

Planning and Development Control Committee

Agenda

Tuesday 16 July 2024 at 7.00 pm

145 King Street (Ground Floor), Hammersmith, W6 9XY

Watch the meeting live: youtube.com/hammersmithandfulham

MEMBERSHIP

Administration:	Opposition
Councillor Omid Miri (Chair) Councillor Florian Chevoppe-Verdier (Vice-Chair) Councillor Ross Melton Councillor Nikos Souslous Councillor Nicole Trehy Councillor Patrick Walsh	Councillor Alex Karmel Councillor Adrian Pascu-Tulbure

CONTACT OFFICER: Charles Francis
Governance and Scrutiny
Tel: 07776 672945
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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. 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 11 July 2024

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 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

16 July 2024

<u>Item</u>	<u>Pages</u>
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
3. MINUTES	5 - 10
<p>To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 4th June 2024.</p>	
4. BARONS KEEP, GLIDDON ROAD, LONDON W14 9AT, AVONMORE, 2023/01553/VAR	11 - 28

5. **POCKLINGTON LODGE, RYLETT ROAD, LONDON W12 9PQ,
WENDELL PARK. 2023/00717/FUL** 29 - 72
6. **TRIANGLE GARAGE, 2 BISHOP'S ROAD, LONDON SW6 7AB,
FULHAM BROADWAY, 2022/03708/FUL** 73 - 108
7. **QUENINGTON MANSIONS, ROSTREVOR ROAD, LONDON SW6
5AU, FULHAM TOWN, 2023/02150/FUL** 109 - 138

London Borough of Hammersmith & Fulham

Planning and Development Control Committee Minutes



Tuesday 4 June 2024

PRESENT

Committee members: Councillors Omid Miri (Chair), Ross Melton, Nicole Trehy, Patrick Walsh, Alex Karmel and Adrian Pascu-Tulbure

Officers:

Matt Butler (Assistant Director of Development Management)
Allan Jones (Team Leader Urban Design and Heritage)
Neil Egerton (Deputy Team Leader)
Anisa Aboud (Principal Planning Officer)
Tom Scriven (Deputy Team Leader)
Catherine Paterson (Highways)
Mrinalini Rajaratnam (Chief Solicitor - Property and Planning)
Charles Francis (Clerk)

Before the start of formal business, the Chair introduced Councillor Ross Melton and Councillor Nicole Trehy as two new members of the planning Committee to their first meeting.

The Chair also provided his thanks to the former members of the Planning Committee, Councillor Rebecca Harvey and Councillor Wesley Harcourt for their years of service, as well as their expertise and contributions.

At the invitation of the Chair, Councillor Alex Karmel spoke on Councillor Harcourt's contributions. He explained that Councillor Harcourt's insight and institutional knowledge had benefitted the Committee to a huge extent, and he would be sorely missed.

1. APOLOGIES FOR ABSENCE

Apologies for absence were provided by Councillor Florian Chevoppe-Verdier and Councillor Nikos Souslous.

2. DECLARATION OF INTERESTS

There were no declarations of interest.

3. MINUTES

The minutes of the previous meeting held on 16 April 2024 were agreed as an accurate record.

4. ROBERTS HOUSE 99 - 103 HAMMERSMITH ROAD, LONDON, W14 0QH, AVONMORE, 2023/01033/FUL

An addendum was circulated prior to the meeting that modified the report.

Neil Egerton provided a joint presentation which also covered the listed building consent application. In the absence of any objectors, the Agent waived his right to speak.

The Committee voted on the officer recommendations for approval as amended by the Addendum as follows:

Recommendation 1:

FOR	Unanimous
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. 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 and the addendum.
2. That the Director of Planning and Property, after consultation with the Assistant Director of 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.

5. **ROBERTS HOUSE 99 - 103 HAMMERSMITH ROAD, LONDON, W14 0QH, AVONMORE, 2023/01034/LBC**

Neil Egerton presented the item. There were no speakers.

The Committee voted on the officer recommendations for approval as follows:

Recommendation 1:

FOR	Unanimous
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. That the Director of Planning and Property be authorised to grant listed building consent subject to the conditions listed below.
2. That the Director of Planning and Property, after consultation with the Assistant Director of 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.

6. **ADVERTISEMENT HOARDING ADJACENT TO 3 BLACK'S ROAD LONDON, HAMMERSMITH BROADWAY, 2023/02419/ADV**

An addendum was circulated prior to the meeting that modified the report.

Anisa Aboud presented the item. There were no registered speakers.

The Committee voted on the officer recommendations as follows:

Recommendation 1:

FOR	Unanimous
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. That the Director of Planning and Property be authorised to grant advertisement consent subject to the conditions listed in the report and amended in the addendum
2. That the That the Director of Planning and Property, after consultation with the Assistant Director of 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.

7. 165 - 167 NEW KING'S ROAD, LONDON, SW6 4SN, PARSONS GREEN AND SANDFORD, 2024/00292/VAR

An addendum was circulated prior to the meeting that modified the report.

Tom Scriven presented the item. The Agent spoke in support.

The Committee voted on the officer recommendations as follows:

Recommendation 1:

FOR	Unanimous
AGAINST:	0
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. That the Director of Planning and Property be authorised to grant the variation of planning permission subject to the conditions listed in the report and amended in the addendum.

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

8. **QUENINGTON MANSIONS, ROSTREVOR ROAD, LONDON SW6 5AU, FULHAM TOWN, 2023/02150/FUL**

An addendum was circulated prior to the meeting that modified the report.

Tom Scriven presented the item. A resident spoke in objection and the Agent spoke in support.

The Committee voted on the officer recommendations as follows:

Recommendation 1:

FOR	4
AGAINST:	2
NOT VOTING:	0

Recommendation 2:

FOR:	Unanimous
AGAINST:	0
NOT VOTING:	0

RESOLVED

1. That the Director of Planning and Property be authorised to grant permission subject to the conditions listed in the report.
2. That the Director of Planning and Property, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Addendum

Meeting started: 7.00 pm
Meeting ended: 8.23 pm

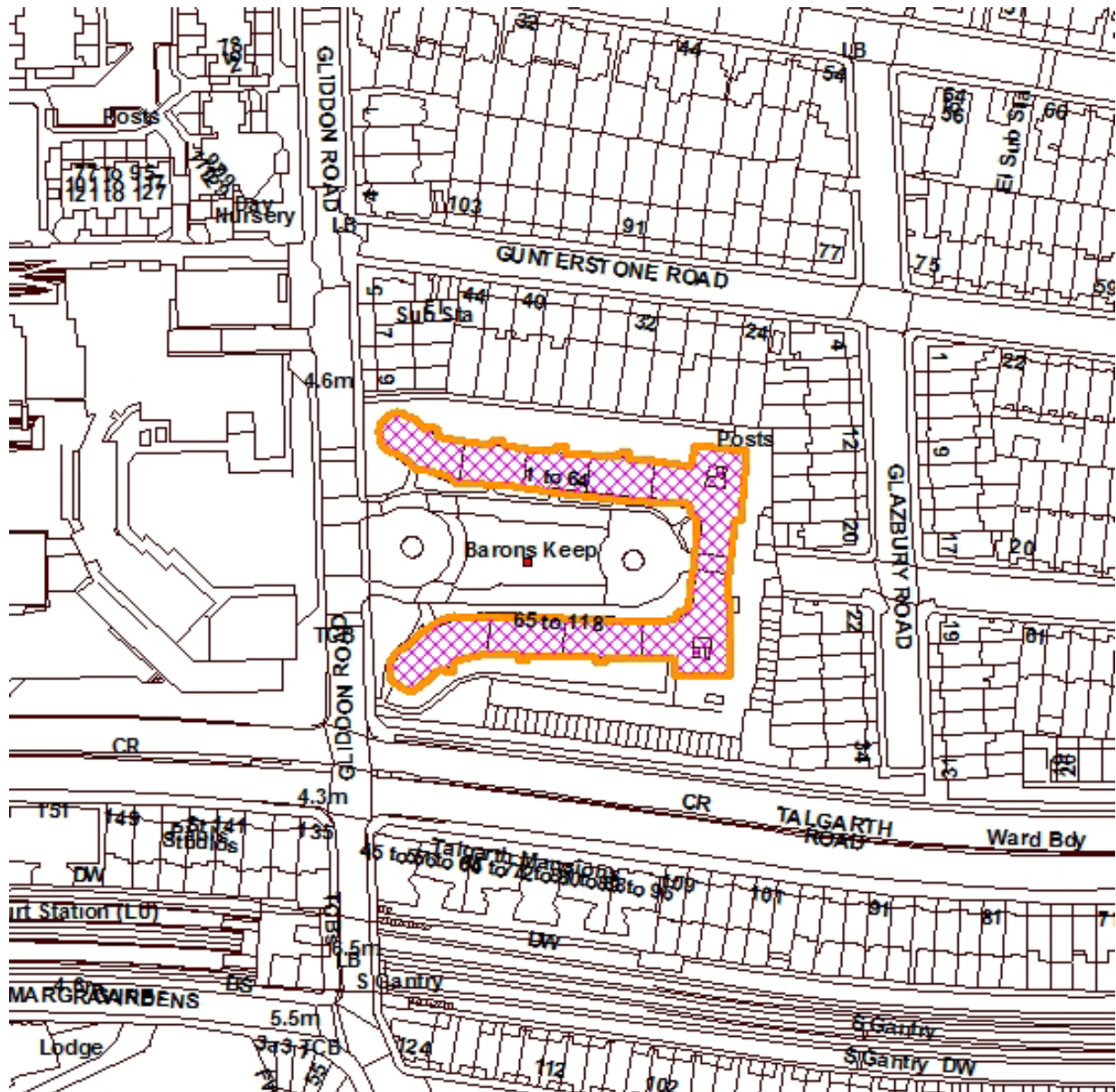
Chair

Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel 07776 672945
E-mail: charles.francis@lbhf.gov.uk

Ward: Avonmore

Site Address:

Barons Keep Gliddon Road London W14 9AT



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For identification purposes only - do not scale.

Reg. No:
2023/01553/VAR

Case Officer:
Elliot Brown

Date Valid:
14.06.2023

Conservation Area:
Constraint Name: Gunter Estate Conservation
Area - Number 34

Committee Date:
16.07.2024

Applicant:

Barons Keep Property Co (London) Ltd
Barons Keep Gliddon Road London W14 9AT

Description:

Variation of condition 2 of planning permission ref: 2017/04294/VAR granted 26th February 2018 for the 'Minor material amendment to previously approved planning permission ref: 2014/05546/VAR granted 19th February 2015 for amendments to condition 2; Amendments are to further extend and increase the size of flat nos. 5 and 8, and associated external alterations' to allow amendments to the approved drawings to include: alterations to the profile of the roof extension on the north wing (Flats 9, 10 and 11 - which is yet to be constructed) and to the corner Flat 8 (already constructed).

Drg Nos: Refer to Condition 02.

Application Type:

Vary or Delete Conditions Full/Outline

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 unilateral undertaking 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 of 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 the original decision dated 26.02.2018 (Ref: 2017/04294/VAR).

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 following approved drawing numbers, other than where those details are altered pursuant to the conditions of this planning permission:

6856-159-02 REV G (dated 22.11.2023); 6856-159-07 REV J (dated 22.11.2023); 159-08 REV D; 159-09 REV F; 159-10 REV F; 6856-1231-P01; 6856-1232-P01; 6856-1233-P01; 6856-1234-P01; 6856-1510 (Phase 3 - Typical Right of Light Section Profiles); 6856-1510 (Right of Light Profile Sections).

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

- 3) Any alterations to the elevations of the existing building shall be carried out in the same materials as the existing elevation to which the alterations relate.

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

- 4) The development shall be carried out in accordance with the materials approved under application ref: 2010/03258/DET and the glazing system submitted with this application and application ref: 2014/01489/VAR.

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

- 5) There shall be no roof structures or projections above the highest part of the building as shown on drawing numbers: 159-08 REV D; 159-09 REV F; 159-10 REV F.

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

- 6) No flues, extract ducts or pipes, nor satellite or terrestrial receiving equipment shall be fixed to the elevations of the additional floor without full details first being submitted to and approved in writing by the Council.

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

- 7) Prior to the occupation of the new flats, the development shall be carried out in accordance with the landscaping and parking details approved in application ref: 2010/03258/DET, and thereafter permanently retained in this form.

To ensure that satisfactory parking provision has been made for the development to ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies DC1, DC4, DC8, T1 and T4 of the Local Plan (2018).

- 8) Prior to the occupation of the new flats, the development shall be carried out strictly in accordance with the refuse storage details approved in application reference 2014/04581/FUL, and shall thereafter be permanently retained in this form.

To ensure that the use does not give rise to smell nuisance and to prevent harm arising from the appearance of accumulated rubbish, in accordance with Policy CC7 of the Local Plan (2018).

- 9) Prior to the occupation of the new flats, the development shall be carried out in accordance with the cycle storage details approved in application ref: 2014/04581/FUL, and shall thereafter be permanently retained in this form.

In order to promote alternative, sustainable forms of transport, in accordance with Policy T3 of the Local Plan (2018).

- 10) No trees on the site shall be topped, lopped, felled or wilfully destroyed without the prior approval in writing of the Council.

To ensure the protection of trees during development work on the site and to prevent their unnecessary loss, in accordance with Policies DC8 and OS5 of the Local Plan (2018).

- 14) The development shall be carried out in accordance with the phased building plan approved under application ref: 2013/05168/DET (appeal APP/H5390/A/14/2214054).

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

- 15) Other than the areas shown as a terrace on the approved plans no part of the remainder of the roof (including the enlarged roof deck to the north wing of the parent building) shall be converted into or used as a terrace or other open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the remaining roof. No railings or other means of enclosure shall be erected around the remaining roof and no alterations shall be carried out to the property to form an access onto this roof.

Such a use would be detrimental to the amenities of neighbouring properties by reason of overlooking and loss of privacy and potential noise and disturbance, contrary to Policies CC11 and HO11 of the Local Plan (2018).

- 16) Notwithstanding the drawings hereby approved, detailed drawings (at a scale of 1:20) and a manufacturer specification of the proposed solar PVs to the roof of Barons Keep shall be submitted to, and approved in writing by, the Council prior to their installation.

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

Justification for Approving the Application:

- 1) It is considered that the proposal would not have an unduly detrimental effect on the residential amenities of neighbouring occupiers and would be of an acceptable visual appearance. The proposal would preserve the character and appearance of the subject locally listed Building of Merit and the Gunter Estate Conservation Area. In this respect the proposal complies with Sections 12 and 16 of the National Planning Policy Framework (2023), Policy HC1 of the London Plan (2021), Policies DC1, DC4, DC8, H11 and T1 of the Local Plan (2018) and Key Principles AH2, BM2, CAG3, HS6, HS7 and HS8 of the Planning Guidance Supplementary Planning Document (2018).

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

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

Application form received: 13th 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

Crime Prevention Design Advisor - Hammersmith

Dated:

18.08.23

04.09.23

Neighbour Comments:

Letters from:

Dated:

4 Glazbury Road First Floor London W14 9AS	23.01.24
34a Gunterstone road London W14 9BU	22.01.24
5 Inverleith Avenue South Edinburgh EH3 5QA	22.01.24
38 Gunterstone Road, London W14 9BU	21.01.24
5 Inverleith Avenue South Edinburgh EH3 5QA	17.09.23
101 Gunterstone Road London W14 9BT	11.09.23
81 Gunterstone Road London W14 9BT	14.09.23
17 Viking Heights, Martlesham Woodbridge IP12 4RT	31.08.23
Flat 4 30 Gunterstone Road London W14 9BU	13.09.23
Flat 4 30 Gunterstone Road London W14 9BU	13.09.23
30 Gunterstone Road First Floor London W14 9BU	13.09.23
42 Gunterstone Road London W14 9BU	10.09.23
1st Floor 30 Gunterstone Rd London W14 9BU	11.09.23
42 Gunterstone Road Basement Flat London W14 9BU	14.09.23
97 Gunterstone Road London W14 9BT	14.09.23
83 Gunterstone Road London W14 9BT	12.09.23
24 Gunterstone Road London W14 9BU	13.09.23
85 Gunterstone Road London W14 9BT	14.09.23
36 Gunterstone Road London W14 9BU	16.09.23
36 Gunterstone Road London W14 9BU	16.09.23
44 Gunterstone Road London W14 9BU	14.09.23
44 Gunterstone Road London W14 9BU	23.01.24
42 Gunterstone Road London W14 9BU	11.09.23
30 Gunterstone Road 1st Floor London W14 9BU	08.09.23
24 Gunterstone Road London W14 9BU	29.09.23
89 Gunterstone Road London W14 9BT	11.09.23

12A Glazbury Road London W14 9AS	09.01.24
38 Gunterstone Road, Greater London London W14 9BU	11.09.23
26 Gunterstone Road London W149BU	11.09.23
Flat 1 28 Gunterstone Road London W14 9BT	14.09.23
99 Gunterstone Road London W14 9BT	14.09.23
40 Gunterstone Road London W149BU	14.09.23
118 Barons Keep London W14 9AX	02.10.23
Buckland Marsh House Buckland Marsh Faringdon SN7 8RD	14.09.23
91 Gunterstone Road London W14 9BT	12.09.23
4 Glazbury Road London W149AS	13.09.23

COMMITTEE REPORT

1.0 SITE DESCRIPTION

- 1.1 The application site is located on the junction between Talgarth Road and Gliddon Road. The site contains a five-storey apartment block dating from the 1930s, built in a horseshoe shape around a central landscaped courtyard. The block contains 118 dual aspect flats. The site also contains a number of garages within the south-eastern section of the site.
- 1.2 The property is of red brick construction and has a flat roof surrounded by a parapet. The property has a mix of metal / UPVC casement windows. Rendered concrete balconies painted white, project to the north and south elevations. Various projections currently rise above the parapet at roof level including lift over runs, stair towers and chimney breasts.
- 1.3 The application site lies within the Gunter Estate Conservation Area and contains a locally listed Building of Merit.
- 1.4 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3, within an area that benefits from flood defences.

2.0 RELEVANT PLANNING HISTORY

- 2.1 There is an extensive list of planning history relating to Barons Keep. Officers consider that the following applications are most relevant to the current S73 application.

2022/01609/NMAT - Non-material amendment to planning permission ref: 2017/04294/VAR granted 26th February 2018 for the 'Minor material amendment to previously approved planning permission ref: 2014/05546/VAR granted 19th February 2015 for amendments to condition 2; Amendments are to further extend and increase the size of flat nos. 5 and 8, and associated external alterations.' Amendments to the external stair cores of the building (south wing). Approved 05.07.22.

2020/02293/NMAT - Non-material amendment to planning permission reference: 2017/04294/VAR dated 26th February 2018 for the "Minor material amendment to previously approved planning permission ref: 2014/05546/VAR granted 19th February 2015 for amendments to condition 2; Amendments are to further extend and increase the size of flat nos. 5 and 8, and associated external alterations." Amendments sought to include alterations to the internal layout of each of the existing flats; including the provision of internal staircases to facilitate the use of part of the permitted lift over-run/water tank room as additional habitable floor space, and external alterations including the provision of rooflights and photovoltaic cells to the main roof and amendments to the height and design of existing chimney stacks. (amended description). Approved 20.04.21.

2017/04294/VAR - Minor material amendment to previously approved planning permission ref: 2014/05546/VAR granted 19th February 2015 for amendments to condition 2; Amendments are to further extend and increase the size of flat nos. 5 and 8, and associated external alterations. Approved 26.02.18.

2014/05546/VAR - Minor-material amendment to planning permission ref: 2014/01489/VAR granted on 7th July 2014 for amendments to Condition 2. Amendments are to increase the size of the flats and reduce the size of the roof terraces for the approved flats. Approved 19.02.15.

2014/01489/VAR - Minor-material amendment to planning permission ref: 2004/02444/FUL granted on 25th October 2006 for amendments to Condition 2. Amendments are to the disposition and layouts of the flats on the plans; changes to the glazing system; and changes to the roof profile involving a change to the pitch of the roof, raising the eaves by 150mm (to match the ridge) and raising of the chimney stacks. Approved 07.07.14.

2004/02444/FUL - Erection of an additional floor at roof level to create 11 new flats; alterations to existing car parking layout in central courtyard to provide one additional space; provision of 11 additional parking spaces in service area to east of site; erection of timber framed bin store to south-east corner of site. Approved by the Council on 12.12.2005, subject to conditions. An appeal was submitted in relation to the imposition of Conditions 12, 13, 14 and 15. The appeal was allowed, with Conditions 13, 14 and 15 deleted and substituted with re-worded conditions.

3.0 PROPOSAL

3.1 The current application seeks the variation of Condition 2 (approved drawings) of planning application ref. 2017/04294/VAR, to allow for the following amendments:

- Alterations to the profile of the roof extension on the north wing as well as the corner Flat 8.

3.2 The scheme has been amended since the original submission, by the removal of proposed roof terraces, as well as new documentation in regards to Rights to Light.

4.0 CONSULTATIONS

4.1 The application was publicised by means of a press and site notice as well as individual letters sent to neighbouring occupants (441 letters sent). In response to the original consultation thirty-three (33) no of objections were received. These can be summarised as follows:

- The proposal would result in detrimental harm to the amenity of neighbouring occupants, with regard to a loss of privacy/overlooking to neighbouring properties and their rear gardens from the proposed balconies and terraces, a loss of light, concerns about harmful levels of noise and disturbance;
- The bulk of Barons Keep already has a considerable impact on the levels of light and privacy of neighbouring occupants, and the addition of another storey behind this terrace would exacerbate this;
- The proposal would have a detrimental impact upon the character and appearance of Barons Keep, which is a locally listed Building of Merit, and the Gunter Estate Conservation Area;
- The proposal may result in potential damage to the mature Ash Tree within 26 Gunterstone Road, which is subject to the Tree Preservation Order TPO/24/8/70;
- Rooms with floor to ceiling windows and roof terraces/balconies will likely be lit at night, which will have a harmful impact upon neighbouring amenity by materially increasing artificial light levels after dark;
- The original submission falsely states that the proposal follows an agreement between the applicant and neighbouring residents on steps to rectify a breach of Right to Light;
- The proposal would materially interfere with existing/established Rights of Light that neighbouring properties benefit from.
- Letters from the local planning authority have not been received by neighbouring properties and it is not clear as to whether a site notice has been exhibited;
- If the application were approved, there would be little or no direct control over what happens next; some or all of the flats are highly likely to be bought to let or used as AirBnB;
- The flats comprised in the current application are few in number and so will not meet the needs of those who are in real need of housing;
- Objections have been lodged to the development of the roof of the north wing of Barons Keep consistently;
- The proposal would be contrary to Protocol 1, Article 1 and Article 8 of the Human Rights Act.

4.2 Following receipt of revised plans and documentation a re-consultation was carried out, and a further six (6) objections were received. The following new issues were raised:

- We have already had to put up with noise and disturbance associated with the construction of Flat 8 for the majority of 2023, and the proposal will exacerbate this impact from associated construction works;
- The associated construction works will minimise the amount of sunlight received to neighbouring gardens;
- There is concern that it will not be enforceable to prevent future occupants of these flats from gaining access to the roof to use as a terrace.

4.3 Officer response: The material planning considerations will be assessed within this committee report. Concern has been raised that the proposal could result in the use of the flats as buy to let or as short term holiday accommodation. Officers note that it is unlawful for homes in greater London to be used as short-term holiday rented accommodation for a cumulative period of more than 90 days a year without seeking planning permission. Officers note that the following concerns are not material planning considerations:

- Noise and disturbance associated with construction work would fall under the remit of Environmental Health legislation. Any breaches could be reported to the Council's Environmental Health team to investigate;
- The Right to Light is a legal easement which provides a right to light through a window, where that light has passed over a neighbour's land. Officers note that falls outside the scope of planning legislation. It is an independent legal issue governed by common law rather than planning law.

