicle arrivals.

- The timings during which vehicle movement should be allowed should be reduced between 9.30am and 2.30pm so as to avoid the times when school children are going to and from school and peak hours. On Saturdays vehicles should not be allowed to service the site at any time.
- I have recently been informed that planning permission has been granted for the site on Wellesley Avenue. This will now double the noise and traffic for everyone in the neighbourhood. The idea that Dalling Road, Wingate Road or Wellesley Avenue can cope with the increased use of large lorries is something that the traffic department responsible at LBHF needs to look into with great care and attention, given that the parking on both sides of these very narrow streets is already an issue for the residents. It also puts the health and safety of young school children who use all these local roads at great risk.
- The developers' plans say that the main challenges are dust, vibration and noise. It is not just the dust that will create toxic fumes, but the extra traffic that will be generated by all the work - which will take 124 weeks. Who will monitor the pollution levels and how often?
- The Demolition Method Statement states on 3.11, p 22: A full Environmental Impact Assessment will be undertaken prior to commencement but the following best practices will be employed. Has this been done? What are the results? The results should be circulated to all households who will be affected.
- Additional vehicles in these small residential streets will create extra toxic fumes damaging health and the environment. This will also take place in the context of the recently approved application for the large construction project in Wellesley Avenue.
- Mitigation could include a requirement for a considerably shortened timescale for the project financial compensation to the residents of Dalling Road, a reduced scope for the project, restricted times for truck visits, no truck parking on the street etc etc.
- The Council is required to take all possible steps to minimise pollution and the threat to health from noxious fumes from diesel engines. We, the residents, should be shown the measures that the Council will insist on with the developer.

Officer response:

- The proposal's material planning considerations (including vehicles routes, frequency, timings) will be assessed in the 'planning considerations' section of this report'
- Officers note that in regards to health, dust, air quality/pollution concerns are covered under separate legislation. The applicant has submitted an Air Quality Dust Management plan (AQDMP) for the demolition phase approved under S.81 of the Building Act. There is an Air Quality Monitoring provision in section 4 of the approved AQDMP report. Moreover, the council's Air Quality officer has reviewed this document and found it satisfactory. The demolition and construction phases of the development will be carried out and completed in accordance with the approved Air Quality Dust Management Plan, Version 5 by ACCON UK Ltd dated 21st September 2023. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

## 4.0 PLANNING CONSIDERATIONS

- 4.1 The Council's transport officers have reviewed the submitted Demolition and Construction Logistics Plan, pursuant to Condition 5; and Demolition Method Statement and a Construction Management Plan, pursuant to Condition 6 of planning permission reference: 2020/00556/FUL dated 18th May 2020. They have found that the vehicles routes, frequency, timings are acceptable and the details to be satisfactory for the purposes of the conditions.
- 4.2 Vehicle movements will be supervised by at least 2 marshals who will guide vehicles in and out of the site area and will ensure vehicles stop to allow the public to pass. The footpath will be required to be crossed to gain access to the site and this again will be under the guidance of the road marshals who will be each side of the operatives crossing the footpath to enable works to stop to allow the public to pass safely.
- 4.3 The road will be more congested than normal when the works are being carried out and delivery vehicles will be required to give priority to residents, but there will be no requirement to change any of the LBHF services during the construction phase. Refuse collection days will be noted and refuse vehicles given priority over construction vehicles.
- 4.4 The site will be served in general by suspending 1no residents' parking bay. A skip will be used to dispose of the spoil which may be served by the conveyor from the basement within the boundary of No 2 Hyde Mews.
- 4.5 The existing building will be dismantled from top to bottom largely being completed by using hand tools to minimise impact and disturbance to the neighbouring building.
- 4.6 Due to the nature of the basement excavation the loading/unloading areas within the site will store material as the excavation progresses. Vehicles will be quickly loaded using a conveyor to load the skip which will be exchanged as and when full. All works will be undertaken using dedicated banksmen, temporary pedestrian management during the short skip exchange times.
- 4.7 Only one vehicle will be allowed on site at any time. No waiting will be permitted on the surrounding roads. The site manager will enforce a call up procedure where upon all delivery companies will be aware of the requirement to call the site manager 20 minutes before arrival to ensure that the delivery can be accepted.
- 4.8 Routing will be via the A402 Goldhawk Road, into Wingate Road, left into Wellesley Road and left into Dalling Road. Smaller vehicles (vans, trucks etc.) will reverse into site. Vehicles will exit the site left along Dalling Road, right into Nasmyth Street, right into Thurber Street, left into Dalling Road to return to the B408 & the classified road network. This routing has been chosen in order to avoid passing Brackenbury Primary School and the width restriction in Brackenbury Road. Owing to the presence of schools deliveries would avoid peak school access hours. Construction vehicles to be restricted to between 09:30 and 15:00 Mon to Fri. Overall, the hours of site operation hours I be 08:00-18.00 Monday to Friday excluding Bank Holidays and Sundays and 08:00-13:00 Saturdays only. During term-time, construction vehicles hours will be restricted to



9.30am and 3.30pm to avoid peak school hours.

- 4.9 Max length of construction vehicle 9.5m, width 2.5m, height 3.5m (18000kg GVW). Concrete Lorry maximum size 8.0m(L), 2.5m (W), 2.8m (H). Delivery lorry maximum size 9.5m(L), 2.5m (W), 2.8m (H). Transit/Van 5.5m(L), 2.1m (W), 2.2m (H).
- 4.10 During all stages of demolition and construction the developer will employ a Site Manager. The Site Manager will be responsible for maintaining the CLP. The CLP will be routinely reviewed on a monthly basis and at interim stages as required. The Site Manager will report any updates or improvements to the CLP to LBHF on a monthly basis (See paragraph 5.2 of the DMSCMP). The Community Liaison and Complaint procedure will also set out the means by which the Site Project Manager should co-ordinate construction logistics with any relevant nearby developments and construction projects.
- 4.10 With regards to dust, noise vibration and impacts on air quality, paragraph 3.11 of the DMSCMP outlines the arrangements. This will include wet cut demolition, Collection via extraction and bagging to suppress dust generation. To minimise noise disruption noisy working hours will be limited and non-percussive methods will be used. Non-percussive methods will also be used to minimise vibration. With regards to air quality and dust more specifically, separately an Air Quality and Dust Management Plan has been submitted and approved by the Council's Air Quality officer in relation to the environmental impacts under S81 of the Building Act 1984. The S81 Notice sets out conditions which demolition contractors must adhere to - such as grubbing up of drains, weather proofing of adjacent buildings, notifying statutory utilities etc.
- 4.11 The Notice also contains information relating to the Environmental Protection Act - this includes operating hours, and general nuisances arising as a result of the demolition. These aspects will be enforced by our Environmental Health team. This notice has been received and granted by the Council's Environmental Health team separate to planning.
- 4.12 Overall, for the reasons shown above, officers consider that the proposed details would 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) and would ensure that demolition and construction works do not adversely impact on the operation of the public highway, in accordance with Policies T1 and T7 of the Local Plan (2018).

## 5.0 CONCLUSION

- 5.1 Based on the information provided, officers consider that the proposed details would ensure that demolition and construction works do not adversely impact on the operation of the public highway, in accordance with Policies T1 and T7 of the Local Plan (2018) and would 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), with respect to conditions 5 and 6.

## 6.0 RECOMMENDATION

- 6.1 Officers recommend that conditions 5 and 6 attached to planning permission (ref: 2020/00566/FUL) should be approved in accordance with the details submitted.

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**Ward:** Brook Green

**Site Address:**

101 - 105 Shepherd's Bush Road London W6 7LR



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

**Reg. No:**

2023/02202/FUL

**Case Officer:**

Richard Kealey

**Date Valid:**

30.08.2023

**Conservation Area:**

Constraint Name: Brook Green Conservation Area  
- Number 3

**Committee Date:**

07.11.2023

Lakeside/Sinclair/Blythe Road Conservation Area -  
Number 36

**Applicant:**

St Mungo's

C/O Agent Peacock + Smith London EC1Y 0UP

**Description:**

Continued use of the premises as hostel accommodation (Class Sui Generis) on a temporary basis between 1st December 2023 and the 30th March 2024.