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 (December 2023)

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised 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.
- 5.5 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 20-25 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 CONSIDERATIONS

- 6.1 The current application seeks minor amendments to an extant planning permission. Officers consider that the proposal would raise the following material planning considerations:

- Design and impact upon the character, appearance and significance of the subject building and the surrounding area (including designated heritage assets);
- Quality of the residential accommodation;
- Impact upon neighbouring amenity;
- Trees;
- Flood risk.

DESIGN AND IMPACT UPON THE CHARACTER, APPEARANCE AND SIGNIFICANCE OF THE SUBJECT BUILDING AND THE SURROUNDING AREA (INCLUDING DESIGNATED HERITAGE ASSETS)

- 6.2 Paragraphs 135 and 139 of the National Planning Policy Framework (NPPF, 2023) specify that development should be visually attractive as a result of good architecture and be sympathetic to local character and history and permission should be refused for development of poor design. Paragraph 205 of the NPPF (2023) specifies that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to a heritage asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.3 Policy HC1 of the London Plan (2021) specifies that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the asset's significance and appreciation within their surroundings.
- 6.4 Policy DC1 of the Hammersmith and Fulham Local Plan (2018) notes that all development should seek to create a high-quality urban environment which respects and enhances its townscape setting, whilst Policy DC4 notes that all alterations and extensions to existing buildings should be a subservient addition to the parent building and compatible with the scale and character of existing development, neighbouring properties and their settings. Policy DC8 specifies that applications affecting designated heritage assets will only be permitted if the significance of the heritage asset is preserved and/or enhanced.
- 6.5 Officers acknowledge that the representations received have raised concern that the current proposal would have a detrimental impact upon the character and appearance of Barons Keep (a locally listed Building of Merit) and the Gunter Estate Conservation Area. These material considerations are assessed below.
- 6.6 Barons Keep was built in 1937 to the designs of Gunton and Gunton. It was designed as a set piece in a u-shaped layout which was influenced by the presence of a large area of open space to the west. It has a strong architectural character and quality, and a consistent height and scale, which has remained remarkably intact. The building has a strong horizontal emphasis which is reinforced by the cantilevered balconies, and has a rhythm which is defined by the vertical full-height windows at the staircase locations.
- 6.7 Given the status of the building as a locally listed building of merit, situated in a highly prominent position in the Gunter Estate Conservation Area, and due to its strong architectural character and its largely unaltered external appearance, the building would be extremely sensitive to any proposed alteration. The approved design of the roof extension to Barons Keep developed by John McAslan (under the application ref. 2004/02444/FUL) was considered to respect the spirit of the original design, the architectural character and form of the building, and preserves the character and appearance of the Conservation Area. One of the main objectives in developing an appropriate design was to ensure a consistent and clean roof line which wrapped around the whole building thereby enhancing the underlying form and character of the building. The form of the roof top extension echoed the footprint of the building beneath and respected the consistent scale and height throughout the building.

- 6.8 The Supporting Statement (received 22.12.2023) prepared by JTS Partnership outlines that the planning consent granted under 2004/02444/FUL has been implemented, with construction works completed on seven flats to the southern and eastern wings of the building, leaving the final four flats on the northern wing still to be constructed. Gunterstone Road is situated to the north of Barons Keep and it is understood that a number of these properties have a 'Right to Light'. Accordingly, the current application seeks to make minor amendments to the profile of the previously approved roof extension on the northern wing of the building, to slightly set-back the northern wing of the roof extension from the northern edge of the building.
- 6.9 Officers acknowledge that the proposed alteration to the profile of northern wing of the roof extension would have a minor impact upon the symmetry between the north and south wing of the roof extension, by reason of the northern wing having a marginally narrower width in comparison to the southern wing. Nevertheless, officers highlight that the northern wing of the roof extension has a limited visibility in the public views of Barons Keep which can be seen from the surrounding streets of Gliddon Road, the junction of Gwendwr Road and Glazbury Road and from Talgarth Road, to the west, east and south, respectively. Furthermore, officers consider that the most important view of the building is identified as being from the west (Gliddon Road), given that views from the west display the internal courtyard elevations. These western views, which are so characteristic of the building, and which are the only view from which its full form and symmetry can be appreciated, would not be altered by the current proposal.
- 6.10 Taking into account the impact upon the symmetry of the roof extension, officers consider that overall, the proposal will continue to be in keeping with, and be proportionate to (by reason of its reduced scale), the host building. The most important view of the building has been identified as being from the west (Gliddon Road). The proposed variations will not be seen in this view and the building will remain an architectural set piece, which makes a significant contribution to the character and appearance of the Gunter Estate Conservation Area. With regard to the proposed alterations to the external stair cores to the south wing of the building, officers consider that these would be of a modest nature which would preserve the character and appearance of the parent building. Furthermore, the visibility of these alterations would be more limited as a result of the existing row of street trees which are planted along the footway of Talgarth Road.
- 6.11 Overall, Officers consider that the design of the proposals for the northern wing of the Barons Keep development, as amended, would remain consistent with the original scheme design already implemented on-site and delivered through by the earlier phase of development. As such, there are no objections to the proposals from a design or heritage perspective. The proposed change would not be harmful to the character and appearance of the subject building of merit or the surrounding conservation area. In this respect, the proposal is considered to be consistent with Sections 12 and 16 of the National Planning Policy Framework (2023), Policy HC1 of the London Plan (2021), Policies DC1, DC4 and DC8 of the Local Plan (2018) and Key Principles AH2 and BM2 of the Planning Guidance Supplementary Planning Document (2018).

QUALITY OF THE RESIDENTIAL ACCOMMODATION

- 6.12 Policy HO4 of the Local Plan (2018) outlines that the council will expect all housing developments to provide a high-quality residential environment and be well designed internally. Policy HO11 of the Local Plan (2018) outlines that the design and quality of all new housing should be of a high standard and will meet the needs of future occupants. Policy D6 of the London Plan (2021) specifies that housing development should be of a high-quality design and provide adequately-sized rooms. Policy D6, Table 3.1 of the London Plan (2021) sets out minimum internal space standards for new dwellings.
- 6.13 The current proposal would not alter the total number of residential units (11) which were approved under the original planning application ref. 2004/02444/FUL. Officers acknowledge that the proposed reduction to the footprint of the roof extension's northern wing would necessitate alterations to the residential floorspace of Flats 8, 9, 10 and 11. Overall, the total residential floorspace of these four flats would be reduced from 785.2sqm to 595.2sqm, a reduction of 190sqm. With regard to the individual flats, the proposal would result in the following unit sizes:
- Flat 8: 149.9sqm (131.9sqm at fifth-floor and 18sqm at mezzanine floor). This is a reduction from 187.9sqm.
 - Flat 9: 125sqm (113.3sqm at fifth-floor and 11.7sqm at mezzanine floor). This is a reduction from 137.7sqm.
 - Flat 10: 157sqm (133.6sqm at fifth-floor and 23.4sqm at mezzanine floor). This is an increase from 137.7sqm.
 - Flat 11: 153.6sqm (141.9sqm at fifth-floor and 11.7sqm at mezzanine floor). This is a reduction from 318.3sqm.
- 6.14 Flats 8 - 11 would all contain two-bedrooms (plus a study/bedroom at mezzanine floor). Under Policy D6, Table 3.1 of the London Plan (2021) a 3-bed, 6-person unit over two storeys should provide a minimum unit size of 102sqm. The proposal therefore meets and exceeds these minimum unit sizes. Accordingly, officers raise no objection with regard to the reduced floorspace, which would still be considered to provide a high-quality standard of residential accommodation. These flats would remain dual aspect and are considered to ensure that occupants would still be provided with a high-standard of outlook and light. Overall, officers raise no objection with regard to Policy D6 of the London Plan (2021) and Policies HO4 and HO11 of the Local Plan (2018).

IMPACT UPON NEIGHBOURING AMENITY

- 6.15 Policy HO11 of the Local Plan (2018) specify that any proposal must be formulated to respect the principles of good neighbourliness. These policies are supported by Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018), which seek to protect the existing amenities of neighbouring residential properties in terms of light, outlook, noise, disturbance, overlooking or privacy.
- 6.16 The terrace-rows of Nos. 24 - 44 Gunterstone Road and Nos. 5 - 9 Gliddon Road adjoin the northern boundary of Barons Keep. The terrace-row of Nos. 4 - 34 Glazbury Road adjoin the eastern boundary of Barons Keep. Talgarth Road encloses the southern boundary of Barons Keep.

6.17 Officers note that representations have raised concern regarding the proposal's impact upon neighbouring amenity, particularly with regard to outlook, light, privacy, noise and disturbance. These will be assessed below.

+ Outlook, light and a sense of enclosure

6.18 With regard to scale and massing, Key Principle HS6 of the Planning Guidance SPD (2018) specifies that any proposed new development and/or extensions to existing buildings should, as a general rule, not result in an infringing angle of more than 45-degrees. Depending on the circumstances of the site, one of the following rules will apply:

- Where the neighbouring rear garden is less than 9m in length, the proposal should sit below an angle of 45-degrees taken from the rear boundary at ground-level.

- Where the neighbouring rear garden is more than 9m in length, the proposal should sit below an angle of 45-degrees taken from the rear boundary at a height of 2m at the rear boundary.

- If any part of the proposed building extends beyond these lines, then on-site judgement will be a determining factor in assessing the impact the extension will have on the existing amenities of neighbouring properties.

6.19 The current proposal relates to the northern wing of Barons Keep's roof extension. The terrace-row of Nos. 24 - 44 Gunterstone Road adjoins the northern boundary of the application site. Measurements taken demonstrate that these neighbouring properties feature rear gardens of more than 9m, and so as a general rule, the proposal should sit below an angle of 45-degrees taken from the rear boundary of these properties at a 2m height.

6.20 Officers note that the proposal would technically infringe this guidance. However, officers consider that there would be site-specific circumstances which would enable the proposal to mitigate against detrimental harm with regard to outlook and a sense of enclosure. Notably, the existing building itself would already infringe an angle of 45-degrees taken from the rear boundary of Nos. 24 - 44 Gunterstone Road at a 2m height. Furthermore, measurements taken demonstrate that there would be a separation of 25m between the rear elevations of Nos. 24 - 44 Gunterstone Road and the north elevation of the roof extension. Finally, the proposal would maintain the height of the existing permission and would pull back the façade of the roof extension in closest proximity to these neighbouring properties from the north elevation of the building, which would result in a lesser impact in terms of scale and massing in comparison to what has been approved previously.

6.21 With regard to light, officers note that the proposal seeks to prevent neighbouring properties' Right to Light from being affected. Officers note that the Right to Light is a legal easement which provides a right to light through a window, where that light has passed over a neighbour's land. As this falls outside the scope of planning legislation, officers cannot make a judgement as to whether the proposal would achieve those aims.

6.22 In terms of the proposal's impact upon levels of light to neighbouring properties, officers note that the roof extension's impact upon neighbouring properties has been assessed as part of previous planning applications and has been found to be acceptable. By reason of the nature of the proposal, officers are satisfied that the material amendment to pull back the façade of the roof extension from the north elevation of the building would not result in detrimental harm to the levels of light received to neighbouring properties.

+ Privacy and noise

6.23 Key Principle HS7 (iii) of the Planning Guidance SPD (2018) states that any new windows should be positioned at least 18 metres from existing habitable room windows. This will be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure there is no loss of privacy. If this standard cannot be met, then windows should be designed to ensure that no loss of privacy will occur.

6.24 Key Principle HS8 of the Planning Guidance SPD (2018) states that planning permission will not be granted for roof terraces or balconies if the use of the terraces or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance; or, if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy than from the access point onto the proposed roof terrace/balcony.

6.25 The proposal would reduce the footprint of the north wing of the previously approved roof extension to Barons Keep, and accordingly, the existing roof deck area would be increased as a result of this. Officers acknowledge that the representations received have raised concern that the existing roof deck could be used by future occupants of these flats as a roof terrace. In response to these concerns, the applicants have removed the terraces from the proposal, and officers confirm that the existing roof deck is not proposed to be used as a roof terrace/private amenity space. Notably, the proposed floor plan (drawing No. 6856-159-02 REV G) includes annotations specifying that the existing roof deck 'will be used for maintenance purposes only and will not be accessible to occupants of Flats 8, 9, 10 and 11'.

6.26 The proposed floor plan shows that flats would have access to a dedicated escape route located within the roof deck, which would be used by future occupants in an emergency and would lead to the escape staircases. Nevertheless, glass balustrades are depicted, which would separate the roof deck from the escape route, and there would be no direct access from Flats 8, 9, 10 or 11 to the roof deck. Furthermore, officers recommend that a condition be imposed to prevent the use of the existing roof deck as a terrace/private amenity space, to prevent exposing neighbouring occupants to potential harm from noise and disturbance.

6.27 In terms of the north elevation windows of the roof extension, which would face towards those properties along the southern side of Gunterstone Road (Nos. 24 - 44 Gunterstone Road), officers note that there would be a minimum separation of at least 18m away from these windows to the existing habitable windows of neighbouring Nos. 24 - 44 Gunterstone Road.

- 6.28 The flank elevation of the terrace-row of Nos. 5 - 9 Gliddon Road faces towards the rear elevation of the northern wing of Barons Keep's roof extension. Resultantly, this relationship means that the rear elevations of Nos. 5 - 9 Gliddon Road face away from the rear elevation of the northern wing of Baron Keep's roof extension. This is considered to mitigate against detrimental harm to the amenity of these occupants, with regard to privacy and overlooking.
- 6.29 The windows within the northern wing of Barons Keep's roof extension would not directly face the rear elevation habitable windows serving Nos. 4 - 20 Glazbury Road. Accordingly, the proposal would be considered to mitigate against detrimental harm to the amenity of these occupants, with regard to privacy and overlooking.
- 6.30 Overall, officers consider that the proposal would be of a scale, massing, siting and design which would mitigate against detrimental harm to the amenity of neighbouring occupants. In this respect, the proposal would be consistent with Policy HO11 of the Local Plan (2018) and Key Principles HS6, HS7 and HS8 of the Planning Guidance SPD (2018).

HIGHWAYS/PARKING

- 6.31 Policy T1 of the Local Plan (2018) seeks to encourage the provision and use of public transport and bicycles, to improve congestion and air quality within the Borough.
- 6.32 The current proposal would not alter the total number of residential units within the roof extension which was approved under application ref. 2004/02444/FUL, which would remain at eleven (11) units. Eleven (11) off-street parking spaces for these flats were included within the service courtyard of Barons Keep for use by these residential units. Officers highlight that as part of the original decision for ref. 2004/02444/FUL and 2017/04294/VAR, conditions were included which prohibit future occupants of the eleven units from being entitled to car parking permits on the public highway. Officers note that the Council's chosen mechanism to restrict parking permits is now through a unilateral undertaking (UU). The applicant has confirmed their agreement to a unilateral undertaking to prevent occupants/future occupants of these 11 flats being entitled to on-street car parking permits. Accordingly, subject to the completion of a satisfactory UU, officers do not consider that the current proposal would harmfully exacerbate the existing levels of parking stress and congestion within the locality of the application site.

TREES

- 6.33 The representations received have raised concern regarding the proposal's potential impact upon the mature Ash Tree within 26 Gunterstone Road, which is subject to the Tree Preservation Order TPO/24/8/70. Officers note that the proposal would not involve ground-level works, and as such it is considered that the proposal would not result in detrimental harm to the health and amenity of this tree, in terms of harm to its root system.

FLOOD RISK

- 6.34 The application site lies within the Environment Agency's Flood Risk Zones 2 and 3. Whilst typically a flood risk assessment would be required by Policy CC3 of the Local Plan (2018), the current proposal relates to the roof extension, and accordingly the nature of the proposal would not harmfully exacerbate the application site's flood risk. Accordingly, the absence of a flood risk assessment is considered justifiable in this instance.

SUSTAINABILITY AND CLIMATE CHANGE ADAPTATION

- 6.35 Paragraphs 157 and 163 of the National Planning Policy Framework (NPPF, 2023) outline that the planning system should support renewable and low carbon energy and associated infrastructure, and that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significantly cutting greenhouse gas emissions.
- 6.36 Paragraph 164 of the NPPF (2023) specifies that local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvement to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).
- 6.37 Key Principle KPC8 of the Climate Change Supplementary Planning Document (SPD, 2023) supports the principle of installing solar PV panels for both new and existing buildings. Key Principle KPC22 outlines that, with regard to heritage assets, two key areas of risk which must be considered when upgrading buildings to improve their environmental performance are: 1) causing harm to the character, appearance or significance of a heritage asset, and 2) causing conflicts between the existing traditional construction and structural fabric of a heritage asset through retrofit proposals.
- 6.38 Table 1 of the Climate Change SPD (2023) sets out some general guidance on the main opportunities to retrofit heritage assets. Officers note that whilst this application only relates to minor amendments to the layout of the approved flats, that solar panels have previously been approved to the roof of Baron's Keep under application ref. 2020/02293/NMAT, which can be seen on the proposed roof plan submitted as part of this current S73 application. With regard to space heating and hot water, the agent has confirmed in writing that the existing heating and hot water systems serving Barons Keep were installed in the mid/late 2000's and are not proposed to be replaced as part of the current planning application. Overall, officers consider that the proposal has demonstrated the inclusion of climate change adaptation/sustainability measures which are proportionate to the scheme, taking into account the original planning consent was approved in 2005.

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 summary, the proposed development would result in a minor material change to the previously approved roof extension, involving the façade of the northern wing of the roof extension to be pulled back from the north elevation of Barons Keep. Officers consider that this would mitigate against an unduly detrimental impact on the amenity of surrounding occupants, and without harm to the character and appearance of the parent building (a locally listed Building of Merit) and the Gunter Estate Conservation Area.
- 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 in line with the recommendations above.

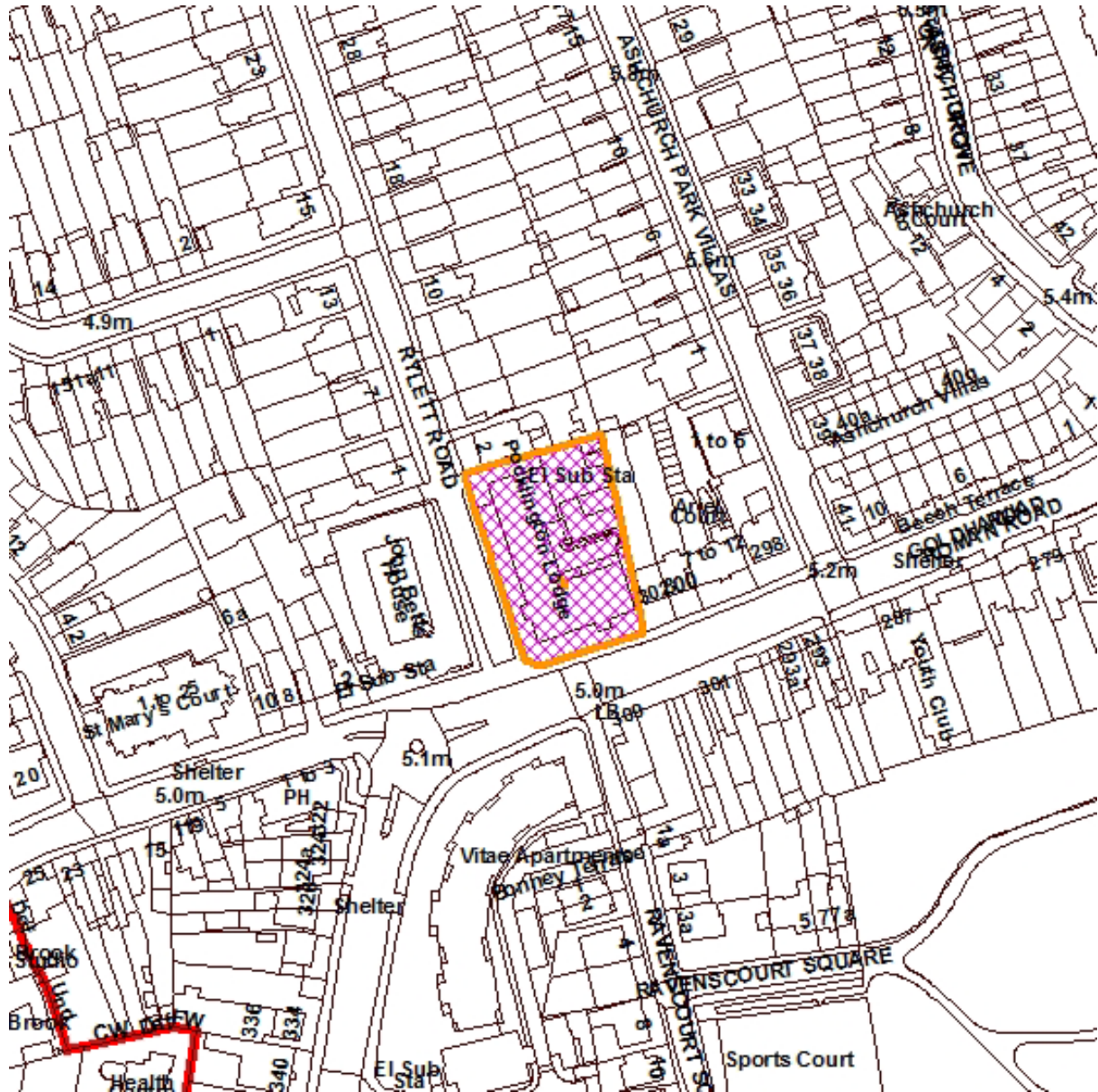
8.0 RECOMMENDATION

- 8.1 Grant permission, subject to conditions and a Unilateral Undertaking.

Ward: Wendell Park

Site Address:

Pocklington Lodge Rylett Road London W12 9PQ



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For identification purposes only - do not scale.

Reg. No:
2023/00717/FUL

Case Officer:
Anisa About

Date Valid:
27.04.2023

Conservation Area:
Constraint Name: Ravenscourt And Starch Green
Conservation Area - Number 8

Committee Date:
16.07.2024

Applicant:

Thomas Pocklington Trust
c/o Agent 203 Westminster Bridge Road Lambeth London
SE1 7FR
United Kingdom

Description:

Demolition of rear buildings (including Warden's bungalow); Erection of new two storey Mews building to provide 4 x 1-bed new residential units (Use Class C3) and part one-part two storey upward extension to Pocklington Lodge to provide 15 x 1-bed additional residential units (Use Class C3) for blind and visually impaired persons, cycle storage, refuse storage, new landscaping and amenity space, new dog run, fenestration changes to existing building and other associated works.

Drg Nos: Refer to Condition 02.

Application Type:

Full Detailed Planning Application

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 of 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.

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 following approved drawing numbers, other than where those details are altered pursuant to the conditions of this planning permission:

Proposed Site Plan: 21-108_050_P7
Proposed Ground Floor Plan: 21-108_100_P8
Proposed First Floor Plan: 21-108_101_P7
Proposed Second Floor Plan: 21-108_102_P7
Proposed East and West Elevations: 21-108_400_P6
Proposed North Elevations: 21-108_401_P6
Proposed South Elevations: 21-108_402_P6
Proposed Street Elevations: 21-108_405_P2
Received: 04/07/2024

+ Approved documents:

Addendum Report dated July 2024 Revision P1;
Heritage Statement prepared by JMS Planning and Development Ltd dated March 2023;
Arboricultural Impact Assessment prepared Silva Arboricultural Ltd ref.23011, dated March 2023;
Daylight & Sunlight Report prepared by Delva Patman Redler dated 28 February 2023;
Flood Risk Assessment and SuDS/Drainage Strategy prepared by Mason Navarro Pledge ref: 222478-MNP-XX-XX-RP-C-0001 REV P02, dated March 2023;
Energy & Sustainability Statement prepared by JS Lewis Ltd, dated March 2023;
Proposed UGF Plan dwg. ref: 21-108 SK-25 Rev.P1 and Urban Greening Factor Sheet;
Transport Statement prepared by Pulsar Transport, dated March 2023;
Fire Safety Statement prepared by CHPK Fire Engineering Limited, ref. FE01716 Rev.A, dated 09 March 2023;
Structural Engineering Feasibility Report prepared by Tully De'Ath Consultants dated 29 November 2018;
Construction Management and Logistics Plan (First Draft);
Design and Access Statement dated July 2024 version P2.