Drg Nos: Flood Risk Assessment - Appendix 1 of the Cover Letter by Peacock + Smith

Ref: 02/5371/RM/EK (23 August '23). Updated drawings rec'd 04 Oct 2023 entitled:

1982/2/11 Rev.A, 1982/2/12, 1982/2/13, 1982/2/14, Existing and proposed floor plans for 105 Shepherds Bush. Travel Plan dated 04/10/2023. Meliora House Good Neighbours Plan by St Mungos'.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant permission subject to the conditions listed below;
- 2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director Legal Services 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 conditions, any such changes shall be within their discretion.

**Conditions:**

- 1) The temporary use of the site as a hostel, hereby approved is permitted for a limited period only until 30th March 2024, after which the use shall be discontinued. The site shall be made good to its original condition.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC8 and HO11 of the Local Plan (2018).

- 2) The development hereby permitted shall be built in complete accordance with the drawings hereby approved.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC8 and HO11 of the Local Plan (2018).

- 3) At the end of the temporary change of use period, 30th March 2024, the site shall revert to their original uses as two independent Guest House/Hotels (Class use C1). All operations as a hostel (Sui Generis) shall cease. The internal link between the properties known as, '101-103 Shepherd's Bush Road' and '105 Shepherds Bush's Bush Road shall be removed and evidence of such shall be provided to the council within 6 months.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC4, DC8 and HO11 of the Local Plan (2018).

- 4) The continued temporary change of use hereby permitted shall be operated in line with the information outlined in the Good Neighbours Plan (management plan) hereby approved.

In the interests of proper planning and to ensure that the use does not have a significant impact upon the existing amenities of neighbouring residents, in accordance with Policies CC11, CC13, DC1, DC8 and HO11 of the Local Plan (2018).

- 5) The development shall be carried out in accordance with the details contained within the Flood Risk Assessment submitted with this application (Appendix 1 of the Cover Letter by Peacock + Smith Ref: 02/5371/RM/EK(23August23)LBHF). All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the occupation of the development.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy CC2 and CC3 of the Local Plan (2018).

- 6) The continued temporary change of use hereby approved shall only be used as a hostel facility falling within Class Sui Generis of the Town & Country Planning (Use Classes) Order 1987 (as amended). The resulting converted property shall not be used as housing in multiple occupation falling within Class C4 or as self-contained residential uses within Class C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (As amended 2017).

The use of the property as either house in multiple occupation or self-contained units rather than as a hostel would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with Policies DC1, HO1, HO2, HO4, HO5, HO11, HO8 of the Local Plan (2018).

- 7) The cycle parking (Sheffield stands) located in the front forecourt of the site, shall be made available at all times. The provision for cycle storage shall be so maintained for the life of the development.

To ensure satisfactory provision for cycle storage and thereby encourage sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan (2018).

- 8) The continued use as hostel accommodation shall operate in full accordance with the revised Travel Statement (dated 04 Oct 2023) in order to reduce dependency on trips using private cars.

To ensure satisfactory provision for sustainable travel arrangements and thereby encourage sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan (2018) and Policy T5 of the London Plan (2021).

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

- 1) It is considered that the proposal would not have a significant effect on the residential amenity of nearby occupiers and would not be harmful to the conservation area. In this respect the proposal complies with Policies CC3, CC11, CC13, CF1, CF2, DC1, DC8, HO4, HO7, HO8, E2, T2 and T3 of the Hammersmith and Fulham Local Plan (2018) and London Plan (2021) Policies GG1, D3, D4, D5, D11, D14, H12, HC1, SI13, T1, T3, T4 and T5.

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

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

Application form received: 23rd August 2023  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2023  
The London Plan 2021  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

### **Consultation Comments:**

#### **Comments from:**

Thames Water - Development Control  
Crime Prevention Design Advisor - Hammersmith

#### **Dated:**

31.08.23  
18.09.23

### **Neighbour Comments:**

#### **Letters from:**

#### **Dated:**

14 TADMOR STREET LONDON W12 8AH	22.09.23
No Address Given	22.09.23
16 Dewhurst Road London W14 0ET	07.10.23
No Address Given	22.09.23
93 Sterndale Road First Floor Flat London W14 0HX	25.09.23
Minford Gardens 40 LONDON W14 0AN	07.09.23
4A Sterne Street London W12 8AD	23.09.23
4A Sterne Street london W12 8ad	23.09.23
61 Bolingbroke Road London W14 0AH	08.09.23
28a Sterne Street London W12 8AD	25.09.23
99 Brook Green London W6 7BD	11.09.23
Level 4 Clockwork Building 45 Beavor Lane London W6 9AR	01.09.23
45 Sterndale Road Sterndale Road Hammersmith W14 0HT	26.09.23
144 Shepherds Bush Road Hammersmith W6 7pb	22.09.23
57 Sterndale Road London W140HU	25.09.23
77 Sterndale Road London W14 0HX	25.09.23
50 Sterndale Road London W140HU	23.09.23
79 sterndale road London W14 0HX	08.09.23
26 melrose gardens london W67RW	10.09.23
144 Shepherds Bush Road London W6 7PB	22.09.23
3 TADMOR STREET, London W128AH	22.09.23
144 Shepherds bush road Hammersmith W6 7pb	22.09.23
81 addison gardens London W14 0DT	23.09.23
Sterndale road London W14 0HU	27.09.23
W14 0HX	25.09.23

## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises a four storey, end of terrace property (known previously as Royal Guest House 2, 105 Shepherd's Bush Road) and a mid-terrace property (101 - 103 Shepherd's Bush Road) located on the eastern side of Shepherd's Bush Road. The site consists of a temporary homeless shelter known as 'Meliora House' operated by St Mungo's charity.
- 1.2 The sites have been amalgamated under a temporary permission into a single unit

and operate as a homeless shelter (hostel accommodation) falling within a Sui Generis Use class and currently has temporary permission until 30/11/23.

- 1.3 The site is located within the Lakeside/Sinclair/Blythe Road Conservation Area. Additionally, the site is close to the boundary with the Brook Green Conservation Area, to the south of the site.
- 1.4 The site is located outside the designations of both Shepherds Bush and Hammersmith town centres, and is located within the Environment Agency flood risk zones 2/3.
- 1.5 The immediate character and appearance of the area along Shepherds Bush Road is a mixture of commercial uses at ground floor with accommodation at upper levels. The area also contains a number of small hotels/guest houses/hostels.
- 1.6 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent). Shepherds Bush Road is classified as London Distributor Road and the site is within Controlled Parking Zone C. A nearby bus stop serves bus routes 72, 220, 283, 295 and N72 which provide links to East Acton, Ladbroke Grove, Willesden Junction, Hammersmith, Wandsworth and Clapham Junction.
- 1.7 The Hammersmith stations are 0.4miles/8 minutes away which affords access to TfL Hammersmith & City, Circle, District and Piccadilly underground lines. Kensington (Olympia) station is 0.6miles/12 minutes away which affords access to TfL Overground and Southern Rail services. Goldhawk Road is also 0.5miles/10 minutes away which is also served by TfL Hammersmith & City and Circle lines.

## 2.0 RELEVANT PLANNING HISTORY

- 2.1 Planning permissions (2020/02546/FUL and 2020/02545/FUL), was approved at Committee in February 2021 and allowed the use of the sites as a single homeless shelter for a temporary period expiring on the 30th of November 2023. Once the permission expires, the uses of the properties should revert back to a hotel and guest house. The current application seeks to extend the temporary use from the 1st December 2023 until 30th March 2024, to cover the Winter months after which the use will be relocated.

### 2.2 101 - 103 Shepherd's Bush Road:

2021/00560/DET - Submission of details of Travel Plan Statement pursuant to condition 8 of planning permission ref: 2020/02545/FUL granted 4th February 2021 - Approved

### 2.3 105 Shepherd's Bush Road:

2021/00565/DET - Submission of details of Travel Plan Statement pursuant to condition 8 of planning permission ref: 2020/02546/FUL granted 4th February 2021 - Granted



### 3.0 PROPOSAL

- 3.1 The current application is for a short term extension of the current use by a further 4 months, in order to facilitate the provision of the homeless services over the winter period, after which the hostel use will cease and be relocated, and the previous hotel/guest house uses will be reinstated.
- 3.2 The previous permissions 2020/02546/FUL and 2020/02545/FUL, allowed for the use of the sites as a single homeless shelter, which is operated by St Mungos, a homeless charity and housing association. This temporary permission expires on the 30th of November 2023. The current application seeks to extend the temporary use from the 1st December 2023 until 30th March 2024.
- 3.3 In support of this application the applicants have confirmed existing and proposed floor plans, provided a good neighbours plan (management plan), travel plan statement, patrol maps, planning statement and a Flood Risk Assessment (FRA).