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

- 3) Prior to commencement of above ground works, a revised energy strategy to include full details of the energy efficiency measures and on-site renewable energy generation (such as air source heat pumps) be submitted to and approved in writing by the Council, to demonstrate achievement of the minimum carbon reduction levels as set out in the approved energy strategy (reference report).

Approved details shall be fully implemented and permanently retained and maintained for the lifetime of the development.

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

- 4) The development shall be carried out and completed in full accordance with the details contained within the approved Flood Risk Assessment and SuDS/Drainage Strategy by Mason Navarro Pledge dated March 2023 (ref: 222478-MNP-XX-XX-RP-C-0001 REV P02). All flood prevention and mitigation measures (including Sustainable Drainage Measures) shall be installed prior to occupation of the hereby approved flats which shall be created in accordance with the contents of the approved FRA. The development shall be permanently retained in this form and be 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).

- 5) Prior to the commencement of the demolition phase (excluding installation of hoarding around the perimeter of the site) of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Council. The AQDMP submitted shall be in accordance with the Councils AQDMP Template 'B' and shall include the following details:

- a) Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
- b) Demolition Site and Equipment Layout Plan
- c) Inventory and Timetable of dust generating activities during Demolition site activities.
- d) Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM10 (human health) impacts for sensitive receptors on-site and 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 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 Low/Medium Dust Risk Rating of the site and shall be in a table format.
- f) Details of installation of solid hoarding (minimum height of 2.5 m) including photographic confirmation of installed hoarding around the perimeter of the site
- g) Details of Site Dust Monitoring Procedures and Protocols including photographic confirmation of the installation of a minimum of 4 x Dust Deposition monitors on the site boundaries used to prevent dust levels exceeding the Site Dust Action Level (SDAL) of 200 mg/m²/day, averaged over a 4-week period as referenced in paragraph 4.41 of IAQM 'Monitoring in the Vicinity of Demolition and Construction Sites', Version 1.1, October 2018 guidance.
- h) 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 demolition shall be registered on the London City Hall NRMM register GLA-NRMM-Register prior to commencement of demolition works and thereafter retained and maintained until occupation of the development.

i) Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 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.

- 6) Prior to the commencement of the construction phase (excluding installation of hoarding around the perimeter of the site) of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Council. The AQDMP submitted shall be in accordance with the Councils AQDMP Template 'D' and shall include the following details:
- a. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
 - b. Demolition 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 on-site and off-site of the development within 250 m of the site boundaries during the construction phase and is undertaken in compliance with the methodology contained within 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 Low/Medium Dust Risk Rating of the site and shall be in a table format.
 - f. Details of installation of solid hoarding (minimum height of 2.5 m) including photographic confirmation of installed hoarding around the perimeter of the site
 - g. Details of Site Dust Monitoring Procedures and Protocols including photographic confirmation of the installation of a minimum of 4 x Dust Deposition monitors on the site boundaries used to prevent dust levels exceeding the Site Dust Action Level (SDAL) of 200 mg/m²/day, averaged over a 4-week period as referenced in paragraph 4.41 of IAQM 'Monitoring in the Vicinity of Demolition and Construction Sites', Version 1.1, October 2018 guidance.
 - h. 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 London City Hall NRMM register GLA-NRMM-Register prior to commencement of construction works and thereafter retained and maintained until occupation of the development.
 - i. Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g., minimum Petrol/Diesel Euro 6 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 7) 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 nineteen self-contained dwellinghouses (Use Class C3) shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all residential floors where Hammersmith & Fulham Councils 2030 Annual Mean Air Quality Targets for Nitrogen Dioxide (NO₂) - 20ug/m³ , Particulate (PM10) -20ug/m³ and Particulate (PM2.5) - 10 ug/m³ are exceeded and where current and future predicted pollutant concentrations are within 5% of these limits. The report shall include the following information:

- a) Details and locations of the ventilation intake locations at rear roof level or on the rear elevation of all residential floors
- b) Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes on all residential floors, 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
- c) Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) 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 90% 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.
- d) Details and locations of restricted opening windows (maximum 200mm for emergency purge ventilation only) for all habitable rooms (Bedrooms, Living Rooms, Study) on all residential floors.

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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 8) Prior to occupation of the development hereby permitted, details of a post installation compliance report of the approved ventilation strategy as required by condition X 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 9) Prior to occupation of the development hereby permitted, the installation/commissioning certificates of electric induction cooking stove in the kitchens of the nineteen self-contained dwellinghouses (Use Class C3) 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 10) Prior to the occupation of each phase of the development hereby permitted, details of the proposed hard and soft landscape scheme in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance to mitigate existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The details shall include green vegetation barrier (minimum height of 1.5 metres) on the site boundaries with Goldhawk Road (A402) and Rylett Road; planting schedules and details of the species, height and maturity of replacement trees and shrubs including sections through the planting areas, depths of tree pits, containers, and shrub beds; hard surfacing materials and an implementation programme. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of the development shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure a satisfactory external appearance of the development, and in the interests of urban greening in accordance with Policies D3, G5 and G7 of the London Plan (2021), and Policies DC1, DC2, OS1 and OS5 of the Local Plan (2018).

- 11) Prior to occupation of the development, details of the installation of the Zero Emission MCS certified Air/Water Source Heat Pumps or Electric Boilers to be provided for space heating and hot water for each of the fifty-three self-contained residential units (Class C3) use and the non-residential uses (Classes E, F.1 and F.2) 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 12) A minimum of one month prior to occupation of the development hereby permitted, details of the installation/commissioning reports of the Waste Water Heat Recovery System for the nineteen self-contained dwellinghouses (Use Class C3) 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.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 13) 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 LCRM: Land Contamination Risk Management (Environment Agency 2023) 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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 14) 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 LCRM: Land Contamination Risk Management (Environment Agency 2023) 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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 15) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following 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 LCRM: Land Contamination Risk Management (Environment Agency 2023) 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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 16) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement 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 LCRM: Land Contamination Risk Management (Environment Agency 2023) 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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 17) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full 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 LCRM: Land Contamination Risk Management (Environment Agency 2023) 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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 18) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council 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 LCRM: Land Contamination Risk Management (Environment Agency 2023) 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 the Local Plan (2018) and key principles LC1 to LC7 of the Planning Guidance Supplementary Planning Document (2018).

- 19) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport and industrial/ commercial noise sources, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

- 20) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by household/neighbour noise transmission to adjoining dwellings at unreasonable levels due to unsuitable layout and arrangement of rooms and communal areas, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

- 21) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the plant rooms dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the criteria $L_{Amax,F}$ of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

- 22) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. 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. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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.

- 23) Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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.

- 24) 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 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 occupiers of surrounding premises are 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).

- 25) Prior to occupation of the of the development hereby permitted, a Waste Management Strategy (WMS) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the management and times of refuse/recycling collection; details of the waste collection pick up area (within 10m drag distance of the public highway); and location of loading bays and vehicle movements. The approved details shall be implemented prior to occupation and the WMS hereby permitted shall thereafter operate in accordance with the approved details. The WMS shall be regularly monitored and reviewed and any subsequent modifications or alterations to the WMP should be submitted to and approved in writing by the LPA.

To ensure that satisfactory provision is made for refuse storage and collection and that associated vehicle servicing activities do not adversely impact on the highway, in accordance with Policy T7 of the London Plan (2021), and Policies CC7 and T2 of the Local Plan (2018).

- 26) The development shall be carried out and completed in full accordance with the details contained within the approved Fire Statement (prepared by CHPK Fire Engineering ref. FE01716 Rev. A, dated 09 March 2023). 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.

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

- 27) The hereby approved development must be implemented in strict accordance with the tree protection plan/measures outlined in the submitted Arboricultural Impact Assessment prepared Silva Arboricultural Ltd ref. 23011, dated March 2023.

In the interest of sustainability requirements and comply with Policies CC1 and OS5 of the Local Plan (2018).

- 28) Prior to commencement of the development, a full and detailed Staff/Visitor Travel Plan shall be submitted to and approved in writing by the Council and thereafter the development shall be carried out and operated in accordance with the agreed details contained within the plan.

Reason: To ensure that car journeys to the site are minimised as far as possible and promote sustainable and active travel to and from the site and thereby reduce negative impact on traffic, congestion and parking stress in the local area, in accordance with London Plan policies and policy T2 and T3 of the Local Plan (2018).

- 29) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawings. The refuse storage enclosures shall be permanently retained thereafter in accordance with the approved details.

Reason: To ensure that the use does not give rise to smell nuisance and to prevent harm to the character and appearance of the area arising from the appearance of accumulated rubbish, in accordance with Policies DC8, CC6 and CC7 of the Local Plan 2018.

- 30) The development hereby approved shall be carried out and completed in accordance with the details of the proposed cycle storage as shown on approved drawing:

Proposed Ground Floor Plan: 21-108_100_P8

This development shall not be occupied until the cycle storage provision has been made in accordance with the agreed details, and it shall be permanently retained and maintained for the life of the development.

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

- 31) Prior to the commencement of the relevant part of the development (excluding demolition works), details of particulars and samples (where appropriate) of all the materials to be used in all external faces of the buildings; including details of the colour, composition and texture of the brick, concrete and metal work; details of all surface windows including window opening and glazing styles; balustrades or screening to balconies and roof terraces shall be submitted to and approved in writing by Local Planning Authority. 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 preserve the character and appearance of the surrounding conservation areas and other heritage assets; and to protect the amenities of neighbouring occupiers in terms of overlooking and privacy, in accordance with Policies DC1, DC2, DC3, DC8 and HO11 of the Local Plan (2018) and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

- 32) Prior to the commencement of the relevant part of the development (excluding demolition), detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of typical sections/bays of the approved development shall be submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed fenestration (including framing and glazing details) and entrances. 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 to preserve the character and appearance of the surrounding conservation areas and other heritage assets; in accordance with Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

Justification for Approving the Application:

- 1) It is considered that the proposed development would result in an uplift of 16 residential units for blind and visually impaired people, that are of an acceptable standard, accord with the Nationally Described Spaces Standards (NDSS) and would help the council meeting housing targets. The proposal complies with Local Plan (2018) Policies HO1, HO4, HO5, HO6, HO11, CC1, CC7, CC9, CC10, CC11, CC13, T1, T2, T3 and T4, associated Key Principles of the Hammersmith and Fulham SPD (2021) and London Plan (2021) Policies D6, D12, D14, H1, HC1, SI1, T1, T5, T6, and T7. Additionally, works would serve to preserve the significance of the adjacent non-designated heritage assets and the character and appearance of the wider Ravenscourt and Starch Green conservation area, in accordance with s.16, 66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2021), the London Plan (2021), Policies DC1, DC4 and DC8 of the Local Plan (2018) and Key Principles AH2 and CAG3 of the Planning Guidance SPD (2018).

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

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

Application form received: 16th March 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:

The Hammersmith Society
Historic England London Region
Thames Water - Development Control
Crime Prevention Design Advisor - Hammersmith

Dated:

18.09.23
11.05.23
11.05.23
31.05.23

Neighbour Comments:

Letters from:

Flat 17 Pocklington Lodge Rylett Rd London W12 9PQ
37B Ashchurch park villas london London w12 9sp
32 Pocklington Lodge Rylett Road London W12 9PQ
32 Rylett Road London W12 9SS
44 Pocklington Lodge Rylett Rd London W12 9PQ
Flat 1 4 Rylett Road London W12 9NL
Flat 1 4 Rylett Road London W12 9NL
Flat 44 Pocklington Lodge Rylett Rd London W12 9PQ
37B Ashchurch Park Villas London W12 9SP
Flat 40 Pocklington Lodge Rylett Rd London W12 9PQ
Flat 34 Pocklington Lodge Rylett Rd London W12 9PQ

Dated:

19.05.23
05.06.23
08.06.23
09.06.23
17.05.23
15.05.23
23.05.23
18.03.24
05.06.23
02.06.23
07.06.23

1.0 SITE DESCRIPTION AND RELEVANT HISTORY

- 1.1 The application site is located on the corner of Rylett Road and Goldhawk Road, within the Ravenscourt and Starch Green Conservation Area. The existing building contains 50 self-contained studio flats for blind or partially-sighted people and is owned by the Thomas Pocklington Trust charity.
- 1.2 The existing building is three storeys with an additional loft level. John Betts House, directly opposite on the western side of Rylett Road, is another substantial building and is two storeys with a loft level. The remainder of Rylett Road is predominantly made up of two-storey detached and semi-detached Victorian dwellings. Adjacent to the site to the east, the buildings at Nos. 300-302 Goldhawk Road are four storeys including a semi-basement, and are taller than the existing Pocklington Lodge.
- 1.3 There are a number of locally listed Buildings of Merit nearby, including Nos. 300 and 302 Goldhawk Road and the entire terrace on the south side of Goldhawk Road which runs through Nos. 279-309 Goldhawk Road.

1.4 Relevant Planning history:

1997/02099/FUL - Redevelopment of site frontages on Rylett Road and Goldhawk Road by the demolition of the existing building and its replacement by a new three storey building to provide 24 one-bedroom self-contained flats, 3 two-bedroom self-contained flats and 5 bed-sitting rooms with 8 car parking spaces (including one garage) and associated landscaping. Approved 30 December 1997.

1999/00789/FUL - Conversion of superintendent's house into 2 no. self-contained flats and the erection of a dormer roof extension and an entrance porch. Approved 28 May 1999.

2020/00805/FUL - Erection of two additional storeys to the existing building at Pocklington Lodge in connection with the creation of 17 residential units for blind and partially-sighted people; formation of cycle storage, refuse storage and associated external works. Refused. 22.12.2021

Reasons for refusal can be summarised as follows:

1. The development is considered to be unacceptable in terms of design, architecture and visual amenity.
2. The development is not considered to provide satisfactory provision for inclusive access for all.
3. Insufficient detailed information has been supplied with the application to enable a full assessment of whether the proposals comply with the London Plan's sustainable drainage hierarchy
4. The proposed new units are not considered to provide a satisfactory level of amenity for the new occupants.
5. The applicant has not submitted a Planning Fire Statement that is considered to meet the requirements of London Plan (2021) Policy D12
6. The submitted Daylight and Sunlight Report does not contain an analysis of the impact of the development in terms of overshadowing of adjacent gardens and amenity spaces.

+ Current proposal:

- 1.5 The current application is for the demolition of rear buildings (including Warden's bungalow); Erection of new two storey Mews building to provide 4 x 1-bed new residential units (Use Class C3) and part one-part two storey upward extension to Pocklington Lodge to provide 15 x 1-bed additional residential units (Use Class C3) for blind and visually impaired persons, cycle storage, refuse storage, new landscaping and amenity space, new dog run, fenestration changes to existing building and other associated works.
- 1.6 The dog run will be relocated to the rear north-western corner of the site where a store currently stands. This would provide space for assistance/guide dogs to be exercised as needed.

- 1.7 The demolition of the Garden House will allow for the expansion and improvement of the courtyard to include new landscaping, planting, and seating areas resulting in an additional 137.1m² of communal amenity space. Additionally, the proposal provides 41.4m² of shared rooftop terrace to the north of the design. The overall shared amenity area is increased by 102%.
- 1.8 It is part of the proposal to expand the bin storage capacity on site. In this regard, the existing refuse store located adjacent to the vehicular access to the site will remain broadly in its current location and will be expanded to cope with the demand of the new residents. The bins in this store will be collected from Rylett Road, as existing.
- 1.9 No new car parking spaces are proposed as part of the development due to the fact that the proposed occupiers will be blind or significantly visually impaired.

+ Public Engagement

- 1.10 A Statement of Community Involvement (SOVI) supports the current planning application and summarises the pre-application engagement undertaken by the applicant.
- 1.11 A meeting with the residents was organised to take place via zoom on 23 November 2022, at 7pm. Following the meeting, a copy of the recording in the form of video and audio was circulated amongst tenants via e-mail. The main issues raised during this consultation event can be summarised as follows:
- o Tenant disruption as building works is carried out
 - o Car parking
 - o Size of existing shared facilities including lounge and laundry room
- 1.12 A second consultation event was organised for the residents. To ensure meaningful engagement, the applicant commissioned braille plans and a 3-D Model of the proposal which was on display a week before the consultation meeting in the communal room of Pocklington Lodge. In addition, a draft Construction and Environmental Management Plan (CEMP) was circulated amongst tenants to address queries raised in the first consultation. This was to allow tenants to review the information prior to the consultation event.
- 1.13 A consultation event was organised for the week of Monday 5th to Friday 9th of December to take place in the communal room at Pocklington Lodge. An e-mail was sent to residents to inform them of the consultation event to be carried out in the site. Consultation was planned to start at 7:00 pm each evening to ensure all tenants could attend. Sessions finished at around 9:00 pm

1.14 The SOCI confirms the total number of tenants that attended the consultation were 34, which is a good level of turnout considering there are currently 46 tenants in total. After the week-long consultation event, a summary Q&A was prepared and circulated to tenants. In summary the feedback was generally supportive of the of additional accommodation on site. A summary of the responses is provided below:

- o Adequacy of dog pen in terms of capacity and location
- o Scope to provide a rooftop terrace for communal use
- o The need to design the outdoor amenity space to be fit for purpose, as there were some concerns regarding planting in the middle of the courtyard and how that could become a hazard.
- o Scope to provide additional car parking can be provided for resident's assistants/visitors
- o London Standard cycle parking provision - excessive as it is not required for tenants.
- o capacity of bin store and construction stages of the proposal including dust and mitigation measures and construction hours

1.15 Main changes to the scheme following consultation feedback include:

- o Changes to the layout of the fourth floor were made to allow for a roof terrace to be used as additional communal space.
- o The dog run and bike store were relocated, and the bike store capacity reduced in size and capacity to provide sufficient capacity for visitors only.
- o The design of the mews building was further developed to include directional windows to the first floor of Flat 3 to allow for more daylight.
- o Bins and car parking were re-conceived in order to incorporate an additional car parking space next to the existing bin store, resulting in 3 spaces in total.

+ Inclusive Design Review Panel

1.16 Proposals were presented to the Inclusive Design Review Panel on 19 March 2024. Overall, the panel were supportive of the approach to the extensions to the site to provide additional housing for blind and partially sighted people. They also supported works to upgrade the existing homes through provision of new windows and communal entrances circulation cores.

1.17 Many of the questions raised by the panel, related to the coproduction of the future design of upgraded areas of communal amenity within the building and within new external landscaped spaces; alongside how practical issues such as access to bin stores and areas for dog-runs would be secured. The panel were encouraged that the Thomas Pocklington trust had already undertaken consultation on these matters with the tenant resident association and had committed to further consultation post-planning approval in relation to the detailed design of these elements.

Officer comments - the support of the IDRPP regarding the design of the scheme and the enhancement of accesses to the development is acknowledged. Many of the points raised by the panel particularly in relation to upgrade of internal facilities do not require planning consent and can be dealt with through day-to-day building management. Other items mentioned as referenced in this report and may be subject to further detail through conditions.

2.0 PUBLICITY AND CONSULTATION RESPONSES

2.1 A site notice and press advert were published to advertise the application and 259 notification letters were sent to the occupants of neighbouring properties. 10 responses were received from 7 addresses within Pocklington Lodge.

2.2 The comments are summarised below:

- Concerns regarding overlooking, particularly if the Trust decide to sell the building to commercial or standard residential.
- The existing flats are in need of refurbishment, the Trust should allocated funds to this before adding more flats to the building.
- The proposal will harm the status of Ravenscourt and Starch Green Conservation area. It has no design flow and is overpowering and unsympathetic to local built environment which are mainly 3 floors tall. It is out of character to the area and neither adds character or blends into the fabric of the conservation area.
- The building works will be very disruptive in terms of noise and dust for occupants of Pocklington Lodge and neighbours.
- Communal facilities at the Lodge will become even more crowded due to addition of new residents;
- The Tenants' Association of Pocklington Lodge has surveyed 43 out of the 50 current tenants as to their stance on the proposed plans. The results are: 31 Object, 5 are in support and 7 are neutral. The majority of the tenants were in support of Thomas Pocklington Trust increasing the number of homes they have for blind/visually impaired people but the reasons why those who objected to the plans were as follows:
 - loss of sunlight to communal garden, not enough communal space for all residents, communal lounge will not be big enough, Some tenants are concerned that the kindness/generosity will be affected by the greater number of visually impaired people in the area, The new tenants of the building will require orientation training in the area. This service is usually provided by the council. It is already overstretched. disruption to health and safety during the construction of the new homes. For example, the noise, dust, new obstacles, lack of light to flats (due to scaffolding and boarding), lack of ventilation to flats, reduced use in facilities (including laundry, garden, guide dog toilet area, lift, etc). As the tenants of Pocklington Lodge are blind or severely sight impaired, this disruption is worse and may cause mental health issues. Tenants would like a written undertaking from Thomas Pocklington Trust that it will assist in relocating plants owned by the tenants and will be compensated new for old if the plants do not survive.

2.3 Case Officer comments: Material planning issues will be assessed in the report below. In respect of other matters:

- Officers note the concerns for the increase in the number of blind and partially-sighted people in the area, and the implications for the community. However, this is not a matter than can be considered as part of the planning application;
- Certain matters relating to the construction phase of any development on this site, such as vehicle logistics, and noise and nuisance control, could be controlled via conditions attached to any planning permissions. Other matters, such as security and access for existing residents, are the responsibility of the building owner/management;
- The status of other properties owned by the Trust is not a material planning consideration for this case, which must be determined on its own merits.

2.4 The Hammersmith Society commented that they objected to the previous 2020 scheme, however the current application proposals are a significant improvement on the previous scheme: the design is more sensitive to its urban context and addresses the priorities of the Conservation Area. The proposals bring variety and architectural order to the streetscape and have the potential to bring new life to this drowsy building. We would support approval of this scheme, conditional on the choice of external materials and development of the design of the top storey.

2.5 External and Statutory consultation responses:

2.6 Thames Water recommend conditions to secure surface and foul water details; and an informative relating to water pressure.

2.7 Metropolitan Police Designing Out Crime Officer (DOCO) commented that as this is an extension atop an existing building and 4 new flats it is not suitable to achieve Secure by Design accreditation.

3.0 POLICY FRAMEWORK

3.1 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.

3.2 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).

3.3 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)

3.4 The National Planning Policy Framework (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.

3.5 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

3.6 The London Plan was published in March 2021. It forms the Spatial Development Strategy for Greater London and sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. It forms part of the development plan for Hammersmith and Fulham.

+ Local Plan

3.7 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.

4.0 PLANNING CONSIDERATIONS

4.1 The key planning issues to be addressed as part of this proposal would be:

- o Land Use - The acceptability of the increase in units and the intensification of the use including Affordable housing;
- o The quality of the new flats to be created;
- o Design and visual amenity, including the impact on the character and appearance of the conservation area;
- o Impact on the existing amenities of neighbouring residents, in terms of light, outlook, privacy and sense of enclosure;
- o Construction management and logistics;
- o Highways matters, e.g. parking permits, cycle parking, refuse storage
- o Environmental Matters;

4.2 LAND USE

- 4.3 The new mews building and extension will provide a total of 19 new residential units. However, the number of net additional units are 16 units as three of the existing units will be lost with the re-configuration of the internal layout and plant rooms at Pocklington Lodge. This is considered to be acceptable in land use terms. Pocklington Lodge is a residential building, owned by the Thomas Pocklington Trust charity, with 50 existing studio units occupied by blind and visually impaired people. The additional 19 new units would also provide for this group. A legal agreement will ensure that the new units will only be occupied by blind and visually impaired people.
- 4.4 The provision of housing is a significant issue, with paragraph 60 of the National Planning Policy Framework (NPPF 2023) outlining that local planning authorities should seek to significantly boost the supply of housing. This need for housing is recognised within Policy H1 of the London Plan (2021), with Table 4.1 of this Policy outlining that a minimum of 1,609 new residential dwellings should be provided per year within the Borough of Hammersmith and Fulham up to 2031. Policy HO1 of the Local Plan (2018) specifies that the Borough of Hammersmith and Fulham will continue to seek at least 1,031 additional dwellings a year in the period up to 2035.
- 4.5 The proposal would result in the net-gain of sixteen (16) residential units. Officers consider that this would be consistent with the aims of the NPPF (2023), Policy H1, Table 4.1 of the London Plan (2021) and Policy HO1 of the Local Plan (2018).