### 4.0 PUBLICITY AND CONSULTATIONS

- 4.1 The application was publicised by way of site and press notices. In addition, individual notification letters were also sent to neighbouring properties.
- 4.2 In total 22 residents' responses have been received 20 objecting to the proposal and 2 supporting the application. The responses received can be summarised as follows:

#### Objecting:

- Current operation has led to an increase in anti-social behaviour in the area, drinking on the street and open drug taking
- Nearby vulnerable uses nearby including schools are located e.g off Brook Green
- A bike was left overnight in residents garden on two occasions. After contacting the hostel, a phone call was made by unknown person advising resident to move house immediately.
- Police, fire and ambulances called weekly to the site
- Man left the hostel with no clothing on, in front of school children
- Hostel staff have been on strike on occasion - question who is running the shelter during strike periods
- Despite previous application documentation, never seen staff wearing high vis St. Mungo's vests conducting regular patrols of the immediate locality around 11am & 5pm daily as outlined
- Male residents harassing people on the street, often in groups and unsupervised
- Do not support any increase in bedrooms
- Drug dealers present several times a day in the vicinity
- Steering wheel of car stolen and a number of car break ins / attempted robbery
- Question if the security system in place at the hostel had a 'secure design' system as recommended by the police.
- Too large a number of residents in the hostel and that they will have too few communal facilities
- The level of support of the vulnerable population is insufficient
- Noise and disturbance
- Smell from construction materials and light from construction

Supporting:

- Until the existing community has adequate social care in place to support these vulnerable communities, there must be no more HMOs granted planning approval and no more off licence permits issued in the area of Shepherds Bush Green.
- Praised St Mungo's operation, noting they are a professionally run organisation providing a much-needed service.
- Hostel has been managed responsibly and wish for it to remain.

4.3 Officer response: All material planning issues raised are considered and addressed in the following assessment. Other issues relating to other sites / hostels are not material planning considerations. Likewise, issues relating to crime in the area generally, whilst noted, fall outside the remit of this planning application. Additionally, no construction work is proposed as the application relates to the use of the land only.

+ External Consultations

4.4 Thames Water were consulted and raised no objections to the proposal.

4.5 Metropolitan Police - No comments to make at this time.

4.6 A site visit was conducted by the case officer on the 20.09.2023 which included an internal inspection of the hostel to view current facilities and observe conditions of the site.

4.7 Following the site visit, amended floorplans were provided to more accurately reflect the set up on the site.

## 5.0 POLICY FRAMEWORK

5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.

5.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

5.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

+ National Planning Policy Framework (2023)

5.4 The National Planning Policy Framework (NPPF) was updated on 5 September 2023, coming into effect and replaces the NPPF (2021). This document is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

5.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

+ London Plan

5.6 The London Plan was published in March 2021. 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 years. It forms part of the development plan for Hammersmith and Fulham.

+ Local Plan

5.7 The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

## 6.0 PLANNING ASSESSMENT

6.1 The main considerations material to the assessment of this application have been summarised as follows:

- o Principle of Land Use
- o Quality of Accommodation
- o Design and Appearance (including impact on heritage assets).
- o Residential Amenity (outlook/privacy/noise)
- o Highways and Transportation
- o Environmental Matters

## LAND USE

6.2 London Plan Policy GG1 (Building strong and inclusive communities) seeks to, 'build on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities'. Part c of this policy outlines access to good quality community spaces, services, amenities is needs to increasing active participation and social integration, and addressing social isolation. Likewise, part l seeks to ensure creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

6.3 London Plan Policy H12 (Supported and specialised accommodation) outlines, 'The delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for'. This policy goes onto to identify supported and specialised accommodation includes accommodation for rough sleepers (point 6).

- 6.4 Local Plan Policy CF1 seeks to support community facilities and services and is echoed by Local Plan Policy CF2 which supports social infrastructure. Local Plan policy HO7 seeks to encourage and support applications for new special needs and supporting housing. This policy sets out four requirements:
- there is an established local need for the facility;
  - the standard of the facilities is satisfactory and suitable for the intended occupants;
  - there is a good level of accessibility to public transport and other facilities needed by the residents; and
  - the impact of the proposed development will not be detrimental to the amenity of the local area or to local services
- 6.5 Local Plan Policy HO8 sets out the acceptability of planning applications for new hostels. They will be considered in relation to the following criteria:
- the quality of the accommodation that is proposed or might be lost;
  - the impact of the accommodation on the locality; and
  - the local need for the proposed or existing HMO or hostel accommodation.
- 6.6 The proposal would continue to provide 40 en suite rooms hostel which would be used for a temporary period up until 30th March 2024 to house rough sleepers. The planning statement outlines, 'The St Mungo's hostel provides a base of operations for the assessment of the needs of users in this area of London. The hostel provides a 'H&F Rough Sleeping Assessment Hub' that delivers a provision of accommodation for rough sleepers across the Borough. An initial six-week period assessment period is carried out before more permanent forms of accommodation are then identified for the individual.' The average length of stay is about 12 weeks. All bed spaces are used by West London Local Authorities - 20 are solely for the use of H&F and 20 are spread across 7 West London Boroughs which include: Ealing, H&F, RBKC, Harrow, Hounslow Brent and Hillingdon. No bed spaces are used by Border Force or any other authority.
- 6.7 Information available to officers, sets out the need for such facilities. Since the hotel opened in 2021, a total of 606 people been accommodated at the site across the entire site (101-103 and 105 Shepherds Bush Road). The 101-103 unit (H&F only part of the site) accommodated a total of 141 people - these 141 people were found rough sleeping in the Borough who would have otherwise remained on the streets. The operation of the site has a 'prevention of rough sleeping' element to the service, as well as an outreach team. In 2018, Hammersmith & Fulham became the first local authority to undertake to end all rough sleeping. The current proposal helps to reduce the numbers of rough sleepers in the area and provide help and guidance for those looking to move into permanent accommodation.
- 6.8 Sleeping rough is very rarely an active choice; the causes are multiple and people's circumstances unique but often a result of a combination of structural and personal issues. The average age at death of people who experience homelessness was 44 years for men and 42 years for women, compared to 76 years for men and 81 years for women in the general population (ONS, 2018)
- 6.9 As a compassionate council, H&F is determined to reduce and eventually end rough sleeping in the Borough. Ending Rough Sleeping and Homelessness is a Manifesto commitment ('Rising to the challenges of our time, together' Page 48).

- 6.10 In 2022/23, 10,053 people slept rough in London, an increase of 21% (8,329) than in the previous year. In 2021/22, 214 people slept rough in H&F and this increased by 11% (238) in 2022/23. Alongside other London Boroughs H&F is currently seeing an unprecedented increase in rough sleeping. Over the past 5 years H&F estimated that between 5-7 people sleep rough on any given night. However, this has increased to an estimated 9-11 people since Summer 2023.
- 6.11 In the first six months of 2023 (April-Sept) H&F has seen 303 people sleeping rough, which is a 27% increase on the whole of the previous year. The main drivers contributing to rough sleeping are the cost of living crisis, shortage of housing supply, high rents and multi-faceted, complex support needs impacting on peoples' ability to find and keep accommodation. Information available to the council also show an increase in former refugees becoming homeless as the Home Office are expediting asylum decisions.
- 6.12 Given the use proposed is only temporary and no permanent loss of the hotel/guest house uses would occur, the principle of the proposed small extension in time, of the land use until March 2024 can be supported by officers. Whilst Local Plan Policy E2 sets out primarily hotels should be located within town centres and this site is outside any town centre designation, it is adjacent to two town centres and represents an established use. This permission seeks a short extension to the previous approvals. The planning agent and applicants have outlined, that after the 30th of March when this permission will expire, St Mungo's will be decanting from the site. The applicants note the level of need and support for homeless people will remain and they are looking at other options and models within H&F and other West London Local authorities. The owners of the site have given a clear indication that the hotel and guest house uses will be reinstated.
- 6.13 Based on the evidence available to officers and information presented within this application, a clear need for such a facility is recognised. The council's Supplementary Planning Document and Local Plan and London Plan policies support this use. As such, on balance, the principle of the Land Use is judged to be acceptable. Given this permission is only for a 4-month extension, on balance no objections are raised in land use terms. Should the application be granted, a condition is recommended which will require the two units to be separated again (removing the internal link) and used for C1 Class uses once more, beyond the 30th of March 2024.