+ History of the Thomas Pocklington Trust

- 4.6 Pocklington Lodge was opened by the Pocklington Trust on 28 October 1968, as at the time the Trustees identified that whilst there were plenty of employment opportunities available to workers with a visual impairment in London, the same could not be said for the capital's stock of suitable, affordable housing. Pocklington Lodge has remained with the charity since its opening in 1968 and in order to meet increased demand, additional residential units are now proposed.
- 4.7 The Planning statement outlines the need for accommodation for blind and partially sighted people. The Registered Blind and Partially Sighted People, England 2019-2020 Report published by the National Statistics on 25 Feb 2021 confirms that there were 20,945 new registrations in the period of 2019-2020 or 57 new registrations per day. This has increased slightly from 56 a day (20,605 new registrations) in 2016-2017.
- 4.8 In London, as of 31st March 2020, 40,415 people have been registered as blind/partially sighted which represents an increase of 1,185 people from March 2017 data.
- 4.9 In Hammersmith and Fulham, a total of 875 people were registered as being blind or partially sighted of which 610 are registered blind/severely sight impaired persons and 270 are registered as partial sight/sight impaired persons of which 125 are 75 years of age or over, 25 are between 65-74 years old, 60 are between 50-64 years old and 55 are between the age of 18-49.

- 4.10 It is important to highlight that people that have a Certificate of Vision Impairment (CVI) from an ophthalmologist choose whether to be included in their Local Authority's register of blind or partially sighted people; registration is not automatic and so not everybody that has been certified as having vision impairment is recorded on a Local Authority register.
- 4.11 According to National Statistics in Hammersmith and Fulham only, the working age population of registered people with visual disabilities is estimated to be 360. Taking into consideration the statistics, the need for this type of facilities will increase rather than decrease in the near future. The aim of the Pocklington Trust is to support the visually impaired, with a special focus on people who are of working age, as to enable them to enjoy good fortunes ranging from emotional and physical well-being to economic circumstances and networks.
- 4.12 Given the shortage of dedicated facilities for the visually impaired within the locality and within the wider area of London, it is considered that the application proposal will meet an important need and the provision of high quality housing for visually impaired people. The proposal would result in a moderate intensification of an existing specialist accommodation for the blind and visually impaired. The existing building contains 50 studio units. The proposal will result in an uplift of 16 new high quality residential units designed to accommodate the needs of blind and visually impaired people. The scheme proposes one-bedroom units only, and of a size that comply with Nationally Described Spaced Standards. Owing to the specific needs of blind and partially sighted residents, all new units are provided with a separate bedroom, which aids in navigation and is a requirement for the many residents who have an assistance dog. This is supported by Local Plan policy H07.

+ Affordable Housing

- 4.13 Local Plan Policy HO4 (and London Plan Policy H4) require that developments of 11 or more self-contained dwellings to provide affordable housing in line with the council's borough-wide target of 50% and the relevant tenure splits.
- 4.14 In this case, given the specialist nature of the housing to be provided, it is not considered that formal affordable housing provision is required. The proposed units are for the sole use of the Thomas Pocklington Trust, a charity which provides low-cost, specialist accommodation for blind or partially sighted people. If the application were to be approved, the applicant has indicated their agreement to enter into a s106 Legal Agreement which confirms that the units will only be occupied by qualifying persons with specialist needs.

5.0 HOUSING QUALITY AND DENSITY

- 5.1 In order to optimise the use of land London Plan Policy D3 and GG2 state development should proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Para. 3.3.21 states comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units.

- 5.2 London Plan Policy H2 (Small sites) 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 0.19 hectares in size and therefore represents a small site for the purpose of this policy.
- 5.3 Local Plan Policy HO4 expects housing in existing residential areas to be predominantly low to medium density and to consist of low to medium rise developments, it recognises that high density development may be appropriate in highly accessible areas, subject to design, compatibility with local contexts and transport impacts and highway capacity. It adds that high density housing with limited car parking can help ensure housing output is optimised and may be appropriate in locations with high levels of PTAL, provided it is compatible with the local context and principles of good design and is satisfactory in other respects.
- 5.4 The proposed additional floors will contain a total of 19 units, however the net uplift is 16 additional units, as three of the existing units would be lost as a result of the re-configuration of the internal layout and plant rooms. It is assumed that the existing residents would be re-accommodated within the new extension, however this is a matter for the Trust and not a material Planning consideration.
- 5.5 According to London Plan Policy D6, the minimum GIA for a one-bed, one-person (i.e., studio) unit is 39sq.m. where a full bathroom is provided. For a one-bed, two-person unit the minimum is 50sq.m. 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. A minimum of 5sq.m. of private outdoor space should be provided for a 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement.
- 5.6 Local Plan Policy HO6 requires 10% of new housing should meet the Building Regulations requirement M4(3) 'Wheelchair user dwellings' and be designed to be accessible to wheelchair users. The remaining 90% should meet M4(2) 'Accessible and adaptable dwellings' where feasible.
- 5.7 In considering appropriate residential densities, London Plan Policy D3 moves away from a focus on numerical density ranges towards a focus on a design-led approach, that also takes into account existing and planned infrastructure provision.

- 5.8 A total of 15 x 1b 1p and four x 1b 2p mews style dwellings are proposed. All units comprise a kitchen, a living room, and a separate bedroom and bathroom. All have GIA of between 37-53sq.m. Although the Council would not usually allow 1-person units studio to have a separate bedroom, preferring them to be true studio-style open-plan layouts to compensate for the smaller size, in this case Officers are prepared to accept the applicant's justification that a physically separated bedroom is required due to the specialist nature of the accommodation. The Trust advises that open-plan rooms/ units are not advisable for people with visual impairments because the separation between rooms aides wayfinding around the flat and there is also a need for the occupant to sleep in a separate room to a guide dog. Accordingly, having regard to the exceptional circumstances of this case, the proposed layouts are considered to be acceptable for the number of people each is designed to accommodate.
- 5.9 15 of the 19 new flats proposed include private amenity space of minimum 5sqm and minimum width of 1.5m. Residents would also have access to the existing communal garden and amenity space. Currently, shared external amenity space is provided in the form of a small courtyard garden area on the north side of the building. The demolition and relocation of the rear building will result in an additional 137.1 sqm of communal amenity space and it is part of the proposal to provide a 41.4 sqm rooftop terrace.
- 5.10 This creates a total of 338.6 sqm of communal amenity space on site, roughly equating to around 4.9m² per person. The overall shared amenity area on site is increased by 102%, this is considered to be an acceptable approach given the specialist nature of the use of the site.
- 5.11 9 out of the 19 new units would be dual aspect. All of the habitable rooms benefit from at least one window. It is considered that the new units would benefit from acceptable levels of light and outlook. Given the separation distance and relationship with surrounding buildings, there would be no privacy or overlooking issues for the new units or for neighbours. Conditions are attached for details of enhanced sound insulation between the flats, to ensure that undue noise and disturbance does not transfer between them.

+ Accessibility

- 5.12 In accordance with the London Plan Policy D7 and Local Plan Policy HO6 the standards for access require 90% of the units to be built to building regulations standard M4(2) 'Accessible and adaptable buildings', with the remaining 10% built to standard M4(3) 'Wheelchair accessible dwellings'.

5.13 In respect of access, the new units will be accessed internally from the existing stairwell and the existing lift to the new proposed third and fourth floors. For this development, which is for 16 net new dwellings, two would require to be wheelchair accessible M4(3) and the remainder should meet M4(2). The wheelchair accessible dwellings would be the two ground floor units in the mews building, which are wheelchair accessible units - M4(3)(2b) compliant- and the rest of the proposed units are accessible and adaptable dwellings - M4(2) compliant. The wheelchair units would have level access, and direct access to private external amenity. In this respect, the proposal would provide suitable accessibility for all potential occupiers in accordance with London Plan Policy and D7 and Local Plan Policy HO6.

6.0 DESIGN AND HERITAGE

+ Design

- 6.1 The NPPF states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation but extends this to recognise a role for change and increased densities. The NPPF (section 16) advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF states that economic, social, and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural, and historic environment.
- 6.2 In determining applications, Paragraph 203 of the NPPF states that LPAs should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 205 requires great weight to be given to an asset's conservation (and the more important the asset, the greater the weight should be) when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of the amount of harm.
- 6.3 Paragraph 194 states that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional." Paragraph 208 states that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 209 concerns the effect of an application on non-designated heritage assets that should be considered in determining the application. "In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

- 6.4 Paragraph 212 states that "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably." Paragraph 213 recognises that 'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance'.
- 6.5 London Plan Policy DC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 6.6 Local Plan Policy DC1 states that 'Development should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.
- 6.7 Local Plan Policy DC4 states that 'The council will require a high standard of design in all alterations and extensions to existing buildings. These should be compatible with the scale and character of existing development, their neighbours, and their setting. In most cases, they should be subservient to the original building. Alterations and extensions should be successfully integrated into the architectural design of the existing building. In considering applications for alterations and extensions the council will consider the impact on the existing building and its surroundings and consider the following:
- a) Scale, form, height and mass;
 - b) Proportion;
 - c) Vertical and horizontal emphasis;
 - d) Relationship of solid to void;
 - e) Materials;
 - f) Relationship to existing building, spaces between buildings and gardens;
 - g) Good neighbourliness; and
 - h) The principles of accessible and inclusive design.'
- 6.8 Local Plan Policy DC8 states that the council will '...aim to protect, restore or and enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument'. This is supported by Planning Guidance SPD Key Principle CAG3. SPD Key Principles AH1 and AH2 relate to the protection of heritage assets, and CAG3 relates to development in Conservation Areas.

+ Site context

- 6.9 The site is occupied by the existing Pocklington Lodge development, with an L-shaped form providing frontages to both Goldhawk Road and Rylett Road. The existing development is of 3 storey massing, featuring a pitched roof and several dormer/gable features. The architecture of the building has a modest and simple detailing with yellow brick and concrete sills and contrasting brickwork sills providing main detailing to elevations. At ground floor the gable frontages within the roof detailing are replicated and serve to some articulation to key building entrances. To the rear of the site, a single storey caretakers house, again in simple detailing occupies the internal environment. The building has a dated appearance and needs some renewal/upgrade. As such, the development makes a neutral contribution to the Ravenscourt and Starch Green Conservation Area.
- 6.10 The current proposals have been subject of significant pre-application and post submission discussions with officers, particularly with regards to the design of the scheme and upgrades to the existing building.

+ Design of proposal

- 6.11 The main works to the building relate to the roof level of the existing development, here the existing pitched roof would be demolished and replaced by contemporary 1 or 2 storey extensions which would be detailed in either brick to match the existing development: or an upper-level contrasting metal cladding. The arrangement of fenestration within both elements of the scheme has been carefully designed to align with the arrangement of within the lower levels of the building and the cladding broken up with vertical piers to give these elements richer detailing overall.
- 6.12 The new upper floors are designed to incorporate setbacks to allow for the development to provide external areas of amenity to future residents of the new units and allow for these elements to appear as being more subordinate to the main building form. This would result in a building with a 4-storey massing adjacent to existing properties to the north of Rylett Road and at a 5-storey massing to the corner of Rylett Road/Goldhawk Road and adjacent to the significant mass of properties along the prominent Goldhawk Road frontage.
- 6.13 Within the lower levels of the building, the main changes to the development relate to the inclusion of replacement windows and new entrance portals, which are designed to provide a more inclusive and accessible experience for both current and future residents. The design of the portal is also considered to provide a visual connection with the more contemporary language of the revised building crown.
- 6.14 Within the rear environment of the site, following the demolition of the existing caretaker's property, a new mews development would occupy the north-eastern corner of the site. This mews property would provide additional residential accommodation and has been designed in a simple, contemporary detailing, which could complement the extensions to the main building. The remaining space provided by the demolition of the existing building would be used to provide additional hard/soft landscaping for the enjoyment of future residents.

6.15 Overall, the design of the proposals is considered to provide a positive enhancement to the existing building, adding additional character to the development and improving its visual appearance in the prominent street scene of Goldhawk Road. As such, the proposal is considered to represent a high quality of design.

+ Heritage

6.16 Local Planning Authorities are required to identify and assess the significance of any heritage asset affected by a proposal, including by development affecting the setting of a heritage asset (para 200 of the NPPF). 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' (para 200 of the NPPF).

6.17 The heritage assets directly affected by the proposals are Ravenscourt & Starch Green Conservation Area and the setting of the locally listed, (buildings of merit) 300 - 302 Goldhawk Road. Given the modest scale of alterations and extensions proposed by the current application, proposals are not considered to have any additional impact upon other adjacent heritage assets.

6.18 The Conservation Area covers a large area, and its significance mainly relates to the development and evolution of the area around Ravenscourt Park and mix of developments found around this key open space, including a mix of Victorian and Edwardian housing. As suggested above the buildings currently occupying this site and to the west are both more modern in nature and make little contribution to significance of the Conservation Area. The locally listed, (buildings of merit) at 300-302 Goldhawk Road are attractive 4 storey villas which represent more historic typologies of development which would have been found along this stretch of Goldhawk Road.

+ Assessment of harm

6.19 The Council is required to undertake an assessment of the impact of the submitted proposals on the significance of the heritage assets.

6.20 Section 66(1) of the Listed Buildings Act applies to the determination of planning applications. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

6.21 Section 72 of the above Act states in relation to Conservation Area 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.'

- 6.22 Most of the proposed external and internal alterations to the existing building, although increasing the scale of the building, are considered to represent an improvement to the character of the existing building and have some beneficial impact when viewed from local townscape views. These changes would give a building of modest/neutral character a more positive and characterful appearance. As such, these extensions would be considered to have a positive impact upon the street scene and would not result in harm to the character of the Ravenscourt and Starch Green Conservation Area.
- 6.23 Similarly, considering the impact upon the adjacent locally listed, (buildings of merit) at 300 - 302 Goldhawk Road, the detailing of the extensions has been sensitively designed to be set lower than both the eaves and ridgeline of these developments, allowing the villas to remain the prominent feature in this setting. As such, the development is not considered to result in any harm to these assets.
- 6.24 Details and materials in relation to the extensions and alterations to the existing building, alongside hard/soft landscaping, will be secured by a condition.
- 6.25 Overall, subject to conditions, the proposed works, due to their design, scale, and situation, would not have any harmful impacts upon the setting of the above identified heritage assets. The development would preserve the character and appearance of the Conservation area and the special architectural or historic interest of the locally listed, (buildings of merit), and the setting of adjacent designated/non-designated heritage assets would be unaffected by proposals.
- 6.26 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design.
- 6.27 The proposed development is also considered acceptable in accordance with the NPPF, Policy HC1 of the London Plan and Policies DC1, DC4, and DC8 of the Local Plan and Key Principles AH1, AH2 and CAG3 of the Planning Guidance SPD.

7.0 NEIGHBOURING AMENITY

- 7.1 The main issues in respect of the impact on neighbouring amenity are loss of outlook and sense of enclosure; overlooking; and loss of daylight and sunlight.
- 7.2 Local Plan (2018) Policy DC2 states that all new-build development should respect the principles of good neighbourliness. Policy HO11 also requires developments to respect the following:
- Privacy enjoyed by neighbours in adjoining properties;
 - Daylight and sunlight to rooms in adjoining properties;
 - Outlook from windows in adjoining properties; and
 - The sense of openness between properties.

- 7.3 With respect to outlook/sense of enclosure, Key Principle HS6 of the Planning Guidance SPD (2018) provides further guidance. As a general rule, new development should not infringe an angle of 45 degrees from either ground level or a point 2 metres above ground level, depending on the depth of the adjoining residential rear garden:
- i) Proposals that adjoin residential properties with rear gardens less than 9 metres in length to the adjoining rear boundary, the line should be measured from a point at the rear residential boundary at ground level; or
 - ii) Proposals that have rear gardens (or distance to adjoining residential properties) of more than 9 metres in length to the rear boundary, should be measured at a height of 2 metres from ground level from a point of the adjoining boundary; or
 - iii) If any part of the proposed building extends beyond these lines, then on-site judgement will be a determining factor in assessing the impact the extension will have on the existing amenities of neighbouring properties.
- 7.4 With respect to privacy, Key Principle HS7 of the Planning Guidance SPD (2018) states that any new windows should be positioned at least 18 metres from existing habitable room windows. This will be measured by an arc of 60 degrees taken from the centre of the proposed new window, to ensure there is no loss of privacy. If this standard cannot be met, then windows should be designed to ensure that no loss of privacy will occur.

+ Daylight/Sunlight

- 7.5 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 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.
- 7.6 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 guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. 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.
- 7.7 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 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 (i.e. the proportional reduction in area should not be greater than 20%).

- 7.8 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 (i.e. the proportional reductions should not be greater than 20%).
- 7.9 The applicant's Daylight and Sunlight report which has been carried out in line with BRE considers the potential impacts of the proposed development on daylight, sunlight and overshadowing on the following residential properties:

The full list of assessed properties is as follows;

- o John Betts House
- o 1 Rylett Road
- o 3 Rylett Road
- o 2 Rylett Road
- o 2b Rylett Road
- o 302 Goldhawk Road
- o 299-301 Goldhawk Road
- o 307-309 Goldhawk Road
- o Vitae Apartments

+ John Betts House, Rylett Road

- 7.10 John Betts House is a 2/3 storey residential flatted building on the west side of Rylett Road. The submitted Daylight and Sunlight Report indicates that all of the relevant windows/rooms tested would comply with BRE guidelines for Vertical Sky Component (VSC). Of the 44 rooms tested, 9 of those (20.4%) would fail to comply with the BRE No-Sky Line test. All nine rooms would retain NSL levels of between 55% - 73% which is considered high for an urban location such as this. Officers consider that the number of exceedances and the level to which the properties would be impacted is within acceptable limits, and that the public benefits to providing additional specialist accommodation on this site would outweigh any harm identified. For sunlight, none of the relevant windows tested would infringe the BRE guidance for Annual Probable Sunlight Hours.
- 7.11 In terms of outlook, it is considered that the separation distance between Pocklington Lodge and John Betts House is sufficient to ensure that the additional height and bulk on the application site would not result in a significantly increased sense of enclosure or loss of outlook. The proposed new flat windows on the additional floors facing John Betts House would be no closer than existing windows on the lower floors. Given they would also be at least two storeys higher than the uppermost windows on John Betts House, Officers are satisfied there would be no loss of privacy or overlooking for residents of John Betts House.

+ 2 and 2B (The Folly) Rylett Road

7.12 No. 2 Rylett Road is a detached, two-storey Victorian villa immediately to the north of Pocklington Lodge, with the two buildings separated by about 5 metres. 2B Rylett Road ('The Folly') is located at the end of No. 2's rear garden, to the north east of the main Pocklington Lodge building. Of the 37 windows/ rooms tested on both of these properties, there would be no infringements of the BRE guidance in terms of either daylight or sunlight. No. 2 has two side windows facing Pocklington Lodge, however, the bulk and mass of the extension would not be visible from these windows, given it is set away from the boundary, and therefore no objections are raised in terms of privacy or outlook impacts to No. 2B The Folly's principal elevation faces west, towards No.2, and therefore the additional floors would be visible from this property but only in oblique views. Considering also the separation distance, no objections are raised in terms of outlook or privacy impacts for No. 2B.

+ 300 and 302 Goldhawk Road

7.13 Nos. 300 and 302 Goldhawk are a pair of four-storey (including semi-basement level) villas adjacent to Pocklington Lodge to the east on Goldhawk Road. Both have generous rear gardens that extend northwards, adjacent to the Lodge's courtyard amenity space. The rear elevation of the existing Pocklington Lodge, although a storey lower, extends by approximately 4 metres beyond the rear elevation of No. 302. No. 302 has five windows in the side elevation of their property, facing towards the building. In total 10 windows/ rooms tested, there would be no infringements of the BRE guidance for daylight. One relevant window at No. 302 was tested for sunlight, there would be no infringements of the guidance.

7.14 In terms of the impact of the development in terms of overshadowing of adjacent gardens and amenity spaces. Both gardens of 300 and 302 Goldhawk Road would retain at least two hours of sunlight on 21 March in the proposed condition, the factor of former value, and whether the results meet the BRE numerical guidelines (i.e., at least 50% or at least 0.8 times former value). 67% to 62% and 70% to 59% respectively. Both gardens/amenity spaces assessed would satisfy the BRE guidelines for sun on ground.

7.15 Overall, the proposed development would not result in undue harm in terms of loss of daylight, sunlight and overbearing impact to the neighbouring properties. Pocklington Lodge is already a substantial building that dominates views from the garden in the direction of 300 and 302 Goldhawk Road, and Officers do not consider that there would be any significant harm caused in terms of loss of outlook or increased sense of enclosure.

+ South side of Goldhawk Road

7.16 Nos. 301-309 Goldhawk Road are on the southern side of the road directly opposite Pocklington Lodge. Given these properties are to the south of the site, and are separated by a distance of almost 30 metres, no concerns are held about the impact to these properties in terms of light, outlook, or privacy.

+ Impact on existing Pocklington Lodge residences:

- 7.17 Concern has been raised by some of the existing residents of Pocklington Lodge about the impact of creating additional flats in the building, including the stress on communal facilities (such as the common room, laundry room, and garden) if more residents were to move in. In terms of the existing internal communal facilities would still be adequate, this is a matter for the applicants, as each of the flats provides for full self-containment and provision of additional, shared facilities and spaces is not a Planning requirement.
- 7.18 As discussed above, 15 of the 19 new flats proposed include private amenity space of minimum 5sqm. Currently, shared external amenity space is provided in the form of the courtyard garden area on the north side of the building. The demolition and relocation of the rear building will result in an additional 137.1 sqm of communal amenity space and it is part of the proposal to provide a 41.4 sqm rooftop terrace. This creates approximately a total of 338.6 sqm of communal amenity space on site, roughly equating to around 4.9m² per person. The overall shared amenity area on site is increased by 102%, this is considered to be an acceptable approach given the specialist nature of the use of the site.

8.0 HIGHWAYS

8.1 Local Plan (2018) Policy T1 sets out the council's high-level borough wide targets for transport, including (amongst other things):

- Promoting and supporting the continued development of initiatives designed to encourage modal shift away from private vehicles, in order to improve congestion and air quality within the borough;
- Developing and promoting safe environments for cyclists and pedestrians to encourage residents and businesses to consider these modes; and
- Ensuring that traffic generated by new development is minimised so that it does not add to parking pressure on local streets or congestion or worsen local air quality.

8.2 Local Plan (2018) Policy T2 requires that all development proposals be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network. The council will require a Transport Assessment (TA), together with a Travel Plan where a development is anticipated to generate a level of trips that impacts on the local network or have an impact on any strategic routes. Delivery and servicing plans should also be secured and co-ordinated with travel plans.

8.3 Local Plan (2018) Policy T3 makes clear that opportunities for cycling and walking will be promoted; with developments required to provide convenient, safe, and secure cycle parking within the boundary of the site as well as suitable changing and showering facilities; as well as contributions to improve cycle hire schemes where necessary. With regards to car parking, Policy T4 states that all new development will have to conform to the council's vehicle parking standards; including parking for blue badge holders and provision of electric parking bays.

- 8.4 The site is located on a mainly residential area with Stamford Brook Underground Station a short 0.3 miles (7 minute walk) from the application site serving the District Line. In addition, the site is served by bus routes 293 and 94 with bus stops located along Goldhawk Road. A local parade containing services and shops is located on the junction of Askew Road and Goldhawk Road. Therefore, the overall accessibility of the site is considered to be very good.
- 8.5 A Transport Statement was submitted with the application. Given the nature of the residents at the site, it is anticipated that the vast majority of trips to and from the site will be undertaken by walking or by public transport. It is considered that the demand for car parking and cycle parking for residents will be very low and car and cycle parking facilities would be used mainly by visitors, contractors visiting the site for maintenance works, etc. As such, the proposals would involve reducing the number of usable car parking spaces on site from four to two (mainly for the purposes of maintenance contractor vehicles to be used on an as needed basis).
- 8.6 Given the above, and the good public transport accessibility and cycle provision in the area, it is unlikely that there would be overspill parking generated by the proposals. In the case that there is demand for more car parking for visitors than provided, pay and display (or pay by phone) car parking bays are available on Rylett Road, directly outside the site. Moreover, during the course of the application car parking arrangements were amended to remove the disabled car parking space shown fronting Rylett Road as this did not comply with the required standards for accessible car parking spaces. Given the site entrance is in close proximity to the pay and display car parking bays available on Rylett Road. Residents who need to be dropped or picked up can easily do so from this location. This has the added benefit of consolidating the refuse and recycling arrangements in one place as the hardstanding is no longer required for car parking.
- 8.7 Vehicular and pedestrian access points are proposed to be maintained as existing. Refuse storage is proposed to be formalised, with bin stores located in the north-western corner of the site, to minimise the distance that refuse will need to be carried from the units to the refuse stores. The north-western store will be collected from Rylett Road, and refuse collection arrangement will remain as existing. The capacity of the bin store has been increased to provide better arrangements for existing residents and cater to the increase in residents.
- 8.8 Cycle parking is proposed to be improved, with four visitor cycle parking spaces proposed adjacent to the Rylett Road pedestrian access, and five long-stay cycle parking spaces (including one for a larger bicycle) provided in the eastern part of the site. It is unlikely that any residents will be able to cycle, so a reduction in cycle parking provision from London Plan standards has been considered appropriate.

8.9 Residents have raised concerns that the addition of 16 net additional flats will lead to an increase in the number of visitors' cars causing congestion and parking stress on Rylett Road. Although the site has a low PTAL score of 2-3 according to TfL's methodology, it is still accessible by two buses from Central London/ Shepherd's Bush as well as Stamford Brook Underground Station which is less than 10 minutes' walk from the site. A condition is attached for a staff/visitor Travel Plan to ensure that car journeys to the site are minimised as far as possible, and therefore no further objections are raised in terms of highways impact.

+ Building Works

8.10 To manage the construction phase of the development and the associated impacts of construction traffic accessing the site, a Demolition and Construction Logistics Plan (DLP/CLP) will be secured by condition. The DLP/CLP will include details of the anticipated number of construction vehicles associated with the development of the site, the duration of the works, how the site will be managed and how construction traffic will be managed in terms of arrivals and routeing. The DLP/CLP and associated monitoring fees can also be included within the legal agreement, and will remain live a document with ongoing consultation with the Council's Highways Officers.

8.11 In summary, there are no objections to the proposal based on highways, traffic or parking. Subject to the outlined conditions and legal obligations the proposal accords with the above policies.

9.0 AIR QUALITY

9.1 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.

9.2 Local Plan Policies CC1 and CC10 seek to reduce levels of local air pollution and improve air quality in line with the national air quality objectives by reducing the potential adverse air quality impacts of new developments, requiring the submission of an air quality assessment and mitigation measures where appropriate. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.

9.3 The development site is located within the councils Air Quality Management Area (AQMA), and an area of existing poor air quality due to the road traffic emissions from Goldhawk Road (A402). The development proposal will introduce new residential receptors into an area of very poor air quality.

9.4 The demolition/construction activities and the operational phase of the development have the potential to contribute to a worsening of local air quality, unless appropriate steps are taken to prevent it. Accordingly, 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; details of the installation of Zero Emission MCS Certified Air/Water Source Heat Pumps and Electric Boilers for residential and non-residential uses; the submission of a Delivery and Servicing Plan. A payment of £3,000 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 by a s.106 agreement.

10.0 FLOOD RISK AND SUSTAINABLE DRAINAGE

10.1 The site is within the Environment Agency's Flood Zone 3. A Flood Risk Assessment (FRA) has been provided. Most of the new units being created are at roof level and would not be at risk of flooding due to their location. No further information is required in relation to flood risk for these flats. There are 2 new ground floor units being provided. Although in Flood Zone 3, the site is well protected from flood risk from the River Thames due to the presence of the Thames Barrier and other defences such as river walls. The main potential flood risk to the site would be surface water during a major storm event. Surface water modelling maps show that the site is low risk, although there could be some ponding in the car park area. This part of the site will be redeveloped as part of the proposals and sustainable drainage measures are included which will help to reduce these risks.

10.2 It is noted that as part of the re-development, it is proposed to incorporate green roofs to the extension to the existing building (600m²). For the new building, a blue/green roof is proposed covering an area of 120m². Discharges of surface water will be limited to 1 l/s for all storm events up to the 1 in 100 year event, taking account of climate change (by applying a factor of +40%). It is also proposed to include permeable paving in the new car parking areas (100m²). These SuDS measures will help provide a significant reduction in runoff compared to the existing situation, attenuating flows to the sewer of between 90-97%. Rainwater harvesting does not appear to have been considered though and this is at the top of the Drainage Hierarchy and should be included where possible. It may be possible to collect rainwater for re-use for irrigation of the soft landscaping around some of the site, so this should be explored further.

10.3 Conditions are attached to ensure the development complies with the FRA including the use of permeable paving and blue/green roof. Overall, 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.

11.0 ENERGY EFFICIENCY AND SUSTAINABILITY

- 11.1 An Energy and Sustainability Assessment has been submitted with the application. The scheme is a major development and therefore the inclusion of sustainable design and construction measures, including carbon reduction measures, is required. An Energy and Sustainability Statement has been provided with the application.
- 11.2 The Energy Assessment shows that an overall reduction in CO₂ emissions for the scheme of 82% is achieved. This is well beyond the 35% target in the London Plan and the GLA's benchmark expectation for major residential schemes of at least a 50% reduction. In order to achieve net zero carbon, a payment in lieu of £6,692 will be required, which can be included as part of the s106 Agreement. The calculations show that all of the CO₂ savings come from the use of on-site renewable energy.
- 11.3 The final approach is not yet decided though, and it is stated that although the preferred solution is outlined in the Energy Strategy with regards to the use of Heat Pumps, it is stated that the options will be reviewed again at detailed design stage. It is explained that any selected option will remain policy compliant with regards to meeting the CO₂ emissions targets. As well as heat pumps, solar PV panels are also proposed. The proposed approach is for the new roof level flats not to connect to the communal heating network, but to use individual hot water heat pumps. The mews block will be treated differently and have its own air source heat pump providing heating and hot water. The scheme will also use LED lighting, include heat recovery on the ventilation systems and have a better airtightness performance than required.
- 11.4 In order to make the proposal 'zero carbon' it is proposed to make a payment in lieu of approximately £6,692. In broad terms, the approach outlined is acceptable, however it is noted that the specification used for the energy use and CO₂ calculations is only indicative. Detailed specifications for each unit would be produced at detailed design stage. If the application were to be acceptable in other respects, then a condition could be attached for a revised energy assessment, and a legal agreement signed to ensure the payment in lieu.
- 11.5 With regard to broader sustainability issues, some information is provided on issues such as materials, waste, biodiversity, water use and flood risk. The approach outlined is generally acceptable, however if the application were acceptable in all other respects then a condition would be attached requiring further details, to secure compliance with Local Plan Policies CC3 and CC4.

12.0 FIRE STRATEGY

- 12.1 London Plan Policy D12 requires development proposals to achieve the highest standards of fire safety, embedding these at the earliest possible stage. Part (b) states that all major development proposals should be submitted with a Fire Statement, that shows how the proposals respond to and contain information on the requirements of both parts A and B of London Plan Policy D12.

12.2 A Fire Statement prepared by CHPK Fire Engineering accompanies this application to confirm the suitability of the proposal in terms of Fire Safety, compliance with Part B of Building Regulations 2010 and London Plan Policy D12. The report concludes that the proposed development will be compliant with Policy D12.

13.0 LAND CONTAMINATION

13.1 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.

13.2 Potentially contaminative land uses (past or present) have been identified at, and or, near to this site, and the proposal would introduce uses that are vulnerable to potential contamination. Therefore, to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions are attached covering the assessment and remediation of contaminated land.

13.3 Subject to the conditions recommended above, no objection would be raised under Local Plan Policy CC9 on land contamination grounds.

14.0 ECOLOGY AND BIODIVERSITY

14.1 London Plan Policy G5 states that major development proposals should 'contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage'. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments, based on Urban Greening Factors set out in Table 8.2 of the London Plan. Where Local Plans do not have UGF scores, the London Plan UGF identifies scores of 0.4 for predominately residential developments and 0.3 for predominately commercial developments should be applied.

14.2 London Policy G7 states that existing trees of quality should be retained wherever possible or replaced where necessary. New trees are generally expected in new development, particularly large-canopied species.

14.3 Local Plan Policies OS1 and OS5 seek to enhance biodiversity and green infrastructure in LBHF by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm.

14.4 An Arboricultural Report prepared by Silva Arboriculture Ltd accompanies this application and confirms that to facilitate the design footprint one Category C individual tree (T1) and one tree from a Category C group of trees (G5) will need to be removed. Both trees are located within the redline application boundary and have no public amenity.

14.5 The report goes on to state that the removal of the tree (G5) within the group of category C group of trees will not have a detrimental impact on the root protection areas (RPA) of other trees on the group, as the proposed tree to be removed is a good distance from the other trees in the group. The removal of the tree is required in order to install a new store which will be located within the RPA, notwithstanding, it is proposed that a no-dig surface is used to ensure that roots are not disturbed.

14.6 It is part of the proposal that the application will provide an enhanced communal amenity area with new landscaping, trees and planting within the courtyard. Soft and hard landscaping and planting will have significant benefits to the current and future occupiers of the site and the wider area. In addition, the proposed scheme provides private amenity space for 15 of the 19 proposed new units in the form of terraces. The proposed scheme includes sedum roofs and green/blue roofs totalling 720m², this is made up of 600m² on the main building and 120m² on the mews building. Landscaping and management details to be provided by condition.

14.7 The proposal seeks to protect and retain existing trees on site while providing an overall improvement in Urban Greening Factor (UGF).

15.0 PLANNING OBLIGATIONS / COMMUNITY INFRASTRUCTURE LEVY (CIL)

+ Mayoral and Local CIL

15.1 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 £50,760.00 (plus indexation).

15.2 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. This development is liable for an estimated local CIL of £74,700.00 (plus indexation).

+ S106 Heads of Terms

- 15.3 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'.
- 15.4 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.
- 15.5 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).
- 15.6 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.
- 15.7 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.
- 15.8 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) Energy and Sustainability - carbon dioxide emission offset contribution of £6,692.
 - 2) Air Quality - £3,000 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.
 - 4) Demolition and Construction Logistics Plans - submission; and a contribution of £5,000 per year until completion of construction towards monitoring.

5) Car Permit Free - To prohibit any occupiers of the 19 new residential units, other than Blue Badge Holders, from obtaining a parking permit, under Section 16 of the Greater London Council (General Powers) Act 1974.

6) Travel Plan - submission and implementation of an approved Residents Travel Plan. A contribution of £3,000 at yr 1, 3 and 5 towards Travel Plan monitoring.

7) Clause/s to ensure that the new units will only be occupied by blind and visually impaired people and not available as open market housing.

16.0 CONCLUSION

16.1 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.

16.2 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.

16.3 In summary, the proposed upward extension of the existing residential facility for blind and visually impaired people and intensification of use is acceptable in land use terms. The proposed development would contribute towards the quantity of the borough's specialise housing stock. 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 nearby 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 and biodiversity 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 (2023), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the Planning Guidance Supplementary Planning Document (2018).

16.4 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.

16.5 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.

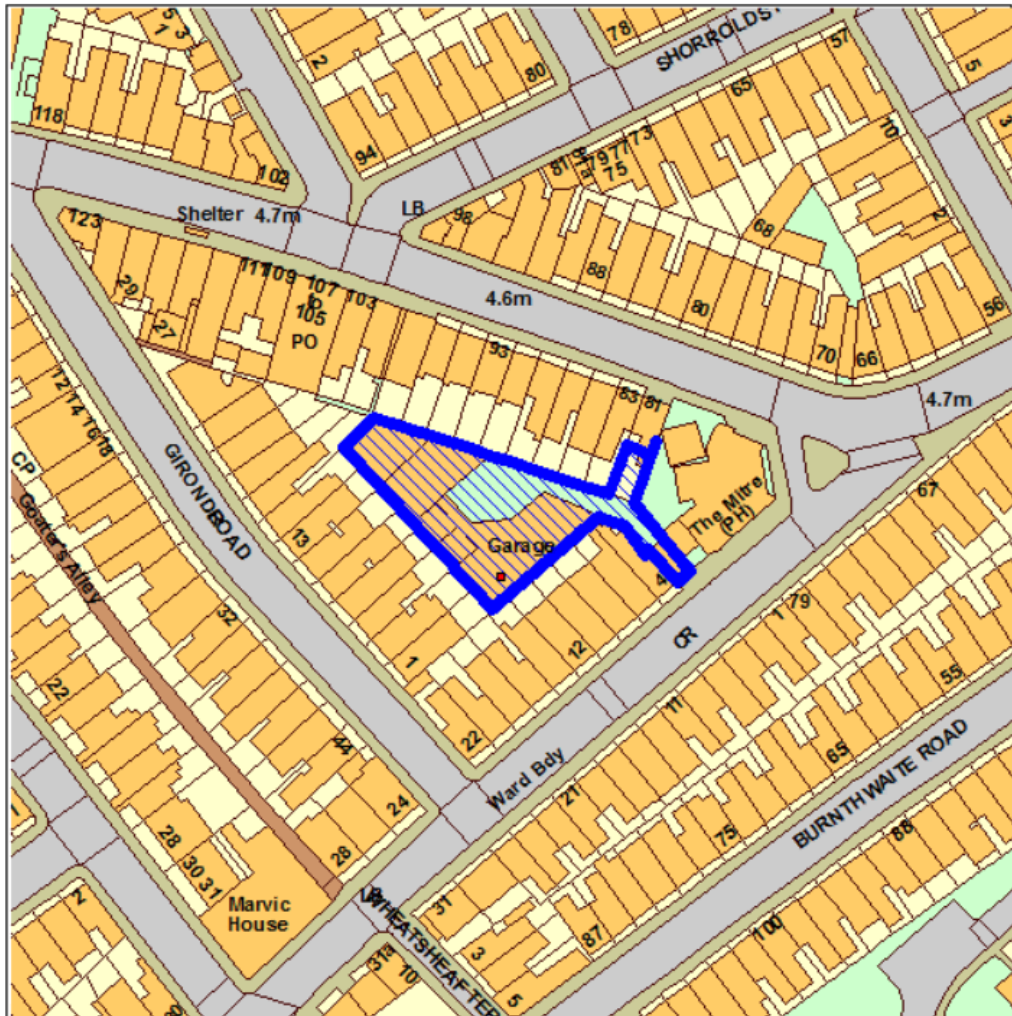
17.0 RECOMMENDATION

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

Ward: Fulham Broadway

Site Address:

Triangle Garage 2 Bishop's Road London SW6 7AB



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Reg. No:

2022/03708/FUL

Date valid:

28.12.2022

Committee Date:

16.07.2024

Case Officer;

Graham Simpson

Conservation Area:

N/A

Applicant:

2 Bishops Road Limited
C/O Agent

Description:

Demolition of the existing industrial buildings (Use Class B2) and erection of 6no two storey plus-basement single family dwellinghouses (Use Class C3) with associated landscaping, bicycle storage, one wheelchair accessible car parking space, refuse storage and associated works.

Drg. Nos: See 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 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 of 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.

Conditions:

1) Timeframe

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

Reason: 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) Approved drawings

The development shall be carried out and completed in accordance with the following drawings hereby approved:

309_STA_S_LG_DR_A_10_099 P2;
309_STA_S_00_DR_A_10_100 P2;
309_STA_S_01_DR_A_10_101P2;
309_STA_S_02_DR_A_10_102 P2;
309_STA_S_XX_DR_A_10_200 P2;
309_STA_S_XX_DR_A_10_201 P2;
309_STA_S_XX_DR_A_10_202 P3

309_STA_S_XX_DR_A_10_350 P2;
309_STA_S_XX_DR_A_10_351 P2;
309_STA_S_XX_DR_A_10_400 P2;
309_STA_S_XX_DR_A_10_401 P2;
309_STA_S_XX_DR_A_10_402 P2;
309_STA_S_XX_DR_A_10_403 P2.

Reason: To ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy DC1 and DC2 of the Local Plan 2018.

3) Materials

No part of the structure above ground level shall be constructed until details and samples of all materials to be used on the external faces of the building, including walls, roof coverings, windows and doors, have been 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.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenities of surrounding properties, in accordance with Policies DC1 and DC2 of the Local Plan 2018.

4) 1:20 detailed drawings

No above ground works (save demolition) shall be commenced until detailed drawings, at a scale of no less than 1:20, of typical bays on each elevation of the building in plan, section and elevation have been submitted to, and approved in writing by, the Council. Thereafter the development shall be carried out in full accordance with the approved details and permanently retained as such thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the character, appearance and setting of the area, in accordance with Policies DC1 and DC2 of the Local Plan 2018.

5) External lighting

External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes for The Reduction of Light Pollution 2011'. Lighting should be minimized, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

6) Green roof

No part of the structure above ground level shall be constructed until full details of the green roof and green wall system to be used have been submitted to, and approved in writing by, the local planning authority. Details shall include vertical sections through the green roof and green wall, as well as a maintenance plan. No part of the development shall be used or occupied prior to the completion of the development in accordance with the agreed details.

Reason: To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC2 of the Local Plan 2018.

7) Hard and soft landscaping

The development hereby permitted shall not be occupied or used before details and samples of surface materials, of the soft and hard landscaping of all private and communal external areas, including planting, planting schedules, paving, boundary walls, fences, gates and other means of enclosure, have been submitted to and approved in writing by the Council. The development shall thereafter be carried out in accordance with the approved details and permanently retained thereafter. All soft landscaping shall be carried out during the first planting season available. Any soft landscaping removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

Reason: To ensure the building maintains satisfactory external relationship with its surroundings and that the new external areas are of an acceptable appearance, in accordance with Policies DC1 and DC2 of the Local Plan 2018.

8) No plant

No alterations shall be carried out to the external appearance of any part of the development hereby approved, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings, without planning permission first being obtained.

Reason: 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 HO11 of the Local Plan 2018.

9) No aerials

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

Reason: To ensure that the visual impact of telecommunication equipment can be considered in accordance with Policies DC1 and DC2, of the Local Plan 2018.

10) Rooftop structures

No water tanks, water tank enclosures or other structures, other than those set out on the approved drawings, shall be erected upon the roofs of the building hereby permitted.

Reason: It is considered that such structures would seriously detract from the appearance of the building, contrary to Policies DC1 and DC2 of the Local Plan (2018).

11) Rainwater goods

No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the front, rear or side elevations of the building hereby approved.

Reason: To ensure a satisfactory external appearance of the development, in accordance with Policies DC1 and DC2 of the Local Plan (2018).

12) Demolition Management Plan

Prior to commencement of the development hereby approved the following shall be submitted to, and approved in writing by, the Council:

(i) A Demolition Management Plan

Details shall include monitoring and control measures for noise, vibration, lighting, delivery locations, contractors' method statements, waste classification and disposal procedures and locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, and not on Sundays or 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. The approved details shall be implemented throughout the project period.

(ii) A Demolition Logistics Plan

This shall be in accordance with Transport for London (TfL) requirements and must seek to minimise the impact of demolition traffic on nearby roads and restrict demolition trips to off peak hours only. The details shall also include the numbers, size and routes of demolition vehicles, provisions to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The approved details shall be implemented throughout the project period.

Reason: To ensure that demolition works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, lighting or other emissions from the building site, in accordance with policies T1, T6, T7, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

13) Construction Management Plan/Construction Logistics Plan

Prior to commencement (excluding site clearance and demolition) of the development hereby approved the following shall be submitted to, and approved in writing by, the Council:

(i) A Construction Management Plan

Details shall include monitoring and control measures for noise, vibration, lighting, delivery locations, contractors' method statements, waste classification and disposal procedures and locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and not on Sundays or 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. The approved details shall be implemented throughout the project period.

(ii) A Construction Logistics Plan

This shall be in accordance with Transport for London (TfL) requirements and must seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. The details shall also include the numbers, size and routes of construction vehicles, provisions to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The approved details shall be implemented throughout the project period.

Reason: To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, lighting or other emissions from the building site, in accordance with policies T1, T6, T7, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

14) Air Quality Dust Management Plan (Demolition)

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

- a. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
- b. Demolition Site and Equipment Layout Plan
- c. Inventory and Timetable of dust generating activities during Demolition site activities.
- d. Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM10 (human health) impacts for sensitive receptors on-site and offsite of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within 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 Dust Monitoring Procedures and Protocols including locations of a minimum of 4 x Dust Deposition monitors on the site boundaries used to prevent dust levels exceeding predetermined Site Dust Action Level (SDAL) as indicated in paragraph 4.41 of IAQM 'Monitoring in the Vicinity of Demolition and Construction Sites', Version 1.1, October 2018 guidance,
- 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 demolition shall be registered on the London City Hall NRMM register GLA-NRMM-Register prior to commencement of demolition 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 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.

Reason: To ensure air quality is not compromised during the demolition phase, in line with Local Plan Policies CC10 and CC13.

15) Air Quality Dust Management Plan (Construction)

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

- a. Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
- b. Demolition Site and Equipment Layout Plan
- c. Inventory and Timetable of dust generating activities during Demolition 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 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 Low/Medium Dust Risk Rating of the site and shall be in a table format.
- f. Details of Site Dust Monitoring Procedures and Protocols including locations of a minimum of 4 x Dust Deposition monitors on the site boundaries used to prevent dust levels exceeding predetermined Site Dust Action Level (SDAL) as indicated in paragraph 4.41 of IAQM 'Monitoring in the Vicinity of Demolition and Construction Sites', Version 1.1, October 2018 guidance,
- 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 demolition shall be registered on the London City Hall NRMM register GLA-NRMM-Register prior to commencement of demolition 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 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.

Reason: The ensure air quality is not compromised during the construction phase, in line with Local Plan Policies CC10 and CC13

16) Cycle store

The development shall not be used or occupied until the cycle storage areas, as shown on the approved drawing no. 309_STA_S_00_DR_A_10_100 P2 have been installed, and the cycle storage areas shall be permanently retained in this form thereafter.

Reason: To ensure satisfactory provision for the cycles and thereby promote sustainable and active modes of transport, in accordance with Policy T3 of the Local Plan (2018).

17) Refuse store

The development shall not be used or occupied until the refuse storage areas, as shown on the approved drawing no. 309_STA_S_00_DR_A_10_100 P2 have been installed, and the refuse storage areas shall be permanently retained in this form thereafter.

Reason: To ensure adequate provision for refuse storage, in accordance with Local Plan (2018) Policy CC7.

18) Flood Risk Assessment

The development hereby permitted shall not be occupied or used until the flood resilient design measures and sustainable drainage measures identified in the Flood Risk Assessment dated February 2023 submitted with this application are fully implemented. The measures shall thereafter be permanently retained.

Reason: 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).

19) SUDS

The development hereby approved shall not commence (save for works of site clearance and demolition of existing buildings) until details of a revised Surface Water Management Strategy. Details should review the inclusion of rainwater harvesting for re-use. The measures shall thereafter be permanently retained for the life of the development. Reason: To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies CC2 and CC3 of the Local Plan (2018).