## QUALITY OF ACCOMMODATION

- 6.14 The case officers visit to the site included an internal inspection of on-site facilities (see section 4.6 of this report). The quality of the existing hostel accommodation is judged to be acceptable.
- 6.15 As set out above in section 6.3 in order to meet the needs of people who need care and support, the standard of facilities should be satisfactory and suitable for the intended occupants. Floor plans provided confirm each of the bedrooms across both sites contain its own en-suite bathroom with shower. This is judged as being acceptable as private sleeping and washing facilities are being proposed.

- 6.16 Since the original permissions, the charity has also provided a resident's communal kitchen which allows for the preparation of food. Many of the bedrooms also have a fridge and microwave. Additionally, the kitchen contains seating and a tv, board games etc. This in turn, facilitates users of the hostel to remain on site for longer periods of time. Washing facilities (washing machine and tumble drier) are also provided on site and can be used by residents.
- 6.17 Each bedroom contains its own window which would afford natural lighting and provide users with acceptable levels of outlook. The internal link at ground floor level allows access into 101-103 Shepherds Bush Road and 105 Shepherds Bush Road. The only entrance/exit is the main doorway of 101-103 Shepherds Bush Road which is well overlooked from the main staff office. Given the unique challenges some users may present, staff have sole access to the entry system affording them control over who can enter and exit the building. This in turn aims to protect vulnerable residents and help ensure their safeguarding.

+ Internal space standards

- 6.18 Whilst Local Plan Policy HO4 and HO11 expect all housing developments to be of a high-quality design and be designed to have adequate internal space there is not a designated minimum space standard for temporary accommodation. No internal re-configurations are being proposed, rather a small extension of the previous permissions.
- 6.19 Officers consider that this proposal which provides a range of room sizes from c. 5sq.m to c. 13sq.m. Note, these figures do not include the floor space of the en-suite facilities. Given the temporary nature of this development and that normally residents would not stay any longer than 6 weeks in the units, it is judged that on balance the internal space of the new proposed short-term residential accommodation is acceptable.
- 6.20 An office and staff room are located to the front of the property at ground and first floors respectively. This represents a separation in terms of stacking between residential accommodation and other uses. This should also help ensure noise disturbance is reduced. Given Shepherds Bush Road is a busy thoroughfare between Hammersmith and Shepherds Bush town centres, the placement of the majority of accommodation to the rear of the property would also reduce noise from the highway for the occupants. Likewise, having office and the staff rooms along the front elevation also allows for passive surveillance to take place to the front of the property which would help to prevent any potential anti-social behaviour.

+ External amenity space

- 6.21 No external amenity space is provided, aside from the front garden. An external smoking area is located to the rear. This space helps to prevent residents gathering to the front of the property. After 9PM, only one resident is permitted in the smoking area at any one given time. Several public parks are located nearby including Brook Green and Little Brook Green opposite.

## + Secured by Design

- 6.22 London Plan Policy D3 (Optimising site capacity through the design-led approach) notes, "Measures to design out crime should be integral to development proposals and be considered early in the design process. Development should reduce opportunities for anti-social behaviour, criminal activities, and terrorism, and contribute to a sense of safety without being overbearing or intimidating. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, logical and well-used routes and a lack of potential hiding places.". This is reinforced and supported by London Plan Policy D11 (Safety, security and resilience to emergency) criterion b.
- 6.23 The site features extensive CCTV and a large CCTV screen showing a live feed is located in the main office, which is manned by staff 24/7. Residents have to sign in and out of the hostel each time they enter and leave and the hotel door remains locked with only staff able to 'buzz' residents and visitors into the facility. The Met Police did not object to the scheme as outlined under the technical consultations section of this report.

## DESIGN AND HERITAGE

- 6.24 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. It is key to the assessment of these applications that the decision making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the s.72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.
- 6.25 Section 72 of the above Act states in relation to Conservation Areas that:  
'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 6.26 Section 16 of the NPPF (Conserving and enhancing the historic environment) notes under Paragraph 189 of the NPPF states:

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 190 of the NPPF states:

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account: a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to

viable uses consistent with their conservation; b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 194 of the NPPF states:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation

- 6.27 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs mentioned above, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 6.28 The application site is located in the Lakeside/Sinclair/Blythe Road Conservation Area. Given that the proposal scheme does not include any external changes to the appearance of the host property, officers assess that the development would not cause any harm to the character, appearance or significance of the Conservation Area. As such, the character and appearance of the Conservation Area would be preserved overall. Officers have assessed the impact of the proposal on the heritage assets and consider that the proposal would accord with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, Local Plan Policies DC1, DC8.

## RESIDENTIAL AMENITY

- 6.29 Local Plan Policy HO11 addresses detailed residential standards and, in seeking high standard of design, seeks to ensure the protection of existing residential amenities; 'including issues such as loss of daylight, sunlight, privacy and outlook'.
- 6.30 In this case there would be no external alterations that would be visible. As such the proposal would not result in loss of daylight, sunlight, privacy and outlook to neighbouring residential properties. The use of the hotel would remain the same, providing short term accommodation and as such any existing issues are unlikely to be exacerbated.
- 6.31 London Plan Policy D14 (Noise) outlines the management of noise is about encouraging the right acoustic environment, both internal and external, in the right place at the right time and seeks to reduce, manage and mitigate noise to improve the health and quality of life.



- 6.32 Local Plan Policy CC11 seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development 'in the most appropriate locations'. Local Plan Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 6.33 NPPF paragraph 174 (e) states that planning decisions should prevent new and existing development from contributing to unacceptable levels of noise pollution.
- 6.34 It is not considered the proposal would materially increase localised noise and disturbance to neighbouring residents in the change of use which would largely remain for short term accommodation.
- 6.35 A Good Neighbours Plan (management plan) specific to 101-105 Shepherd's Bush Road has been submitted with the application. This confirms that the site has and would continue to have a visible staff presence with a manned reception 24/7. Staff will have sole control over entry and exit to the facility. As outlined previously, the sole entrance is via 101-103 Shepherds Bush Road only. The management plan outlines tenants must sign up to house rules which the prevention of loud music and shouting, no begging or shoplifting in the local area and no drinking/drugs or violence will be accepted.
- 6.36 With specific regard to drug dealing, which has been raised by several in several objections received, the management plan outlines should evidence of drug dealing arise, the warning and eviction procedure will be implemented. Two daily patrols are also carried out by staff at 11am and 5pm each day which cover the following route:
- Out of the hub, turn left and walk to the junction of Brook Green
  - Cross over the road to the Tesco superstore, look in the vicinity of here including the car park
  - Walk back down Shepherds Bush Road to the Gails (corner of Shepherd's Bush road and Batoum Gardens)
  - Walk back to the hub.
- 6.37 St Mungo's responded to objections raised and noted the following:
- + Antisocial behaviour
  - The charity accepted and acknowledged that the residents in Meliora House may at times cause incidents in the local community and within the building due their vulnerabilities and need for support. However, they did challenge the perception that the majority of ASB is attributed to people in the building. St Mungo's is committed to being Good Neighbours and all residents who come into the building commit to this too. This involves not committing acts of anti-social behaviour in the community, causing incidents in the building and engaging with the wide range of support interventions that are available. If clients are unable to do this, their tenancy is ultimately at risk and they will be asked to leave.