20) Secure by design

No above ground works (save demolition) shall be commenced until a statement of how "Secured by Design" requirements are to be adequately achieved for the development has been submitted to and approved in writing by the Council. Confirmation shall be supplied that the details are agreed by the Metropolitan Police's Crime Prevention Advisor. Thereafter the approved details shall be carried out prior to occupation of the development and permanently maintained thereafter.

Reason: To ensure a safe and secure environment for users of the development, in accordance with Policies HO11 and DC2 of the Local Plan (2018).

21) No terraces

No part of any roofs of the buildings shall be used as roof terraces or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

Reason: The use of the roofs as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of noise and disturbance, contrary to Policies CC11 and CC13 of the Local Plan (2018).

22) Preliminary Risk Assessment

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 LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: 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).

23) Site investigation scheme

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 LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: 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).

24) Quantitative risk assessment

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 LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: 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).

25) Remediation method statement

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 LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: 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).

26) Verification report

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 LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: 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).

27) Onward long-term monitoring methodology report

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 LCRM: Land Contamination Risk Management (Environment Agency 2023) or the current UK requirements for sampling and testing.

Reason: 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) Zero emissions heating

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

Reason: To comply with the requirements of the NPPF, Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

29) Electric vehicle charging point

Prior to occupation of the development hereby permitted, details of the installation including location and type of active electric vehicle rapid charging point (22-50KW) for the one car parking space must be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the development.

Reason: To ensure the suitable provision of off street car parking spaces and electric vehicle charging within the development to meet the needs of future site occupiers and users, in accordance with Policy T6 of the London Plan (2021) and Policy T4 of the Local Plan (2018).

30) No HMO

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).

Reason: The use of the property as 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).

31) Thames Water

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.

Reason: 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.

32) Fire safety

No development shall commence until a Fire Safety Statement is submitted to and approved in writing by the Council. The Statement shall demonstrate that the proposals comply with the Building Regulation Approved Document Part B. 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).

33) External noise from plant

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014+A1:2019 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. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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.

34) Anti-vibration mounts

Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: 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.

Justification for approving application:

1. Land Use: The proposal would achieve a sustainable development by providing much-needed housing on previously developed land, that has been disused and in a derelict state for many years. The loss of this longstanding vacant employment use is considered to be acceptable in this instance, the proposal would provide six residential units contributing 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 housing suitably sized for families, 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 which optimises the capacity of previously developed land, and having regard to the character and appearance of the existing site and surrounding area. The proposal therefore accords with the NPPF (2023), London Plan (2021) PolicyD3, and Local Plan (2018) Policies DC1 and DC2.

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: It is considered that the scheme would not have a significant further impact on the highway network or local parking conditions and is thus considered to be acceptable. Satisfactory provision would be made for cycle parking and future occupiers of the net new units would be prevented from obtaining on-street parking permits, to help prevent overspill of parking onto the local highways. Adequate provision for the storage and collection of refuse and recyclables would be provided. 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 local employment skills initiatives, public realm improvements, car permit free restrictions; s278 highways works; and the submission of a Construction Management Plan and an 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 and INFRA1.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by case officer named above:

Application form received: 21st December 2022
Drawing Nos: see above

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

Consultation Comments:

Comments from:
Metropolitan Police Crime Prevention

Dated:
24.01.2023

Neighbour Comments:

Letters from:

Dated:

7 Gironde Road London SW6	27.01.23
Flat A 25 Gironde Road London SW6	27.01.23
83 Dawes Road London SW6	27.01.23
85 Bishops Road London SW6	30.01.23
9 Gironde Road London SW6	30.01.23
7 Gironde Road London SW6	30.01.23
8 Bishops Road London SW6	30.01.23
10 Bishops Road London SW6	30.01.23
12 Bishops Road London SW6	30.01.23
79 Dawes Road London SW6	31.01.23
3 Gironde Road London SW6	30.01.23
5 Gironde Road London SW6	31.01.23
11 Gironde Road London SW6	31.01.23
17 Gironde Road London SW6	31.01.23
4 Bishops Road London SW6	31.01.23
Ground floor flat London 4 Bishops Road SW6	31.01.23
Top floor flat 4 London Bishops Road SW6	31.01.23
Fulham Society	04.02.23

1.0 SITE DESCRIPTION

- 1.1. This is a vacant triangular back land light industrial site (approximately 0.09 hectares) surrounded by two and three storey residential terraces fronting Dawes Road, Gironde Road and Bishop's Road. It includes a vacant part one/ two storey industrial building last used as a car body repair workshop and spray service (Class B2). The site is accessed from an archway on the northern side of Bishop's Road between No.4
- 1.2. The site is not within a conservation area, and has a PTAL rating at 4, and is within Flood Risk Zone 2.

Planning history

- 1.3 In 1950 planning permission (Ref: 1950/08208/FUL) was granted for the erection of a building at rear for use as a taxi garage, repair workshop and lock-up garages.
- 1.4 In 1950 planning permission (Ref. 1950/08618/FUL) was granted for the installation of one petrol pump and tank.
- 1.5 In 1951 planning permission (Ref. 1951/00704/FUL) was granted for the erection of a single storey garage and workshop building at the rear.

- 1.6 In 1956 planning permission (Ref. 1956/04463/FUL) was granted for the erection of a roof over part of the yard adjoining the proposed spray shop.
- 1.7 In 1972 planning permission (Ref. 1972/00159/FUL) was granted for the rebuilding and enlarging of existing paint spraying workshop.
- 1.8 In 1988 planning permission (Ref. 1988/00025/FUL) was granted for the retention of flues to paint spray booth.
- 1.9 In 1995 planning permission (Ref. 1995/01704/FUL) was granted for alterations to the existing extract duct at roof level on the paint spraying booth adjacent the site boundary with 7 Gironde Road.
- 1.10 In 2017 planning permission (Ref. 2017/03201/FUL) was refused for the demolition of all existing buildings (Class B2) general industrial and erection of 2 no. three storey plus basements buildings for use as five dwelling houses (Class C3) with associated car and cycle parking and commercial space for office use (Class B1).

The application was refused on the following grounds:

- Lack of evidence to justify the loss of employment floorspace
 - Unsatisfactory mix of housing units
 - Substandard accommodation with lack of satisfactory private amenity space, overlooking and poor outlook
 - overdevelopment due to the scale, massing and extent of site coverage
 - Excessive basement excavation including most of the site
 - Unneighbourly due to loss of daylight, outlook, and privacy
- 1.12 In 2019 planning permission (2019/03852/FUL) was refused for a reduced the demolition of existing buildings (Class B2) and erection of 4 x part one, part two and part three storey plus basement single family dwellinghouses (Class C3), and erection of 1 x two storey plus-basement detached dwellinghouse (Class C3) at the rear of the site; provision of cycle parking, refuse storage 1 x car parking space for a disabled badge holder and associated landscaping.
 - 1.13 To overcome the previous reasons for refusal the submissions included the following amendments: marketing information, revised internal layouts for the proposed residential units, reduced the scale and massing and window designs that are angled away from neighbouring properties. Although, the overwhelming majority of the previous reasons were addressed, the application was refused due to the siting, scale and mass of the proposed buildings including height of the boundary wall which result in overbearing and increased sense of enclosure and loss of outlook to residential occupiers in Gironde Road.
 - 1.14 In 2021, the appeal (APP/H5390/W/21/3267941) against the above refusal (2019/03852/FUL) was dismissed. The Inspector concluded that the proposals would result in harm to the neighbouring properties at 3, 5 and 7 Gironde Road by reason of loss of outlook and oppressive sense of enclosure.

Current proposal

- 1.15 The current application follows on from the previous refusal (2019/03852/FUL) and dismissed appeal and seeks to address the reasons for withholding consent. The application involves the demolition of the existing industrial buildings (Class B2) and erection of 6 x two storey plus-basement single family dwellinghouses (Class C3) with associated landscaping, bicycle storage, one wheelchair accessible car parking space, refuse storage and associated works. The main difference between this application and the previous refused proposals is that the massing of the proposed buildings has been reconfigured and lowered. The revised mass now includes a single building rather than two buildings and the inclusion of rear gardens on the boundary with Gironde creates a more open aspect. The proposed single terrace building has been set back from and aligns with the party boundary with Dawes Road which retains a high boundary wall.

2.0 PUBLICITY AND CONSULTATION:

Pre-Application Engagement

- 2.1 In accordance with the National Planning Policy Framework (NPPF), the Applicant undertook a detailed programme of pre-application engagement with the Council's Planning officers. Pre-application discussions were held between July 2022 and December 2023. While the preapplication scheme included improvements to address the previous refusal (2019/03852/FUL) officers raised the following concerns:
- loss of outlook, daylight/sunlight and overshadowing to some neighbouring properties
 - overlooking and loss of privacy
 - quality of proposed accommodation
 - poor outlook and daylight/sunlight to habitable spaces.

The current scheme has been designed to address the above concerns.

Pre-Application Public Engagement

- 2.3 The Applicant has submitted a Planning Statement outlining engagement undertaken with local residents prior to the submission of the application. The consultation process involved a public consultation event over two evenings at the Fulham Mitre public house which neighbours the site in November 2022. In summary the consultation included:
- Invitation letters sent to resident occupiers and landowners of Bishop's Road, Dawes Road and Gironde Road in advance of the event.
 - At the event presentation boards were displayed, showing details of the proposed scheme, demonstrating its relationship with the neighbouring properties and the surrounding local context, and comparing the new scheme with both the current industrial development on the site and the previous (refused and dismissed) scheme.
 - In total, 16 individuals attended the event across the two evenings. Attendees were offered the opportunity to record their email contact in a register so that they could receive an electronic copy of the presentation and to forward any

comments to the applicant's project team. The applicant responded to all the subsequent emailed comments.

2.4 The key issues raised included:

- Residents were pleased with the reduction in massing and height (compared to the previous planning applications);
- Residents of Gironde Road were satisfied that the siting and scale of the proposed built form would not adversely impact on their outlook, and other residents also recognised the improvement in outlook compared to the existing industrial structures;
- Support for the retention of the boundary wall, and asked questions were raised about private party wall matters;
- car parking and local congestion;
- the location, proximity and management of the refuse store, length of the overall construction period and hours of work;
- importance of undertaking asbestos removal in accordance with or above statutory standards; and
- existing security concerns associated with the industrial use; a residential use would be much more suitable for this site.

2.5 In response the scale, mass, positioning and design of the proposed development has been addressed. The boundary wall would also be retained. On-Site car parking has been limited to one blue badge space and a car-free development would be secured precluding future residents from being able to obtain parking permits. Details of Construction Logistics Plan and a Construction Management Plan would be secured by conditions and adhered to (also addressing asbestos removal). An enclosed timber refuse store sitting below the level of the boundary walls and fencing has been proposed to house bins.

Application Stage

2.6 The application has been advertised by means of a site notice and a press advert. Individual notification letters were sent to the occupiers of 113 neighbouring properties.

2.7 Eighteen objections (including 1 duplicate letter) have been received. The grounds of objection can be summarised as follows:

- Too high/bulky and over dominant
- Out of keeping with character of the area, being overbearing and overdevelopment
- Insufficient submissions and detail on drawings to make assessment
- Loss of daylight/sunlight
- Overshadowing
- Overlooking/loss of privacy
- Increased sense of enclosure/loss of outlook
- Light pollution from external lighting
- Noise and disturbance from roof terrace and additional habitable room openable windows
- Increased parking stress/traffic generation
- Antisocial behaviour in communal areas/access routes
- Safety issues over vehicles needing to reverse out of the site

- Lack of detail on emergency and utility vehicles accessing the site
- Noise, nuisance and dust from building works
- Inadequate amenity space for family dwellings, while the proposed internal floorspace is oversized
- Poor standard of accommodation proposed at basement levels due to poor outlook/natural lighting
- Object to the refuse store next to the car park - odour/vermin
- Structural and safety issues (subsidence, party wall issues, contamination and asbestos) from extensive excavation and demolition
- Impacts on existing underground services including electricity and drainage
- Noise and disturbance from new residential use - comings and goings, and refuse and cycle store right next to shared boundary wall with neighbour's gardens
- Impact on neighbouring drainage

2.8 The Fulham Society raised the following concerns:

- The houses are very small
- Overdevelopment
- Impact of excavations on surrounding structures
- Poor daylighting
- Concerns over access for emergencies and servicing

3.0 Policy Context

3.1 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.

3.2 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).

3.3 In this instance, the statutory development plan comprises the London Plan (2021), the Local Plan (2018) and the Planning Guidance Supplementary Planning Document - 2018 (hereafter referred to as Planning Guidance SPD). Several strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

National Planning Policy Framework (2023)

3.4 The National Planning Policy Framework - NPPF (as updated 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.

3.5 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.

The London Plan

3.6 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The Plan provides the strategic planning policies for London, setting out an integrated economic, environmental, transport and social framework for growth over the next 20-25 years. The proposal has been assessed in line with the policies set out in the Plan. The London Plan is supported by guidance, which provides further information about how the London Plan should be implemented in the form of Supplementary Planning Guidance ('SPG') documents which have also been considered in determining this application.

The Local Plan

3.7 The Council Local Plan was adopted 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. This provides supplementary detail to the policies and is organised around key principles.

3.8 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan (2021), Local Plan (2018), and Supplementary Planning Guidance (SPG) / Planning Guidance Supplementary Planning Document (SPD) have been referenced where relevant.

3.9 The main planning considerations in light of the London Plan 2021, and the Local Plan 2018 (hereafter referred to as Local Plan 2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include:

- the principle of the development in land use terms;
- quantum and intensity of development;
- design and appearance;
- existing residential amenities of neighbouring properties;
- traffic impact on the highway network;
- environmental sustainability and
- planning obligations.

4.1 LAND USE

Loss of existing use

4.2 London Plan Policy E4 relates to land for industry, logistics and services to support London's economic function.

4.3 Policy E1 (Range of Employment) of the Local Plan 2018 encourages the retention, enhancement and intensification of existing employment uses and specifically necessitates flexible space suitable for small and medium enterprises.

4.4 Policy E2 (Land and Premises for Employment Uses) of the Local Plan 2018 asserts that the Council will require the retention of land and premises capable of providing continued accommodation for employment or local services. Permission will only be granted for a change where continued use would adversely impact on residential areas; or an alternative use would give a demonstrably greater benefit

that could not be provided on another site; or it can be evidenced that the property is no longer required for employment purposes.

- 4.5 Satisfactory marketing details have previously been submitted and accepted in 2019. Officers accepted that the B2 use was surplus to requirements for this area and that a general industrial use would no longer be appropriate on this site, given its proximity to neighbouring residential dwellings. The existing backland commercial site is surrounded by residential properties and the proposed residential use would be compatible with the existing residential character. Overall, officers consider the proposed loss of this vacant employment land is acceptable in accordance with Local Plan Policies E1 and E2.the.

Residential use:

- 4.6 Paragraph 60 of the NPPF states that local planning authorities should seek to significantly boost the supply of housing. The need for housing is recognised in Policy H1 of the London Plan and Table 4.1 of this Policy sets out a minimum target of 16,090 new residential dwellings by 2028/9 within the Borough Policy HO1 of the Local Plan seeks to exceed the minimum target set out in London Policy H1, Table 4.1.
- 4.7 The proposed development would contribute a net addition of 6 residential units. Overall, the development would accord with London Plan Policy H1 and Local Plan Policy HO1.

Residential mix:

- 4.8 Policy HO5 of the Local Plan requires a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation.
- 4.9 The proposed scheme comprising 1x2-bed and 5x3-bed units is considered to represent an appropriate housing mix. Overall, the proposed scheme would accord with Policy HO5 of the Local Plan.

5.0 QUALITY OF ACCOMMODATION

Indoor and outdoor space standards

- 5.1 London Plan 2021 Policy D6 (Housing quality and standards) states that housing development should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose. Local Plan Policy HO4 seeks to ensure that all housing development is provided to a satisfactory quality, has an appropriate mix of types and sizes, with an emphasis on family accommodation. Local Plan Policy HO11 and Housing Standards Key Principles HS1, HS2, and HS3 of the Council's SPD also sets minimum floor areas and internal room sizes for new residential development. In either case, any development would still need to comply with the London Plan minimum standards which supersede those within the Local Plan.

5.2 The proposals include the following:

- 1x2-bed/4-person: 174sqm, complies (79sqm London Plan minimum)
- 4x3-bed/5-person: 174sqm - 201sqm, complies (99sqm London Plan minimum)
- 1x3-bed/6-person: 223sqm, complies (108sqm London Plan minimum)

5.3 All the proposed units would exceed recommended minimum GIA as set out in London Plan, and Key Principle HS2 of the Planning Guidance SPD. The development is also compliant with the Technical Housing Standards in terms of room sizes, storage space and floor-to-ceiling heights.

5.4 In terms of amenity space, the Mayor's Housing SPG Baseline Standard 26 sets out standards to private open space. The standard is quantified as 5sq.m. for 1-2 person dwellings and an extra 1sq.m. should be provided for each additional occupant. This standard is met throughout the development, in the form of lower ground level rear gardens. The Council's SPD Housing Policy 1 states that new, family-sized accommodation should have access to amenity or garden space of not less than 36sq.m.). All the units exceed this requirement with the exception of Units 1 and 3 (17sqm and 20sqm respectively); however, the internal floorspace for both these units is generous, is of good quality and complies with the London Plan standard. In these circumstances, the proposed outdoor amenity is considered acceptable.

Outlook and daylight to habitable rooms

5.5 Local Plan Policy HO11 states that new housing is of a high standard and provide housing that will meet the needs of future occupants.

5.6 All of the units would be dual aspect, with the habitable rooms oriented mainly to the south. The main living/kitchen areas would be south facing located at basement level, with large clear French doors opening onto the private gardens, thereby affording a good level of outlook. The rear open spaces all vary in length with the units towards the west end of the site having increasingly short rear gardens.

5.7 Officers acknowledge that the units with the shortest rear gardens (Units 1 and 2) would have the most restricted outlook. It is nevertheless still considered that on balance, the generous size of the internal areas, the shortest gardens would still be between 4m and 4.5m in depth, and that rest of the proposed units would have satisfactory south facing outlook on the levels above, that the proposals overall would provide adequate outlook.

5.8 An internal daylight and sunlight assessment report was submitted with the application. In terms of daylight, the report demonstrates that all but 3 of the 29 rooms tested within the proposed development achieve acceptable levels of, the majority significantly in excess of the BRE's Average Daylight Factor (ADF) test. Of the 3 rooms that do not comply, one is kitchen/dining room, and another only marginally falls short at 48% of the 50% target. Officers have reviewed this report and are satisfied that it is a robust assessment.

5.9 In terms of overshadowing, British Standard BS EN 17037 recommends that a rear garden should receive a minimum 1.5 hours of direct sunlight on a selected date

between 1 February and 21 March with cloudless conditions. The submitted report demonstrates that all the units within the proposal would enjoy at least 1.5 hours of direct sunlight on 21st March, in accordance with the minimum standard.

- 5.10 Overall, the level of daylight and sunlight provided to units within the proposed scheme would be good. Therefore, it is considered that the proposal would provide a suitable standard of amenity for future occupiers. The proposals would accord with Local Plan HO11.

Noise and Disturbance

- 5.11 Local Plan 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." 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.
- 5.12 Overall, 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

- 5.13 London Plan Policy D7 and Local Plan Policy HO6 seek to ensure high quality accessible homes. Local Plan 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'.
- 5.14 In this instance, all the flats are duplexes with facilities spread across three levels and therefore cannot meet the optional requirement M4(3) standards.
- 5.15 Notably, supporting paragraph 3.7.7 under Policy D7 of the London Plan 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 which also relates to small sites).
- 5.16 The proposed building on this small scale site provides level access, sleeping accommodation for two of the proposed units at ground floor level. Due to site constraints which restrict the layout, it is not practical to accommodate bedrooms, bathrooms and kitchen and living space at ground level.
- 5.17 Due to site constraints it is not physically practicable to provide level access to all the units on this constrained back land site. It is not possible to ensure that 10% of the units are fully wheelchair accessible, however under minimum Building Regulations M4(2) standards 90% of the units would be wheelchair adaptable.

Overall, the proposals would accord with London Plan Policy D7 and Local Plan Policy HO6.

Secured by Design

- 5.18 London Plan (2021) Policy D11, Local Plan (2018) Policy DC1 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.
- 5.19 Subject to conditions, the proposals accord with London Plan (2021) Policy D11 and Local Plan (2018) Policy DC1.

Fire Safety

- 5.20 Policy D12 of the London Plan (2021) states that 'all development proposals must achieve the highest standards of fire safety'.
- 5.21 Paragraph 3.12.2 of the London Plan (2021) specifies that the matter of fire safety compliance is covered by Part B of the Building Regulations. However, to ensure that proposals achieve the highest standards of fire safety, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage.
- 5.22 Pursuant to London Plan Policy D12, the submission of a Fire Statement is not a requirement for minor development proposals. In the interests of fire safety and to ensure the safety of all building users, the proposed dwellings include fire alarm systems and passive and active fire safety measures and will be constructed in an appropriate way to minimise the risk of fire spread. The buildings have been designed in accordance with Building Regulation Approved Document Part B which relates to suitable and convenient means of escape. Given the nature of the proposal, officers are satisfied that this consideration has been given to Policy D12, Part A. A condition has been attached to ensure that a Fire Safety Statement be submitted to demonstrate that the proposals comply with the Building Regulation Approved Document Part B.
- 5.23 Overall, subject to a condition the proposals accord with fire safety and Policy D12 of the London Plan.

6.0 DESIGN

- 6.1 The 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.
- 6.2 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".

- 6.3 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.
- 6.4 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.
- 6.5 The application site is a backland site accessed from Bishops Road, currently occupied by industrial buildings. As such, the proposed development would have limited visual impact, upon the local street scene environment and local townscape. The proposal would introduce a linear mews, reflecting the established building line of Dawes Road.
- 6.6 The scale of the proposed development has been reduced in scale from the previously refused submission; with the elements of development closest to neighbouring properties being either omitted or situated towards the centre of the site. The surrounding built environment is typically comprised of two storey Victorian terraced houses, with pitched roofs. Although presenting a three storey form, given the excavation of the centre of the site, the overall scale and height of proposed development would be lower and therefore subservient when considered in this context.
- 6.7 The proposal would follow an architectural approach with a simple and contemporary design and materials. The approach would include use of high-quality red/brown facing brickwork, reconstituted stone features; alongside elevations including projecting picture windows, and treated timber framed doors and bays. These features are considered to be an appropriate design response in this location. Private views of the site will also be enhanced, as neighbours on all sides would look out onto the new development rather than derelict buildings.

- 6.8 The submitted plans indicate that gardens serving each property will be designed to include additional native trees and planting beds introduced. All buildings will feature green roofs. A full landscaping plan, to include details of hard and soft landscaping and boundary treatments, will be secured by condition.
- 6.9 The proposal includes a new basement level to be excavated beneath the new units, which would be a full storey beneath the current ground level. It would mostly be contained underneath the footprint of the new building, except for the proposed outdoor amenity spaces. The extent of the proposed excavation is considered acceptable in this instance given the existing buildings already cover the vast majority of the site and that the new that there would be very limited public views of the rear garden amenity spaces. The proposed basement excavation is therefore considered to be acceptable with regards to Local Plan Policy DC11. Furthermore, in accordance with the policy, a Subterranean Construction Method Statement was submitted with the application. The Flood Risk Assessment submitted with the application confirms that structural waterproofing measures and active drainage devices would be incorporated into the new basement and this is considered to be acceptable.
- 6.10 The application site is not located in a conservation area and would not impact upon any designated/non-designated heritage assets.
- 6.11 Overall, officers consider this to be a well-designed scheme which optimises the use of a previously developed site. The development is in accordance with relevant design policies in the NPPF, London Plan Policy D3, and Local Plan Policies DC1 and DC2.

7.0 RESIDENTIAL AMENITY

- 7.1 Policies DC1, DC2, CC11, CC13 and HO11 of the Local Plan require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles 6, 7 and 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.
- 7.2 Policies CC11 (Noise) and CC13 (Control of Potentially Polluting Uses) also deal with environmental nuisance and requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties.
- 7.3 The proposal site is bounded on all three sides by residential terraced properties; 4 - 14 Bishop's Road to the south, 1 - 17 Gironde Road to the south west and 81 - 103 Dawes Road to the north east.

Outlook/sense of enclosure

- 7.4 The Council's SPD Housing Key Principle 6 acknowledges that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees

from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. However, on sites that adjoin residential properties that have rear gardens of less than 9 metres in length this line should be produced at 45 degrees from a point at ground level on the boundary of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines, then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

- 7.5 As there is an existing high boundary wall surrounding the site, with an existing part one, part two storey building located on the subject site, a line of 45 degree has been taken from the top of the existing wall. It is noted that for the previous appeal that the Inspector also considered that this was a reasonable approach to take. The proposed replacement buildings have therefore been set back from each of the three boundaries at first floor level. The proposed first floor of unit 1 has been set away from the shared boundary with No. 4, 6 and 8 Bishop's Road in order to avoid transgressing a notional 45 degree line. Similarly, the building line on the north elevation has been set away from the shared boundary wall with the row of terraced houses fronting Dawes Road to fall within the 45 degree line taken from the top of the shared boundary wall. Similarly, where the proposed building comes near to the rear boundary of 11 and 13 Gironde Road, the first floor set back from the boundary sufficiently so as to comply with the 45 degree line as described above.
- 7.6 Based on an on-site assessment, officers consider that the proposed massing of development would not have any undue impact in terms of outlook for the existing neighbouring properties in Bishop's Road, Dawes Road and Gironde Road. The massing of proposed development would be set away from the site boundaries and sits below an angle of 45 degrees on all the existing party boundaries with neighbouring residential properties. The development would not result in an overbearing impact or result an increased sense of enclosure to neighbouring properties or gardens. In general, the existing sense of openness that the site currently affords would be preserved and for those properties which back onto the south eastern corner of the site, the existing outlook would be substantially improved due to the proposed demolition of the existing buildings on the site.
- 7.7 Overall, the proposed development would have an acceptable impact on outlook and sense of enclosure in accordance with Key Principle HS6.

Daylight and sunlight

- 7.8 Policy D6 of the London Plan, supported by the Mayor's Housing SPG, seeks to ensure that high quality housing schemes are delivered, which includes providing sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising the useability of outside amenity space.
- 7.9 There are no specific policies about daylight, sunlight or overshadowing in the Local Plan. Policy HO11 of the Local Plan includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area. The policy states the protection of existing residential amenities, including such issues such as loss of daylight, sunlight, privacy, and outlook.

- 7.10 Policy DC1 (Built Environment) require development to be well designed and respect of the principles of good neighbourliness. Policy DC2 (Design of New Build) requires development to be designed to respect residential amenity and to demonstrate good neighbourliness. This is expanded on within the Planning Guidance SPD (2018). Key Principles HS6 and HS7 of the SPD seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.
- 7.11 The applicant has submitted a sunlight and daylight analysis to assess the impact of the development on the light receivable to surrounding properties. The report considers the impact of the development on the following properties 81a, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101 & 103 Dawes Road, 1, 3, 5, 7, 9, 11, 13, 15, 17, 19 & 21 Gironde Road, 4, 6, 8, 10, 12, 14, & 16 Bishops Road and The Mitre. Officers are satisfied that this provides a robust assessment.
- 7.12 All the 307 windows in the addresses outlined above have had the impact of the development assessed in terms of Vertical Sky Component (VSC), Daylight Distribution, Annual Probable Sunlight Hours (APSH) and overshadowing.
- 7.13 The submitted report demonstrates that all the windows, rooms and gardens included within the assessment fully comply with the targets set out in the BRE guide. Significantly, to address concerns about outlook, the proposed building's have been lowered in height and would have even less impact.
- 7.14 Officers have considered the daylight and sunlight report and have no reason to disagree with its conclusions. The reduced height of the development when compared to the existing buildings, together with its set back and proposed distances from existing neighbouring houses would have no adverse impact on terms of daylight and sunlight.
- 7.15 Overall, the proposals would accord with London Plan D6, Local Plan Policies HO11, DC1 and DC2.

Privacy

- 7.16 SPD Key Principle HS7(iii) requires that any new windows should be positioned at least 18 metres from existing habitable room windows. This will be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure there is no loss of privacy. If this standard cannot be met, then windows should be designed to ensure that no loss of privacy will occur.
- 7.17 The proposed windows in the southern elevation facing the properties in Gironde Road are either more than 18m away from any opposing neighbouring habitable room windows, or at a level that would have views obscured by the retained high level boundary wall on the southern boundary. In addition, a section of that boundary wall along No.s 5, 7 and 9 Gironde Road will include a 80mm high remedial coping stone adjoining The coping stone would be sloped away from the edge of the wall fronting Gironde Road, thereby preventing any perception of increased enclosure experienced by the neighbours, but providing the additional height to deliver satisfactory privacy.

- 7.18 To the north, the opposing properties in Dawes Road are all within 18m. To mitigate loss of privacy, the proposed first floor bay windows close to the party boundary with the properties in Dawes Road include angled designs and screens to prevent overlooking. The proposed ground floor windows would be beneath the height of the retained high boundary wall.
- 7.19 To the west, the proposed two windows in the west elevation are opposing the Gironde Road/ Dawes Road junction of properties are either more than 18m away from any opposing windows or restricted oblique views to the rear of those properties. There are no proposed windows proposed in the east elevation.
- 7.20 Overall, Officers consider that the properties in Dawes Road, Gironde Road or Bishops Road would not experience a significant loss of privacy from the proposed development. The proposals accord with Policy HO11 and Key Principle HS7 of the Planning Guidance SPD.

Noise disturbance

- 7.21 London Plan Policy D14 (Noise) sets out measures to reduce, manage and mitigate noise to improve health and quality of life. Local Plan Policy CC11 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. Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there would be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 7.22 The proposals have been considered by the Council's Noise Protection Team and they raise no objections subject to conditions to safeguard against noise.
- 7.23 The proposed residential use is highly likely to be less noisy than if the lawful commercial use were to recommence on site. The proposed dwellings would have some small gardens that that would be in keeping with the existing surrounding rear residential gardens along Bishop's Road and Gironde Road.
- 7.24 Regarding noise during construction conditions would be attached to secure the submission of details for demolition and construction management plans, to control of nuisance during these phases.
- 7.25 Overall, the proposed residential development would not result in any undue noise impact in this residential area. The proposals accord with London Plan D14 and Local Plan Policies CC1 and CC13.

8.0 HIGHWAYS MATTERS

- 8.1 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 T1-T7 of the London Plan 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.

- 8.2 Local Plan 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'.
- 8.3 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.
- 8.4 The above policies are supported by Key Principles TR1 -TR4, TR7, TR21 and TR27 of the Planning Guidance SPD (2018).
- 8.5 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste.

Car parking

- 8.6 Policy T4 of the Local Plan (2018) specifies that car parking permit free measures will be required on all new development unless evidence is provided to show that there is a significant lack of public transport available or in locations where the PTAL level is 2 or lower (TfL's public transport accessibility level). The site has a PTAL of 4 meaning it has good access to public transport. Therefore, to avoid exacerbating existing levels of parking stress and congestion, officers consider that car parking permit restrictions for occupants of all six residential units proposed would be required. This will be secured by a legal agreement to prevent future occupants from applying for on-street car parking permits. One on site disabled parking space is proposed which is considered acceptable in this instance.

Cycle parking

- 8.7 Policy T1 of the Local Plan (2018) seeks to encourage the provision and use of public transport and bicycles, to improve congestion and air quality within the Borough. Policy T5 of the London Plan (2021) specifies that cycle parking should be fit for purpose, secure and well-located, with the following standards for residential accommodation:
 - 1 space per studio unit or 1-person, 1-bedroom dwelling
 - 1.5 spaces per 2-person, 1-bedroom dwelling

- 2 spaces per all other dwellings

- 8.9 The proposals include cycle parking for two bicycles provided within the front entrance lobby of each of the units as well as visitor cycle parking which includes two Sheffield style stands providing parking for four cycles located near to the entrance to the site. Officers consider that this would be sufficient to meet the requirements of Policy T5 of the London Plan (2021).

Refuse and Recycling

- 8.10 Refuse would be stored on-site within a dedicated refuse storage area. The Eurobins would be moved a temporary on-site refuse collection point near the Bishops Road entrance to facilitate collection. This ensures that no resident will need to walk further than 25 metres to take their refuse to the bin store, and will also be able to easily transport their refuse to the kerb on collection day (Bishops Road) as is required by the Council's Waste Team. The refuse storage arrangements are therefore considered acceptable and would be secured by condition.

Footway improvements

- 8.11 The existing crossover serving the site may need to be improved as there are damages caused by exiting garage use. According to SPD Key Principle TR17, The developer will be required to pay for any works that the council in their capacity as the highway authority has the power to carry out and that are necessary as a result of new development. The council will undertake the works on the highway in order to ensure that the works are undertaken to the council's adoptable standards and in order to ensure the disruption to the road network is minimal. The works would be secured via a legal agreement.

Construction and Demolition Logistic Plan

- 8.12 An outline has been submitted and reviewed by the Council's Highways team. In order to assess and minimise the impact of the demolition/construction of the proposed development on the local highway network the submission of a Construction and Demolition Plan is required including the numbers, size and routes of construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly managed, washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed with the Network Management and the Permit Coordinators of the council. Subject to conditions securing further details of such a plan, officers consider that the proposals would not unduly impact the nearby highway during the construction phase.
- 8.13 Overall, there are no objections to the proposal based on highways, traffic or parking. Subject to the outlined conditions and legal obligations the proposal accords with the London Plan and the Local Plan.

9.0 ENVIRONMENTAL CONSIDERATIONS

Flood Risk / SUDs

- 9.1 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.
- 9.2 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.
- 9.3 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.
- 9.4 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.
- 9.5 The application is supported by a FRA which includes information on measures are also detailed, including sewer surcharge protection, structural waterproofing measures, to help manage groundwater. Additional flood resilience measures are also detailed, including sewer surcharge protection.
- 9.6 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.
- 9.7 The Council's specialist officers (Environmental Policy) considered sufficient information has 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.
- 9.8 The proposals accord with London Plan Policies SI12 and SI13 and Local Plan Policies CC3 and CC4.

Energy/Carbon Reduction

- 9.9 The scheme is not considered a 'major' site, so there are no requirements to submit a Sustainability Statement or Energy Assessment to show compliance with Development Plan policies on these issues although the council would still encourage the implementation of sustainability measures such as energy efficiency measures etc. Nonetheless, the proposed development incorporates measures to minimise greenhouse gas emissions and reduce energy consumption, as well as to promote water efficiency in accordance with London Plan Policy SI5 and Local Plan Policy CC3.
- 9.10 Passive sustainability measures have been included in the design relate to the consolidated massing and east-west orientation of the building which minimises heat loss through an efficient form factor, south-facing windows to maximise direct access to natural daylight, the siting and sizing of windows to minimise overheating and promote natural ventilation, and new green and blue infrastructure including green roofs, biodiverse planting and permeable paving. Building materials and components in both the façade and structure have been designed to minimise both embodied carbon and construction carbon. PVs and ASHP were considered, but due to the site constraints and close proximity to neighbours PVs and ASHP would be both inefficient and impactful in terms of acoustics and outlook.
- 9.11 The proposals are therefore considered acceptable with regards to London Plan Policy SI5 and Local Plan Policy CC3.

Contamination

- 9.12 Policy 5.21 of the London Plan and Policy CC9 of the Local Plan 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.
- 9.13 Potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. To ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works conditions are to be attached covering the assessment and remediation of contaminated land.
- 9.14 Subject to conditions the proposals accord with Policy 5.21 of the London Plan and Policy CC9 of the Local Plan

Air Quality

- 9.15 Policy CC10 of the Local Plan (2018) specifies that the council will seek to reduce the potential adverse air quality impacts of new development. Notably, where a proposal has potential to result in occupants being affected by poor air quality, mitigation measures will be required to mitigate against this. 5.74 A borough wide Air Quality Management Area is in place within Hammersmith & Fulham. The Council's Environmental Quality (Air Quality) team were consulted on the proposal. They have raised no objection to the proposal, subject to a preoccupation condition requiring details (including installation/commissioning certificates) of the zero

emission MCS certified electric boiler(s) for the supply of space heating and hot water to be submitted to, and approved in writing by, the Local Planning Authority.

9.16 Subject to this condition, officers raise no objection with regard to Policy CC10 of the Local Plan .

10.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)/PLANNING OBLIGATIONS

Mayoral and Local CIL

10.1 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 £89,776 (plus indexation).

10.2 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. This development is liable for an estimated CIL of approximately £448,880 (plus indexation).

S106 Heads of Terms

10.3 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'.

10.4 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."

10.5 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).

10.6 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.

- 10.7 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.
- 10.8 The Applicant is expected to agree to enter into a legal agreement with the Council to which would include the following site-specific items:
- 1) On-street car parking permit-free development
 - 2) Enter into a S278 Agreement to fund any necessary highway works arising from the development to Bishop's Road pavement and crossover.
 - 3) Provision of a Demolition and Construction Logistics Plans, and fund liaison with Local Contractor Co-ordination Group associated with monitoring of the demolition and construction process (£3,000 per annum)
 - 4) AQDMP Compliance monitoring of £6000 per annum of the demolition and construction phases of the development.
 - 5) Employment and skills/ local procurement comprising:
 - a) Employment & Skills financial contribution of £42,000,
 - b) At least 10% to the total number of people employed on the construction of the development are local (H&F) residents, including 4 apprenticeships.
 - c) 10% of the build cost to be spent on businesses based in H&F in the supply chain of the development
 - d) A Local Procurement Contribution of £6,375 to support SMEs
 - 6) Contribution of £114,000 towards environmental improvements.
 - 7) A commitment to meet the costs of the Council's associated legal fees.

11.0 CONCLUSION

- 11.1 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.
- 11.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance.
- 11.3 In summary, the proposals to provide much-needed housing on previously developed land, that has been vacant for many years and is supported in principle.

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 surroundings. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality, and ecology and biodiversity have also been satisfactorily addressed and will be subject to conditions/planning obligations. In these respects, the proposals comply with the relevant policies of the NPPF (2023), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the Planning Guidance Supplementary Planning Document (2018).

11.4 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.

11.5 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.

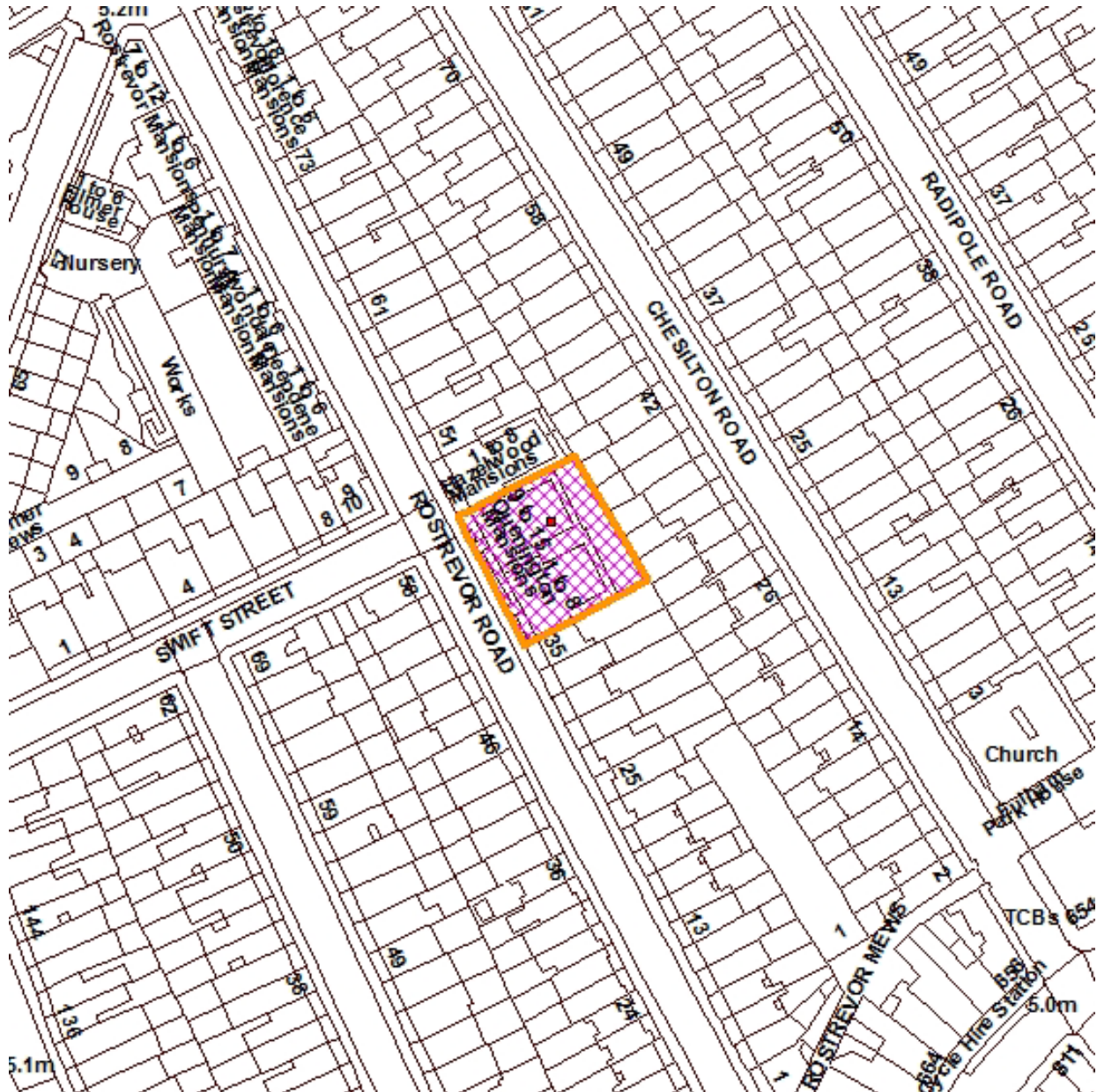
12.0 RECOMMENDATION

12.1 The application is therefore recommended for approval, subject to conditions and the completion of a legal agreement.

Ward: Fulham Town

Site Address:

Quenington Mansions Rostrevor Road London SW6 5AU



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For identification purposes only - do not scale.

Reg. No:

2023/02150/FUL

Case Officer:

Tom Scriven

Date Valid:

17.08.2023

Conservation Area:

Constraint Name: Central Fulham Conservation Area - Number 29

Committee Date:

16.04.2024

Applicant:

Dorrington PLC C/o
Agent

Description:

Alterations at roof level to include: erection of a plant room enclosure with air source heat pumps, erection of balustrades with door openings, installation of 2no automatic opening vent rooflights, installation of 58no solar panels, raising of parapets and installation of new insulation at roof level resulting an increase in the roof height; replacement of existing single glazed timber framed windows with new timber framed double glazed windows at first and second floor level; replacement of existing single glazed timber framed doors and windows with new timber framed double glazed doors and windows at ground floor and lower ground floor level including the replacement of 4no doors at the side of rear back additions with 4no new windows, and replacement of 4no windows with new doors to the rear elevation at lower ground floor level; provision of refuse storage and cycle parking and associated landscaping.

Application Type:

Full Detailed Planning Application

ADDENDUM REPORT

1.0 Introduction

1.1 This application was reported to the Planning Applications and Development Control Committee (PADCC) meeting on 4th June 2024. The proposed development involves alterations at roof level to include: erection of a plant room enclosure with air source heat pumps, erection of balustrades with door openings, installation of 2 automatic opening vent rooflights, installation of 58 solar panels, raising of parapets and installation of new insulation at roof level resulting an increase in the roof height; replacement of existing single glazed timber framed windows with new timber framed double glazed windows at first and second floor level; replacement of existing single glazed timber framed doors and windows with new timber framed double glazed doors and windows at ground floor and lower ground floor level including the replacement of 4 doors at the side of rear back additions with 4no new windows, and replacement of 4 windows with new doors to the rear elevation at lower ground floor level; provision of refuse storage and cycle parking and associated landscaping.

1.2 The officers' recommendation to the committee at the 4th June meeting read as follows:

1. That the Director of Planning and Property be authorised to grant permission subject to the conditions listed in the report.

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

1.3 A copy of the 4th June 2024 officers' report is attached (Appendix 1), together with the complete Addendum presented to the same committee meeting (Appendix 2).

1.4 The committee agreed with the officers' recommendation and resolved to approve planning permission.

2.0 Reason for reporting the application back to Committee

2.1 The Council has a duty to ensure that any decision is based on a full consideration of all the material planning considerations. The planning permission has not been issued yet.

2.2 The purpose of this addendum report is to enable officers to clarify the separation distance to the neighbouring property and correct the dimensions referenced within the previous committee report.

3.0 Updated Material Considerations

3.1 Following the PADCC meeting on 4th June 2024 it was noted that the submitted block plan provided with the application did not accurately reflect the actual relationship between the application site and the neighbouring building Hazelbury Mansions. The neighbouring building is marginally closer to the boundary than shown on the block plan by approximately 0.7m. This results in a separation distance between the nearest windows of the neighbour and the boundary of some 1.5m rather than 2.2m.

3.2 Based on the above, paragraph 9.5 on page 90 of the original officer report should be updated to reflect the smaller separation distance of 1.5m. The final sentence of paragraph 9.5 should be changed from a total separation distance of some 7.9m to 7.2m. The updated paragraph would read as follows:

9.5 The neighbours within the adjoining mansion block, Hazelwood Mansions, benefit from rear and side facing windows which would potentially be impacted by the proposed alterations at roof level. In relation to this neighbouring building the proposed plant enclosure would project approximately 6.3m beyond the main rear elevation of this building. Again, it would be set in from the shared boundary with this neighbouring building by 5.7m. This would result in a separation distance from the side facing windows of this neighbouring building of some 7.2m from these windows.

3.3 The impact of the separation distance upon the nearest neighbouring property is then assessed in paragraph 9.6 of the original report. Whilst officers acknowledge that there is a small change in the separation distance between the proposed ASHP enclosure and the nearest residential property, the proposal would still fall significantly below the maximum notional 45 degree line set out in SPD Key Principle HS7. As the proposals, would not breach the 45-degree line, the officers conclusions within paragraph 9.6 of the original report remain unchanged. Therefore, the impact on the amenity of this neighbour in terms of light and outlook remains within acceptable limits and accords with SPD Key Principle HS7.

3.4 Similarly, with regards to the impact upon noise it is not considered that the separation of 7.2m rather than 7.9 would alter the assessment set out in paragraph 9.15. The condition in relation to external noise (Condition 9) would continue to ensure that noise levels are kept to an appropriate level and include the requirement for a post installation noise assessment with additional steps to mitigate noise impact if necessitated by the assessment.

4.0 Officers' Recommendation

4.1 On the basis of the clarifications outlined in this addendum report officers consider the proposed development would be acceptable in relation to the impact upon neighbouring amenity.