- + Patrols and industrial action
  - St Mungo's has recently come to the end of 12 weeks of Industrial Action. Meliora house operated safely throughout this, but some business-as-usual activities were paused at times. During this time if needed, staff were instructed to conduct shorter patrols ensuring the immediate vicinity of the service was checked. New or Temporary staff may also have not been aware that they needed to wear high visibility vests so would not have been known to members of the wider public. All patrols are now operating as usual with the regular staff team
  - + Bike left overnight in residents garden
  - This was investigated at the time - there was no evidence to demonstrate that it was a resident of Meliora House that left the bike in the neighbours garden. However, there was a phone call on the complaints phone from Meliora House at the time described. The call was not on St Mungo's call log and when staff were asked, they could not recall making any phone calls. The investigation into this complaint was inconclusive. There have been no further incidents or reports from this particular complainant that St Mungo's have been made aware of.
- 6.38 Officers would also note, if nearby residents wish to raise issues concerning the operation of the use with St Mungo's, a 24 hotline is available. The application submission also outlines the complaints procedure. This notes the service manager will respond and call the individual within 24 hours of the complaint or can meet residents face to face to discuss their concerns. If the complaint is not satisfied with the response this will be escalated as per policy, which is to the Senior Service Manager & Quality Team if required.
- 6.39 The management plan also outlines St Mungo's will be active members of all relevant local ward/resident meetings and managers will attend any local safer Neighbourhood Ward Panel meetings as well as monthly multi agency 'Street Population Action Partnership' meeting as required to discuss any emerging/ on-going issues in the locality. LBHF Community Safety will have management contact information for the services at the hostel. CCTV and other information will be shared as needed when issues are raised. Officers note, extensive CCTV was observed during officers site visit to the facility. Additionally, a live tv feed of CCTV is placed centrally in a 24/7 manned office.
- 6.40 On balance, the council is of the view the interventions proposed to safeguard neighbouring residential amenity, are proportionate to the temporary permission proposed and represent best practises to ensure the hostel operates in a satisfactory manner. This in turn should safeguard residential amenity of nearby residents. The Metropolitan Police have not objected to this planning application. Officers recommend a condition is imposed which will require the hostel to continue to operate in full accordance with the Good Neighbours Plan (management plan). On balance and subject to compliance with the above condition, the proposal is judged to comply with Local Plan Policies CC11, CC13, DC1 and HO11 of the Local Plan (2018) as well as London Plan (2021) Policy D14.

## HIGHWAYS AND TRANSPORTATION

- 6.41 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 that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
- 6.42 London Plan (2021) Policies T1, T3, T4 and T5 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 and cycle parking standards.
- 6.43 Local Plan Policy T2 seeks a transport assessment for all development to assess their contribution to traffic generation and impact on congestion particularly on bus routes and on the primary route network. T3 seeks to increase and promote opportunities for cycling and walking.

### + Travel Plan

- 6.44 An updated Travel Plan was provided during the application process. This application was referred to the council's Highways department. Officers raise no objection to the updated Travel Plan which outlines there will be approximately 20 staff working on a 24 hour rota. A maximum staff presence during the day is 14 and 3 during the night. The modal split of staff travelling to and from the site is 80% of staff using public transport and 20% regularly cycling/walking to work. As outlined under section 1.6 of this report, the site is well connected to public transport with a PTAL of 6a, representing excellent access to public transport using TfL methodologies.

### + Car Parking

- 6.45 The travel plan outlines no parking is associated to the site and any visitors (council staff, social workers, medical professionals etc) are advised no car parking is provided.

### + Cycle Parking

- 6.46 London Plan T5 and Table 10.2 outline the minimum cycle parking standards. Class uses falling under Sui Generis will be assessed against the most relevant other standard class use which officers judge to be C2 (secure accommodation) which requires 1 space per 5 FTE staff and 1 space per 20 bedrooms, representing a minimum of 5 cycle spaces. A total of 9 Sheffield stands have been installed in the front forecourt of the site which exceeds requirements for a total of 14 staff (at any one given time) and 40 bedrooms. Given the nature of residents who live on site, the cycle parking is likely used predominately by hostel staff and any visitors to the centre such as health care professionals, housing staff from the council etc. The property is also less than 0.1 miles from a Santander bike sharing location (behind Little Brook Green). On balance, cycle parking is judged to be acceptable and existing Sheffield stands were observed as well utilised during

officers site visit.

6.47 A condition is recommended that this cycle parking is retained for the lifetime of the development.

+ Refuse storage / Delivery and servicing

6.48 Local Plan Policy CC7 sets out the Council's Waste Management guidance, requiring development to incorporate suitable facilities for the storage and collection of segregated waste.

6.49 The delivery and servicing associated with the development would continue to be provided in the same way as they are for the existing hotel use and these arrangements are considered satisfactory .

## ENVIRONMENTAL MATTERS

+ Flood risk

6.50 The NPPF (2023) 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'.

6.51 London Plan (2021) Policy SI 12 outlines development proposals should ensure that flood risk is minimised and mitigated. Local Plan Policy CC3 requires that development should reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4.

6.52 This application was referred to the councils Environmental Policy team as it is located within the Environmental Agency Flood Risk Zone 2/3. The flood risk assessment (FRA) provided was reviewed and they raised no objection. Local Plan Policy CC3 requires that all developments must include water efficient fittings and appliances, where new facilities are provided. This will be communicated by way of an informative. A condition will secure compliance with the FRA provided (Appendix 1 of the Cover Letter by Peacock + Smith Ref: 02/5371/RM/EK(23August23)LBHF).

+ Air Quality

6.53 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).

6.54 Given the scale of this development which is only temporary its unlikely air quality improvements could be secured that would not be overly onerous. The heating of the hostel would remain as per existing arrangements. As such, on balance is judged to be acceptable.

## + Land Contamination

6.55 The council's Land Contamination team raised no objections to the scheme and recommended an informative.

## 7.0 CONCLUSION

- 7.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance. In summary, the proposed development would contribute towards the quantity of the borough's temporary housing stock to house the most at risk residents. The proposed change of use is temporary only and will cease at the end of March 2024. The use is in line with the council's aim to end homelessness and is supported by the figures of rough sleepers outlined in sections 6.6-6.7 of this report.
- 7.3 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report, it is considered having regard to the development plan as a whole and all other material considerations that planning permission should be granted subject to conditions for this short extension of time for this hostel use.

## 8.0 RECOMMENDATION

- 8.1 Grant planning permission subject to conditions.

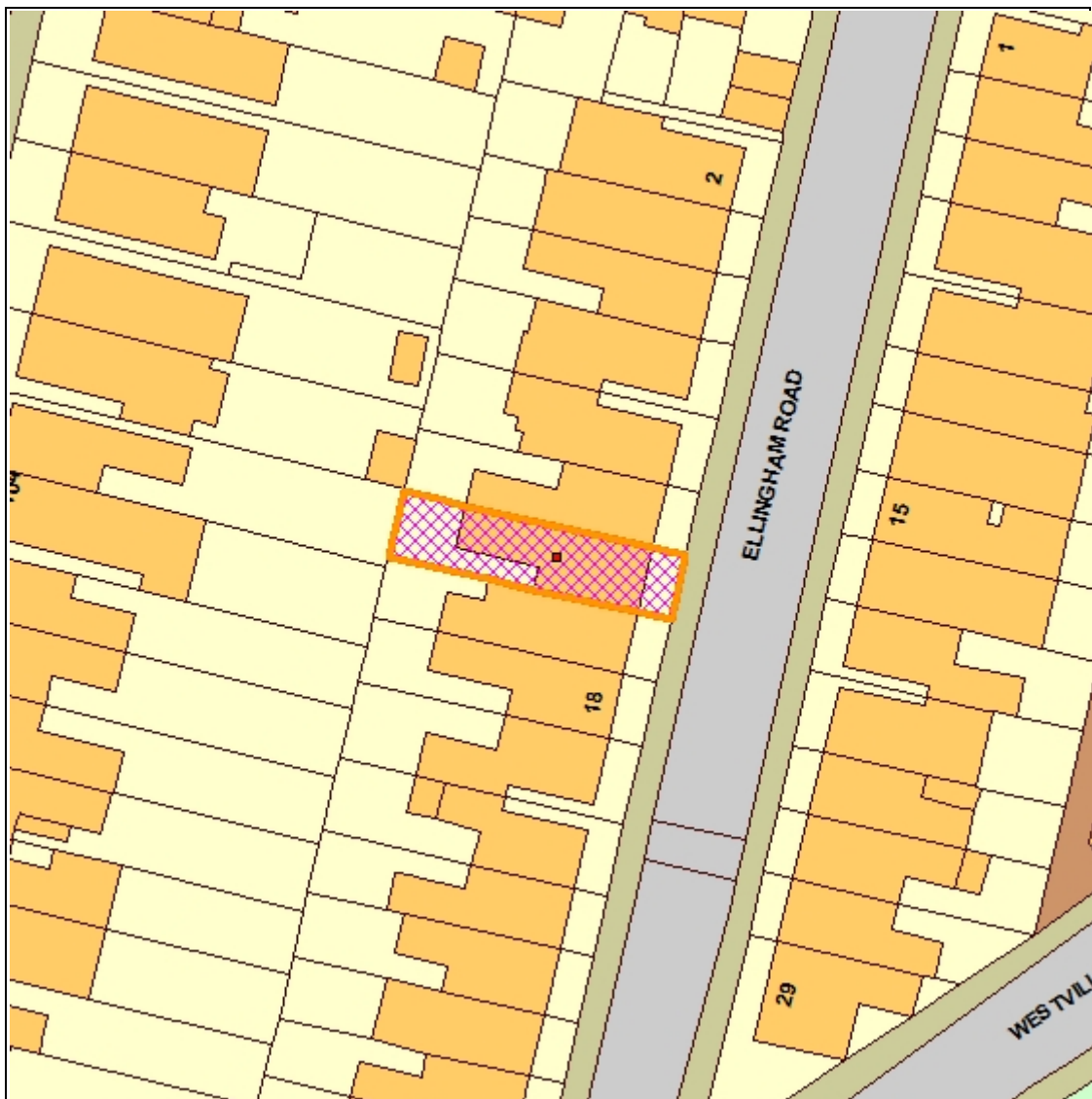
# Agenda Item 8

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**Ward:** Coningham

**Site Address:**

14 Ellingham Road London W12 9PR



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

**Reg. No:**

2023/01529/FUL

**Case Officer:**

Aisling Merriman

**Date Valid:**

15.06.2023

**Conservation Area:**

**Committee Date:**

07.11.2023

**Applicant:**

Mr & Mrs Charles & Rebecca Keidan & Steinfeld  
14 Ellingham Road London Hammersmith And Fulham W12 9PR

**Description:**

Erection of a rear roof extension, involving an increase in the ridge height to match adjoining property no.12; erection of a rear extension at second floor level, over part of the existing back addition; erection of a single storey rear extension, to the side of existing back addition; installation of 3no. rooflights in the front roofslope; erection of 1.7m high obscure glazed screening over the remaining part of existing first floor back addition, in connection with its use as a roof terrace.

Drg Nos: P/22 (Rev. B); P/23 (Rev. D); P/24 (Rev. B); P/25 (Rev. -); P/26 (Rev. E); P/27 (Rev. A); P/27 (Rev. A); P/28 (Rev. C); P/29 (Rev. C); P/30 (Rev. E); P/31 (Rev. A); P/32 (Rev. -); P/33 (Rev. C); P/34 (Rev. B). FRA (received 10 June 2023)

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

- 1) That the Committee resolve that the Director of Planning and Property be authorised to grant permission subject to the conditions listed below;
- 2) That the Committee resolve that the Director of Planning and Property, after consultation with the Assistant Director Legal Services 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 conditions, any such changes shall be within their discretion.

**Conditions:**

- 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 carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans.

- 3) The development hereby approved shall be carried out and completed in accordance with the materials (including colour and finish) specified on the drawings hereby approved. Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate. The re-built party wall should match the existing wall in terms of brick and mortar colour and bond pattern.

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

- 4) The balustrade of the Juliet balcony at second floor level on the west elevation [Dwg. No. P/26 (Rev.E)] hereby permitted shall be fixed flush with the rear elevation of the building at the same time as the associated doors are installed. The doors to the Juliet balconies shall open inwards only. The doors and balustrades shall be permanently retained in this form for the lifetime of the development.

To ensure a satisfactory external appearance and to protect the amenities of adjoining occupiers in terms of privacy and overlooking, in accordance with Policies DC1, DC4, DC8 and HO11 of the Local Plan (2018).

- 5) The height of the proposed side infill extension should not exceed 2 m as measured from the ground floor level of No. 16 Ellingham Road where the proposed extension extends past the existing extension at No. 16, as per Dwg. No. P/26 (Rev. E).

To protect the amenities of adjoining occupiers in terms of privacy and overlooking in accordance with Policy HO11 of the Local Plan (2018).

- 6) The terrace hereby approved shall not be first used until the privacy screening has been installed as shown on approved Dwg. No. P/26 (Rev. E). The privacy screen shall achieve a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3 and shall have a height of 1.7m above the finished floor level of the terrace along the side/rear elevations. The privacy screen shall thereafter be permanently retained as approved.

To protect the amenities of neighbouring occupiers in terms of overlooking and privacy in accordance with Policy HO11 of the Local Plan (2018).

- 7) No part of any roof of the rear roof extension hereby approved shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roof. No railings or other means of enclosure shall be erected on the roof, and no alterations shall be carried out to the property to form access onto the roof.

The use of the roof as a terrace would increase the likelihood of harm to the



existing residential amenities of the occupiers of neighbouring properties as a result of overlooking, noise and disturbance, contrary to Policies HO11 and CC11 of the Local Plan (2018).

- 8) No external air-conditioning units, ventilation fans, extraction equipment, flues or other plant equipment and associated external pipework or ducting shall be fitted to the rear elevation unless otherwise shown on the approved drawings.

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, DC2, DC4 and HO11 of the Local Plan (2018).

- 9) No water tanks, water tank enclosures or other structures shall be erected upon the roof of the extension hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, contrary to Policies DC4 and DC8 of the Local Plan (2018).

- 10) The development shall be carried out and completed in full accordance with the details contained within the approved Flood Risk Assessment [received 10 July]. No part of the development shall be used or occupied until all flood prevention and mitigation measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form and maintained as necessary thereafter.

To limit the impact on flood risk and mitigate the susceptibility of the development to flooding in accordance with Policies CC2, CC3 and CC4 of the Local Plan (2018).

- 11) The ridge height of the main roof shall not exceed the existing ridge height of No. 12's roof, in accordance with approved Dwg. No. P/25 (Rev. -).

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans

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

- 1) Officers consider that the proposed rear roof extension, pod addition, terrace and ground floor side infill extension would not have an unacceptable impact on the existing amenities of the occupiers of neighbouring residential properties and would be of an acceptable visual appearance. The proposed development would be acceptable with regards to the surrounding build context. The proposed development is consistent with the pattern of development in the area, is subservient to the original building and respects the area's character and would

not have a negative impact on neighbouring residential amenities. Officers consider that the proposed development complies with Policies DC1, DC4, DC6, HO11, CC3 and CC4 of the Local Plan (2018) and Key Principles HS6, HS7 and HS8 of the accompanying Planning Guidance Supplementary Planning Document (2018). Officers recommend a grant of permission.

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

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

Application form received: 10th June 2023  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2023  
The London Plan 2021  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

### **Consultation Comments:**

**Comments from:**  
Thames Water - Development Control

**Dated:**  
16.06.23

### **Neighbour Comments:**

#### **Letters from:**

#### **Dated:**

106a Percy Road Shepherds Bush W129QB	02.07.23
104 Percy Road London W12 9QB	13.07.23
16 Ellingham road london W12 9PR	11.10.23
Ground Floor 104 Percy Road London W12 9QB	13.07.23
16 Ellingham Road London W12 9PR	28.07.23
16 Ellingham road Shepherds Bush london W12 9PR	13.07.23
16 Ellingham Road Shepherds Bush London W129PR	28.07.23
106a Percy Rd Shepherds Bush w12 9qb	02.07.23
12 Ellingham Road London W12 9PR	09.07.23
24 Ellingham Road London W12 9PR	13.07.23
first floor flat 106,percy road london W12 9QB	12.07.23
18 Ellingham Road London w12 9pr	13.07.23

## 1.0 SITE DESCRIPTION

- 1.1 The application property is a two-storey terraced dwelling house located on the western side of Ellingham Road. The property includes a two-storey rear return. The property is occupied as a single family dwelling.
- 1.2 The site is not located within a Conservation Area. The site is located within the Environment Agency's Flood Zones 2 and 3.

## 2.0 SITE HISTORY

- 2.1 The following history pertains to the site:

- 1972/01794/FUL: Erection of a rear extension at first floor level, on top of the existing back addition. Refused.

## 3.0 PROPOSED DEVELOPMENT

- 3.1 The current application seeks permission for the erection of a rear roof extension, involving an increase in the ridge height to match adjoining property at No. 12, the installation of 3 No. rooflights in the front roofslope; the erection of an extension at second floor level over part of the existing back addition; the erection of 1.7 m high obscure glazed screening around the remaining part of existing back addition, in connection with its use as a roof terrace; and the erection of a single storey rear extension, to the side of existing back addition.
- 3.2 During the application process, following discussions with officers revised plans were received, reducing the height of the proposed rear infill extension at the southern boundary with No. 16.

## 4.0 CONSULTATION AND NOTIFICATION

### + PUBLIC CONSULTATION RESPONSES

- 4.1 The scheme was publicised by means of letters sent to adjacent occupiers.
- 4.2 Twenty-one neighbours were informed of the application via letter.
- 4.3 Eleven representations were received from eight respondents. The grounds for objecting can be summarised as follows:
  - Increased levels of noise and nuisance from the proposed terrace.
  - Increased opportunities for overlooking from proposed terrace.
  - impact of the proposed terrace on outlook from neighbouring properties' windows and amenity spaces.
  - impact of the proposed terrace on sunlight and daylight
  - impact on residents' fire safety through the loss of a potential escape route via the existing flat roof of the rear return.
  - impact of the proposed loft extension, in particular the proposed Juliet balcony, on neighbouring privacy.

- impact of the proposed raising of the roof ridge height on the local character and visual amenity.
- impact of the proposed pod extension on outlook from neighbouring properties' windows and amenity spaces.
- impact of the proposed development on flooding issues.
- impact of the proposed side infill extension on outlook and sense of enclosure from neighbouring properties.
- impact of the proposed development on value of neighbouring properties.
- Not in compliance with policy
- over-development of the site.
- undesirable precedent would be set by the granting of permission.

Following the revised plans one respondent submitted an additional response noting the following:

- With regards to the ground floor extension, the party wall may need to be rebuilt and request that the rebuilt wall precisely matches the existing brick wall
- The respondent also raised concerns that the Council balances the impact of the proposed terrace screen on neighbouring residential amenities. They consider that the negative impact of the 1.7 m obscure-glazed terrace screen on the rear elevation on light and outlook from neighbouring properties would be more substantial than the negative impact of a 1.1 m alternative on other neighbouring properties' privacy.
- Finally, the respondent considers that the proposed increase in the ridge height of the roof, is exaggerated and considers that the increase in the ridge height should be limited to that of neighbouring No. 12.

4.4 Relevant planning matters will be considered in the below assessment.

#### + EXTERNAL CONSULTEE RESPONSES

4.5 Thames Water were consulted and raised no objection to the proposed development.

4.6 No other external consultee responses were received.

#### 5.0 POLICY FRAMEWORK

5.1 The statutory development plan comprises of the Local Plan (2018) and the Planning Guidance Supplementary Planning Document (2018) (hereafter referred to as Planning Guidance SPD). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

5.2 National Planning Policy Framework (NPPF): The NPPF came into effect on 27 March 2012 and was subsequently revised in 2019, 2021 and more recently in 2023 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.

- 5.3 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.4 The London Plan: The London Plan was published in March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years.
- 5.5 The Local Plan: The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

## 6.0 PLANNING CONSIDERATIONS

- 6.1 The main planning considerations in the assessment of this application include the following: -

- Design and impact upon the character and appearance of the application property and the surrounding area.
- Impact on neighbouring residential amenity, particularly with regards to impact on outlook and access to light from neighbouring windows.
- Flooding.

- 6.2 The following policies are considered to be relevant to this application:

- Hammersmith and Fulham Local Plan (2018): Policies DC1, DC4, DC6, HO11, CC3 and CC4.
- Planning Guidance Supplementary Planning Document (2018); Key Principles HS6, HS7 and HS8.

## DESIGN AND VISUAL IMPACT

- 6.3 The council requires a high standard of design in all alterations and extensions to existing buildings. The proposed development is not located within a Conservation Area.
- 6.4 The proposal includes a rear roof extension at third storey (loft) level. The addition would involve an increase in the ridge height to match the neighbouring property at No. 12, to the north, and would match the profile of existing rear roof extensions along the rear of this section of the subject terrace. The roof and the rear elevation of the rear roof extension would be clad in dark grey tiles to match the existing. A new window is proposed to the rear elevation at second floor (loft) level, as well as a three-panel French door with a Juliet balcony with a glass frameless balustrade. The frames will be timber to match the existing windows. Three new rooflights are proposed to the front roofslope.

- 6.5 Officers note a number of objections with regards to this element of the proposal, in particular with regards to the raising of the ridge height at this location and potential impacts on the streetscape. Though there is no explicit planning history evident to this effect, Officers note that aerial imagery and as viewed from the street during the course of the site visit, the neighbouring property at No. 12 has increased their ridge height. Officers note that the rear roof extension at that property was permitted under 2006/03265/CLP. Officers do not consider that the increase in ridge height in that case has resulted in a negative visual impact to the streetscape. The proposed development seeks to increase the ridge height at neighbouring No. 14 to match that at No. 12. With regards to this, the existing townscape context and the relatively minor changes proposed to the front elevation of the property, Officers consider that the proposed amendments to the existing roof, including the increase of the ridge height, are acceptable. Overall, the proposed additions and amendments at third storey / second floor (loft) level are considered to be acceptable. Officers consider that a condition should be attached in the event of a grant of permission to ensure that the ridge height will not exceed that at No. 12.
- 6.6 The proposed development also includes the erection of a pod addition and an enclosed terrace at second floor level, on top of the flat roof of the existing two-storey back addition. The pod addition would match the profile of the existing addition at No. 12 but would extend approx. 1 m past the rear elevation of the neighbouring pod addition. The proposed addition would be less than half the length of the existing rear return and would be constructed of London stock brick to match the existing rear return. The pod addition would feature a dark grey flat roof. The terrace will be located on the remaining part of the rear return and will measure approx. 12 sqm. The terrace would feature a 1.7 m-high obscurely glazed glass balustrade, stepped in 0.3 m from the eaves, and will be accessed from double-panel timber-framed French doors which will replace the two existing windows.
- 6.7 Officers note that the addition as proposed would generally match the existing pod addition at No. 12 in profile, though would extend 1m past the rear elevation of that addition. Given the existing built context, the proposal is considered to be acceptable in design terms. Officers note that recent decisions permitted full length pod extensions along the subject terrace, including 2022/00829/FUL at No. 20 Ellingham Road, which was granted on appeal (Appeal Ref. 2023/00025/NDPP) and 2023/01268/FUL at No. 22 Ellingham Road. These recently permitted developments are similar to the proposed development with regards to scale and massing. Please see further discussion on the impact of the proposed development on existing residential amenities in Sections 6.11 to 6.24 of this report.
- 6.8 Finally, the proposal includes for a rear side infill extension located at ground floor level to the side of the existing rear return. The extension would measure 7.4 m, matching the length of the existing rear return, and would be made predominantly of London stock brick to match the existing. The extension would have a maximum height of 3.1 m, falling to approx. 1.5 m at the side (southern) boundary where the proposed extension extends beyond the existing extension at No. 16 (2m as measured from the ground level of the rear garden at No. 16, as per Drawing No. P/26 (Rev. A)). The proposed side extension at No. 14 extends approx. 3.16 m past the existing side extension at No. 16. The proposed extension would also

incorporate a 45-degree pitched roof where the extension extends past the existing neighbouring extension. A dark grey zinc material finish will bridge the two sections of the extension. A new door and rooflights also feature on the proposed extension. The party wall with No. 16 will be rebuilt as part of the proposed development and Officers consider that the re-built wall should match the existing wall in terms of brick and mortar colour and bond pattern. A condition will be attached in the event of a grant of permission to ensure this.

- 6.9 Given the existing built context, the proposal is considered to be acceptable in design terms.
- 6.10 Officers note that the application site is not within a Conservation Area, and the proposed development is not considered to be disruptive with regards to its impact on the surrounding townscape. The proposed development is considered to be compatible with the scale and character of existing development, surrounding properties and their setting. The proposed pod addition would match the design and profile of neighbouring additions, and the new terrace would accord with size limitations for terraces. In particular, the roof design and internal layout of the ground floor extension and the design of the roof extension help to successfully integrate both aspects of the proposed development into, and remain subordinate to, the host building and achieve the objective of good neighbourliness. Officers consider that the design of the proposed amendments generally reflects existing surrounding development and is proportionate to the context of the host building, and therefore is acceptable in this regard.
- 6.11 NEIGHBOURING RESIDENTIAL AMENITIES
- 6.12 The application property is a mid-terrace property located on the western side of Ellingham Road. The application property neighbours No. 12 Ellingham Road to the north and No. 16 to the south and abuts No. 106 Percy Road to the rear. No. 106 is divided into three flats.
- 6.13 The proposal includes a rear roof extension at third storey (loft) level. The addition would match the profile of existing rear roof extensions along the rear of this section of the subject terrace. A new window is proposed to the rear elevation at second floor (loft) level, as well as a three-panel French door leading to a Juliet balcony with a glass frameless balustrade. Officers note the existing built context which includes similar rear roof extension. Additionally, Officers note the 31m separation distance between the proposed windows at second floor level and the opposing rear elevations at Percy Road. As such, Officers consider that element of the proposal is considered to be acceptable with regards to its impact on existing residential amenity.
- 6.14 The proposed development also includes for the provision of a pod addition and an enclosed terrace on top of the existing two storey back addition. The pod addition would match the profile of the existing addition at No. 12 but would extend approx. 1 m past the rear elevation of the neighbouring pod addition. Officers note that the pod at No. 12 features two windows, one on the rear elevation and one on the flank (north) elevation. The proposed addition would be less than half the length of the existing rear return. A small terrace will be located on the remaining part of the rear return and will measure approx. 12 sqm. The terrace will feature a 1.7 m-high obscure-glazed glass balustrade, stepped in 0.3 m from the eaves, and

will be accessed from double-panel French doors which will replace the two existing windows.

- 6.15 Officers note a number of objections particularly regarding the design of the proposed pod addition and the associated terrace with regards to its impact on neighbouring properties. Officers note that the addition as proposed would match the existing pod addition at No. 12 in profile and would be 1 m longer. Officers note that the pod at No. 12 features two windows, one on the rear elevation and one on the flank (north) elevation. As there are two windows serving this room, the impact of the proposed development on outlook from the rear elevation window of No. 12's pod addition is considered acceptable.
- 6.16 With regards to neighbouring No. 16, Officers note a number of windows on the rear elevation which could be impacted by the proposed additions, including the first-floor window on the rear elevation of the main house and two first floor windows on the flank (north) elevation of the rear return. Planning records show that the first-floor window on the rear elevation of the main house serves a hallway / stairwell, and as such is not considered to serve a habitable room. One window on the flank elevation of the rear return serves a bathroom, which is also not considered to be a habitable room, and the other serves a study which is also served by an additional window on the rear elevation of the rear return. Officers note that the relatively large separation distance between the proposed addition and the windows at No. 16, which Officers consider is sufficient to further limit any negative impacts on existing outlook. Given the existing built context, the layout of neighbouring houses, as well as the siting of the pod addition, which is to the north of the properties most likely to be affected, the proposal is considered to be acceptable with regards to its impact on residential amenities including outlook and the sense of enclosure between buildings. The addition is not considered likely to negatively impact access to sunlight and daylight.
- 6.17 With regards to the impact of the proposed terrace, Officers consider the glass balustrade would restrict overlooking to neighbouring properties and would be a relatively unobtrusive addition to the existing two-storey rear return. The balustrade is stepped in from the eaves of the roof and is made of a lightweight material. The design is modest with regards to its impact on the bulk and massing of the building. Officers note that the impact on outlook from No. 12's pod addition is mitigated by the second window on the flank elevation of that addition. None of the windows at No. 16 which would be impacted by the proposed terrace are the sole window to a habitable room. Officers note the 28 m separation distance between the proposed windows at second floor level and the opposing rear elevations at Percy Road. As such, Officers consider that element of the proposal is considered to be acceptable with regards to its impact on existing residential amenity.
- 6.18 Finally, the proposal includes for a rear side infill extension located at ground floor level to the side of the existing rear return. The extension would have a maximum height of 3.1 m, falling to approx. 1.5 m at the side (southern) boundary where the proposed extension extends beyond the existing extension at No. 16. As per Drawing No. P/26 (Rev. E) the extension would be 2 m as measured from the ground level of the rear garden at No. 16. The proposed extension would also incorporate a 45-degree pitched roof where the extension extends past the existing neighbouring extension. Officers note a number of objections particularly



regarding the design of the side infill extension. Given the existing built context, the proposal is considered to be acceptable in design terms. Officers consider that a condition should be attached in the event of a grant of permission limiting the height of the extension to 2 m as measured from the ground floor level of No. 16 Ellingham Road where the proposed extension extends past the existing extension at No. 16.

- 6.19 The proposal is considered unlikely to result in any serious negative impacts on neighbouring residential amenities including impacts to daylight and sunlight, serious impacts on outlook from adjoining properties, and negative impacts on the openness between properties. The proposed development would not impact negatively on the privacy enjoyed by neighbouring properties. Officers consider that the proposed development complies with Policy HO11.
- 6.20 The rear garden of No. 106 Percy Road, which abuts the application property, is approx. 18 m in length. As such, Key Principle HS6 (ii) applies. The proposed addition to the existing rear return would not result in an infringing angle of more than 45 degrees as measured from the rear boundary at 2 m from ground floor level. Officers consider that the proposed development complies with Key Principle HS6 (ii).
- 6.21 Officers consider that the proposed development complies with HS7 (i). Officers note that the impact of the proposed development on neighbouring windows at No. 12 is mitigated by the second window on the flank elevation of No. 12's pod addition. The proposed additions are not considered to have a serious negative impact on windows at No. 16, as the affected windows are not the sole window serving habitable rooms. Officers note that the relatively large separation distance between the proposed addition and the windows at No. 16, which Officers consider is sufficient to limit any negative impacts on existing outlook.
- 6.22 Officers consider that the proposed development complies with HS7 (ii). The extension would have a maximum height of 3.1 m, falling to approx. 1.5 m at the side (southern) boundary where the proposed extension extends beyond the existing extension at No. 16, approx. 3.16 m. As per Drawing No. P/26 (Rev. E) the extension would be 2 m as measured from the ground level of the rear garden at No. 16. Officers consider that a condition should be attached in the event of a grant of permission limiting the height of the extension to 2 m as measured from the ground floor level of No. 16 Ellingham Road where the proposed extension extends past the existing extension at No. 16. The proposed extension would also incorporate a 45-degree pitched roof where the extension extends past the existing neighbouring extension.
- 6.23 Officers consider that the proposed development complies with HS7 (iii). The separation distance between proposed new windows on the rear elevation at second floor levels of the house and the rear return, respectively, protects existing residential amenities. Views from new windows at ground floor level are blocked by existing boundary treatments. The proposed terrace would feature a 1.7 m glass balustrade which would mitigate any overlooking or loss of privacy.
- 6.24 Officers consider that the proposed development complies with HS8. The proposed terrace is approx. 12 sqm and would not be able to accommodate a large group of people, additionally, the terrace will include a 1.7 m obscure-glazed

balustrade.

6.25 Officers consider that the design of the proposed development is generally acceptable with regards to the impact on existing residential amenities.

#### 6.26 FLOOD RISK

6.27 The site is located within the Environment Agency's Flood Zones 2 and 3. A Flood Risk Assessment has been submitted and includes some mitigation measures to reduce the risk to the proposed development from flooding. These mitigation measures include the setting of floor levels within the proposed development no lower than the existing levels and flood proofing. A condition will be attached in the event that planning permission is granted that will ensure the flood risk measures described in the FRA are adhered to. The proposal is considered to comply with Policy CC3 and CC4.

### 7.0 RECOMMENDATION

7.1 Officers consider that the proposed rear roof extension, pod addition, terrace and ground floor side infill extension would not have an unacceptable impact on the existing amenities of the occupiers of neighbouring residential properties and would be of an acceptable visual appearance. The proposed development would be acceptable with regards to the surrounding build context. The proposed development is consistent with the pattern of development in the area, is subservient to the original building and respects the area's character and would not have a negative impact on neighbouring residential amenities. Officers consider that the proposed development complies with Policies DC1, DC4, DC6, HO11, CC3 and CC4 of the Local Plan (2018) and Key Principles HS6, HS7 and HS8 of the accompanying Planning Guidance Supplementary Planning Document (2018).

7.2 Officers recommend a grant of permission in line with the recommendations above.