4.2 Accordingly, the officers' recommendation remains as set out set out in the original committee report, and at paragraph 1.2 of this addendum report, namely:

1. That the Director of Planning and Property be authorised to grant permission subject to the conditions listed in the report.
2. That the Director of Planning and Property, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

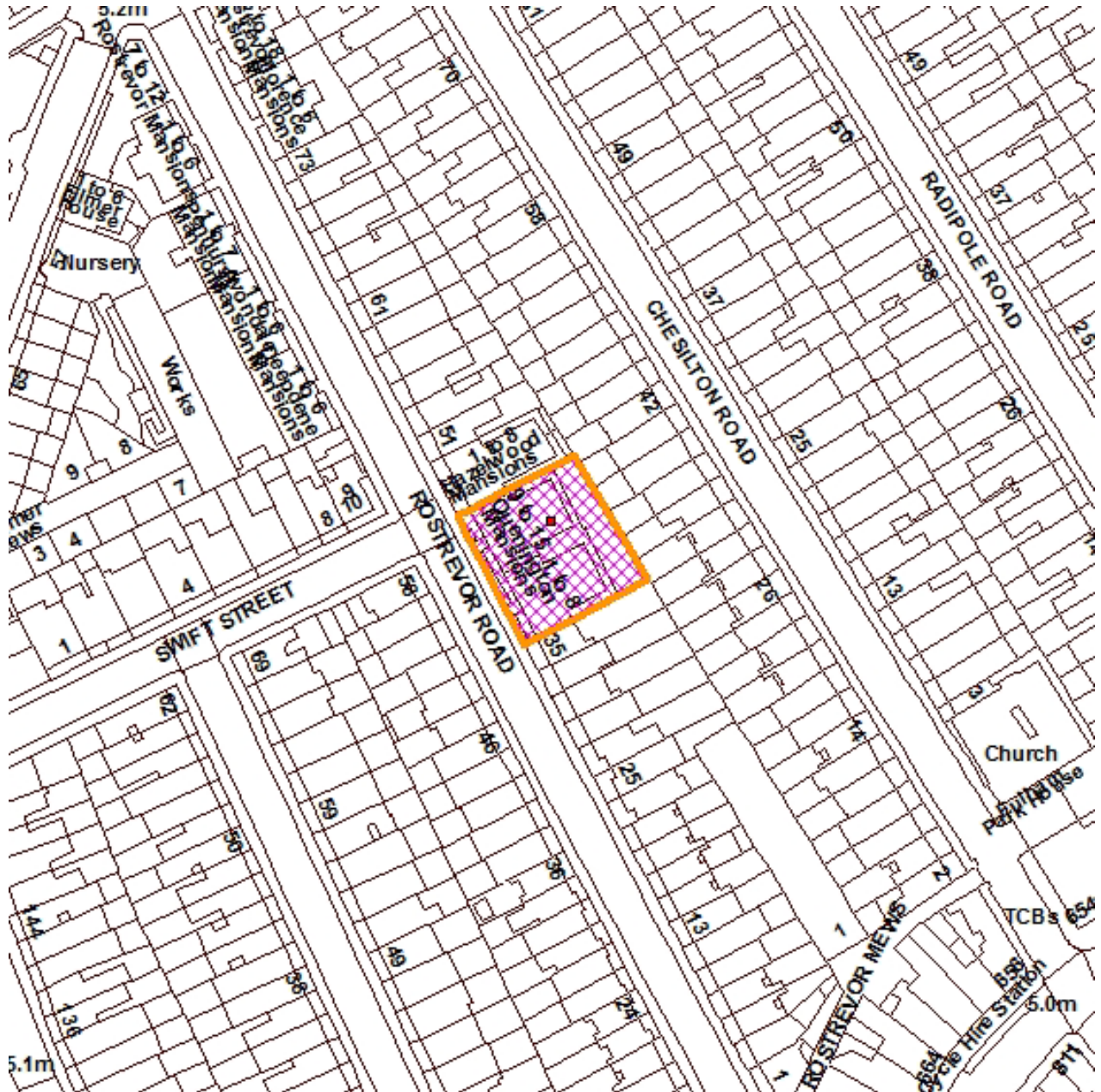
END OF ADDENDUM REPORT

APPENDIX 1: OFFICER REPORT TO PADCC ON 4th JUNE 2024

Ward: Fulham Town

Site Address:

Quenington Mansions Rostrevor Road London SW6 5AU



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Req. No:
2023/02150/FUL

Case Officer:
Tom Scriven

Date Valid:
17.08.2023

Conservation Area:
Constraint Name: Central Fulham Conservation
Area - Number 29

Committee Date:
16.04.2024

Applicant:
Dorrington PLC
C/o Agent

Description:
Alterations at roof level to include: erection of a plant room enclosure with air source heat pumps, erection of balustrades with door openings, installation of 2no automatic opening vent rooflights, installation of 58no solar panels, raising of parapets and installation of new insulation at roof level resulting an increase in the roof height; replacement of existing single glazed timber framed windows with new timber framed double glazed windows at first and second floor level; replacement of existing single glazed timber framed doors and windows with new timber framed double glazed doors and windows at ground floor and lower ground floor level including the replacement of 4no doors at the side of rear back additions with 4no new windows, and replacement of 4no windows with new doors to the rear elevation at lower ground floor level; provision of refuse storage and cycle parking and associated landscaping.

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 Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

1) Time Limit

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) Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved drawing numbers, other than where those details are altered pursuant to the conditions of this planning permission:

Typical Existing and Proposed Windows - 200 GSA XX XX DR A 3400 PL-00
LGF Openings - Rear Façade - 200 GSA XX LG DR A 3401 PL-00
LGF Openings - Side Façade - 200 GSA XX LG DR A 3402 PL-00
Proposed Block Site Plan - 200 GSA XX GF DR A 2000 PL-00
Proposed Lower Ground Floor Plan - 200 GSA XX LG GAA 2100 PL-00
Proposed Ground Floor Plan - 200 GSA XX GF GAA 2101 PL-00
Proposed First Floor Plan - 200 GSA XX 01 GA A 2102 PL-00
Proposed Second Floor Plan - 200 GSA XX 02 GA A 2103 PL-00
Proposed Roof Plan - 200 GSA XX RF GA A 2104 PL-01
Proposed Front Elevation - 200 GSA XX XX GA A 2300 PL-01
Proposed Rear Elevation - 200 GSA XX XX GA A 2301 PL-01
Proposed NW Side Elevation A - 200 GSA XX XX GA A 2302 PL-01
Proposed NE Side Elevation A - 200 GSA XX XX GA A 2303 PL-01
Proposed NW Side Elevation B - 200 GSA XX XX GA A 2304 PL-01
Proposed NE Side Elevation B - 200 GSA XX XX GA A 2305 PL-01
Proposed Landscape: General Arrangement - QM191-JCLA-DR-L-0001
Proposed Landscape: Planting Plan QM191-JCLA-DR-L-0002
Arboricultural Statement (230629-PD-90)
Tree Survey Plan (230629-P-10)

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

3) Materials

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

4) Trees

The development hereby approved shall be carried out in accordance with the approved Arboricultural Statement (230629-PD-90) and Tree Survey Plan (230629-P-10). The tree protection measures shall be carried out in full for the duration of the construction works.

To ensure that retained trees are suitably protected and to prevent harm during the course of construction, in accordance with Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

5) Construction Logistics Plan

Prior to commencement of the development hereby permitted, a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall be in accordance with Transport for London Guidance. The CLP shall cover the following minimum requirements:

- site logistics and operations;
- construction vehicle routing;
- Details of the estimated number, size and routes of construction vehicles per day/week details of the use of Ultra Low Emission Zone (ULEZ) compliant
- Vehicles e.g., Euro 6 and Euro VI;
- details of the access and egress arrangements
- delivery locations on the site;
- details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
- Efficiency and sustainability measures to be undertaken for the works
- membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the relevant approved CLP. Approved details shall be fully implemented and retained and maintained throughout the construction phase of the development.

To minimize the impacts of construction-related vehicle movements and facilitate sustainable construction travel to the site in accordance with Policies T1 and T6 of the Local Plan 2018.

6) Construction Management Plan

Prior to commencement of the development hereby permitted, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Council. The CMP shall provide details of how construction works are to be undertaken and shall include:

- a) A construction method statement which identifies the stages and details how works will be undertaken
- b) Details of working hours shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays
- c) Details of plant and machinery to be used during construction works
- d) Details of waste management strategy
- e) Details of community engagement arrangements
- f) Details of any acoustic hoarding
- g) A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency Guidance);
- h) Details of external lighting; and
- i) Details of any other standard environmental management and control measures to be implemented.

The development shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with Policies SI 1, SI 8 and SI 10 of the London Plan 2021, and Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan 2018.

7) Details of Pergola

Prior to the erection of the pergola full details of this structure including scale plans and materials details will be submitted to and approved in writing by the Council. The pergola shall be erected in accordance with the approved details.

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

8) External noise from machinery, extract/ventilation ducting, ASHP etc.

The external sound level emitted from plant, machinery or equipment at the development shall be lower than the lowest existing background sound level by at least 5dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014+A1:2019 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. 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.

9) 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.

10) Use of roof

The flat roof of the buildings and associated balustrades shall only be used in association with maintenance of the approved plant at this level.

The use of the roof as a permanent terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighboring properties as a result of overlooking, noise and disturbance, contrary to Policies HO11 and CC11 of the Local Plan (2018).

Justification for Approving the Application:

The principle of development with regards to the refurbishment of the building to improve thermal performance, energy efficiency and reduce reliance upon carbon-based energy is supported. The proposal is acceptable in design and visual terms, although the proposed roof top plant and enclosures would result in less than substantial harm to the significance of the Central Fulham Conservation Area. On balance, given that proposals would result in an increase in the thermal performance and reduce energy consumption of the building and 16 homes in total, it is considered that any harm would be outweighed by the public benefits of the proposal. The proposal would not result in unacceptable impacts upon the amenities of neighboring residential properties. Highways and environmental matters including, flood risk, air quality and trees have also been satisfactorily addressed and will be subject to conditions. In these respects, the proposals would comply with 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the London Plan (2021), Local Plan Policies CC1, CC2, DC1, DC2 and DC8 and Key Principle AH2 of the Hammersmith and Fulham Planning Guidance SPD.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 16th 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:

Dated:

Neighbour Comments:

Letters from:

Dated:

5 Hazelwood Mansions Rostrevor Road London SW6 5AT	23.03.24
40 Chesilton Road London SW6 5AB	10.01.24
5 Hazelwood Mansions Rostrevor Road London SW6 5AT	02.01.24
Third Floor East 1 London Bridge London SE1 9BG	11.01.24
42 Chesilton Road London SW65AB	10.01.24

8 Hazlewood Mansions, London SW6 5AT	13.09.23
2 Hazelwood Mansions Rostrevor Road London SW6 4XE	30.08.23
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	04.09.23
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	08.01.24
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	23.03.24
Flat 8, Hazelwood Mansions Rostrevor Road London SW6 5AT	02.01.24
Flat 8, Hazelwood Mansions Rostrevor Road London Sw6 5at	24.08.23
Flat 8, Hazelwood Mansions Rostrevor Road London Sw6 5at	24.08.23
5 Hazelwood Mansions Rostrevor Road London SW6 5AT	24.08.23
Grainger Plc 1 London Bridge London SE1 9BG	24.08.23
42 Chesilton Road London SW65AB	20.09.23
8 Lilyville Road London SW65DW	01.09.23
8 Lilyville Road London SW65DW	23.03.24

1.0 SITE DESCRIPTION

- 1.1 The application site comprises two adjoining three-storey blocks with partial basements. Each block includes 8 flats (total of 16) and they are located on the south west side of Rostrevor Road close at the junction with Swift Street.
- 1.2 The site is in a residential area which predominantly consists of two and three storey terraces with a strong uniformity of design. The adjacent Elwood Mansions and nearby Deepdene Mansions are of similar scale. To the rear of the site are three storey residential terraces along Chesilton Road.
- 1.3 The site is located within the Central Fulham Conservation Area and Flood Zone 3.

2.0 RELEVANT PLANNING HISTORY

- 2.1 In 2023, planning permission (ref 2022/02979/FUL) was granted for external alterations to include: installation of 1 double glazed timber framed window at lower ground, upper ground, first and second floor levels, replacement of 1 existing timber framed single glazed window with new double glazed timber door at lower ground floor level to North Eastern and North Western elevations, and replacement of all remaining single glazed timber framed windows with new double glazed timber framed windows to all elevations.

3.0 PROPOSAL

3.1 The current proposal involves the following

elements: Roof Level

- Erection of a plant room enclosure with air source heat pumps
- Installation of 58no solar panels
- Erection of safety balustrades
- Installation of 2 automatic opening vent rooflights
- Raising of parapets and installation of new insulation

Other changes

- Replacement of existing single glazed timber framed windows and doors with new timber framed double glazed windows and doors (as approved in 2022/02979/FUL)
- Additional window per flat to side elevation and additional door to rear of the Lower Ground Floor flats
- Provision of refuse storage and cycle parking and associated landscaping.

3.2 The current proposals include the replacement double glazed windows and doors approved in 2023 (ref 2022/02979/FUL) together with the additional measures outlined above the proposal would renovate and refurbish the blocks as well as introduce renewable energy provision. Overall, the proposals seek to improve the energy performance of the building and reduce the reliance on carbon based energy sources.

3.3 During the consideration of the application the scale of the plant enclosure was reduced with the inclusion of a mono-pitched roof to the front. Additional information was also provided to demonstrate that the plant enclosure had been consolidated as far as possible.

4.0 PUBLICITY AND CONSULTATIONS

Statutory Consultation

4.1 The planning application was publicised by site and press notices together with 60 notification letters sent to neighbouring properties.

4.2 In response, 18 letters of objection were received from 7 separate properties, the concerns raised can be summarised as follows:

- Impact upon character/heritage
- Consideration of other options
- Loss of view
- Loss of light and outlook
- Loss of privacy if Juliet balconies to be used
- Need for daylight and sunlight assessment
- Right to light
- Noise and vibration
- Heat from heat pumps
- Style of rooflight
- Impact on property value
- Government review of heat pumps
- Lack of precedent for

development Officer Response to

Consultation

4.3 The impact upon the street scene and character of the area as well as the Conservation Area are fully considered in the relevant sections of the report. The matters relating to residential amenity (loss of light, outlook, privacy, noise and disturbance) are also considered within the report.

4.4 The impact upon the street scene and character of the area as well as the Conservation Area are fully considered in the relevant sections of the report. The matters relating to residential amenity (loss of light, outlook, privacy, noise and disturbance) are also considered within the report.

4.5 Matters relating to right to light are a civil matter and are not a material planning consideration, however as set out above the impact in terms of loss of light and outlook is considered. The impact upon a view and property value are also not material planning considerations and cannot be taken into account in the assessment of the proposal.

4.6 The consideration of alternative option was queried during the application process and various justifications were put forward for the comprehensive approach taken. As such the application must be considered in relation to the information submitted.

4.7 There is no indication that air source heat pumps located at roof level would result in significant heating of the surrounding area. As such the impact upon neighbouring amenity in this regard would be negligible.

4.8 Queries were raised regarding whether the replacement windows include Juliet balconies. The proposal does not include any Juliet balconies, the replacement windows would match the size of the existing openings.

- 4.9 The rooflights are shown as being flat and would be centrally located on the roof. They would not present a significant feature on the roof.
- 4.10 The DEFRA Review of Air Source Heat Pump Noise Emissions, Permitted Development Guidance and Regulations was published on the 8th January 2024. This does not alter the status of the Council's Development Plan and as the works require planning permission the proposals should be considered against relevant policies and guidance. The noise impact of the proposal is considered in the relevant section of the report.

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) came into effect on 27 March 2012 and was most recently revised 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.
- 5.5 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 20-25 years. It forms part of the development plan for Hammersmith and Fulham

Local Plan

5.7 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 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 can be summarized as follows:

- a) Energy and Sustainability
- b) Design and heritage impact
- c) The impact of the proposal upon the existing amenity of neighbouring residents
- d) Highways
- e) Environmental issue including Flood Risk, Air Quality and Trees

7.0 ENERGY AND SUSTAINABILITY

7.1 Paragraph 162 of the NPPF sets out that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy. Paragraph 164 goes on to state “In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.”

7.2 Local Plan Policy CC1 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.

7.3 A Sustainability Report has been provided with the application. The proposal takes a comprehensive approach to improving the sustainability of the building through improved insulation, use of air source heat pumps and solar panels. The report outlines that this approach reduce annual carbon emissions by 68,768 kg CO2/year, which equates to a 47.8% improvement on the existing building. This represents a substantial improvement to the performance of the building in sustainability terms.

Conclusion

7.4 The proposal would result in a positive benefit in terms of sustainability and energy efficiency in accordance with policies CC1 and CC2 of the Local Plan. This represents a benefit for residents and to the wider area which should be afforded significant weight in the assessment of the application in line with the Council priorities regarding the climate emergency.

8.0 DESIGN AND HERITAGE IMPACT

8.1 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. S.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.'

8.2 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was most recently revised in 2021 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.

8.3 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.

8.4 Para 201 of the NPPF states that: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

- 8.5 Para 203 of the NPPF states that: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 8.6 Para 205 of the NPPF states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.7 Para 208 of the NPPF states that: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.8 The NPPF makes a clear distinction between the approach to be taken in decision-making where the proposed development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non designated heritage assets (buildings of local historic and architectural importance).
- 8.9 The NPPF also makes a clear distinction between the approach to be taken in decision-making where the proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 8.10 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 208 and 209, 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.
- 8.11 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 8.12 In the first instance, the assessment to be made is whether the development within the Conservation Area will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 208 and 209 of the NPPF as appropriate.

- 8.13 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 20-25 years. It forms part of the development plan for Hammersmith and Fulham.
- 8.14 Policy HC1 of the London Plan (Heritage conservation and growth) advises that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 8.15 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 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.
- 8.16 Local Plan (2018) Policy DC1 Built Environment states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets.
- 8.17 Policy DC8 Heritage and Conservation states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include: listed buildings, conservation areas historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications affecting heritage assets, the council will apply the following principles: a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation; b. applications affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced; c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting; d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 135 of the National Planning Policy Framework; e. particular regard will be given to matters of scale, height, massing, alignment, materials and use; f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of

conservation of the asset's significance, including securing its optimum viable use; g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposal upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation; h. proposals which involve substantial harm, or less than substantial harm to the significance of a heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 and 134 of the National Planning Policy Framework; i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance; j. the proposal respects the principles of accessible and inclusive design; k. where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly; l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and m. securing the future of heritage assets at risk identified on Historic England's national register, as part of a positive strategy for the historic environment.

8.18 The Council's Supplementary Planning Guidance SPD (2018) is relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets) AH2 (Protection of Heritage Assets) and BM2 (Proposals affecting buildings of merit). These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.

8.19 The application site is located within the Central Fulham Conservation Area. The main element of the proposal which would impact upon the character and significance of the conservation area is the introduction of the air source heat pumps and their associated plant/acoustic enclosures. The plant enclosure would be set back approximately 8.4m from the front elevation of the building with a maximum height of some 2.4m above the front parapet falling to 2m due to the use of the pitched roof. It would be set back from the rear elevation by approximately 3.1m and from either side elevation by 3.6m. Each enclosure would have a length of 6.2m and a width of 3.6m.

- 8.20 In addition to the plant enclosures there would be a number of other features at roof level including the installation of solar panels, the erection of safety balustrades, the 2 automatic opening vent rooflights and the raising of the parapets with the associated insulation. The solar panels would be set across the majority of the flat roof and would be set away from the edge of the building. They would have a limited projection above the flat roof of approximately 0.3m. The safety balustrades and vent rooflights would be located relatively centrally on the flat roof immediately in front of the plant enclosure. The rear parapets of the building would be raised by approximately 0.15m to accommodate to accommodate the insulation.
- 8.21 There is existing plant at roof level as well as chimney stacks which are prevalent throughout the street scene. The pitched roofs of the terraces on Rostrevor Road to the south of Swift Street also project above the height of the flat roof of Quenington Mansions. Therefore, there is already some built form at this level. However, the proposed plant enclosures would be significantly larger than the existing plant on the roof along with the various chimney stacks. This would therefore represent something of a departure at this level in terms of built form.
- 8.22 In terms of the visual impact of the proposal this would be predominantly be from the plant enclosures. Whilst the set back from the front elevation is likely to limit any impacts upon the majority of views from Rostrevor Road itself. However, these structures would be visible in in a small range of longer views along Swift Street with the enclosures projecting significantly above the flat roof height and appearing much more substantial than the existing structures at roof level. There would also be significant views from surrounding residential properties and gardens to the rear of the site although this would be somewhat mitigated by the set back from the rear and side elevations. The introduction of a pitched roof to the front of the enclosure would assist in reducing the visual bulk of the structure and along with the use of lighter tone materials and finishes would reduce their prominence and impact overall.. However, given the visibility of the unit/enclosures within these views, there would be some harm to the character and appearance of this sub-area of the conservation area. This harm sits at the lower end of the spectrum of less than substantial harm, with the significance of the conservation area as a whole preserved in accordance with the requirements of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 .
- 8.23 The remaining elements of the proposal at roof level would be relatively consolidated and not readily visible in surrounding views. Given the height of these elements the views from the public domain would be significantly restricted and any views from the side and rear of the site would also be more limited. Whilst this would result in an element of clutter alongside the plant the visual impact of this would be very restricted with the primary views of these features likely to be from upper floor windows of neighbouring properties and a limited wider impact.

- 8.24 The alterations to the parapet wall would be very limited in scale and the materials used would match the existing building. Therefore, this element of the proposal is considered to be sympathetic to the character of the building and would not adversely impact upon its character or that of the surrounding area or Conservation Area.
- 8.25 In addition to the alterations to the roof the proposal also includes the replacement of the existing windows and doors with new timber framed double glazed windows and doors along with the introduction of doors to the rear of the lower ground floor flats and an additional window per flat in the respective side elevations. The replacement and additional windows and doors would respect the materials and style of existing openings and therefore are considered to be sympathetic to the character of the building and would not adversely affect the character of the wider area.
- 8.26 The proposed refuse storage would be located at lower ground floor level to the front of the site and would consist of small scale timber stores along the front boundary. Given their small scale and siting below street level any views within the street scene and the wider area would be extremely limited. The proposed cycle parking would consist of wall mounted bike stands to the north west side elevation of the rear outrigger on this side of the building. Given the small scale and position of these stands they would not be visible in the street scene and would be subordinate to the character of the building as a whole.
- 8.28 To the rear of the site the proposal includes the landscaping of the shared rear amenity space. These changes would improve the overall legibility and usability of the space as well as its visual appearance. In addition, given the siting of these elements to the rear of the building at ground level they would not significantly impact upon the character of the building or the surrounding area.

Design and Heritage Conclusion

- 8.29 Generally, the proposals are supported from a design perspective. However, given the visibility of the roof top plant/enclosures within localised views, there would be some harm to the character and appearance of the Central Fulham Conservation Area. This harm sits at the lower end of the spectrum of less than substantial harm, with the significance of the conservation area as a whole preserved in accordance with the requirements of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There are no heritage benefits which would outweigh this harm and wider public benefits, in accordance with paragraph 208 of the NPPF are considered in the conclusion of this report.

9.0 AMENITY OF NEIGHBOURING RESIDENTS

- 9.1 Local Plan 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 in adjoining properties;
 - Daylight and sunlight to rooms in adjoining properties;
 - Outlook from windows in adjoining properties; and
- 9.2 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 Housing Key Principles 6 and 7 support Local Plan Policy HO11 and set out a more detailed means of assessment.
- 9.3 The immediate neighbours to the site are No.35 Rostrevor Road and Hazelwood Mansions to either side of the building. To the rear of the site are the residential dwellings between No.30-42 Chesilton Road. To the front of the site are the neighbours on the opposite side of Rostrevor Road between No.52-58. There is also the potential impact upon the residential units within the building itself.
- 9.4 In relation to No.35 the proposed plant enclosure would project approximately 5.4m beyond the rear facing windows of this neighbour. However, the enclosure is set in 5.8m from the boundary with this neighbour and is set back from the side elevation of the building closest to the neighbour. In conjunction with its relatively limited height, it is considered that the impact upon the rear facing windows of this neighbour would be limited and it would not significantly impact upon light or outlook to these windows
- 9.5 The neighbours within the adjoining mansion block, Hazelwood Mansions, benefit from rear and side facing windows which would potentially be impacted by the proposed alterations at roof level. In relation to this neighbouring building the proposed plant enclosure would project approximately 6.3m beyond the main rear elevation of this building. Again, it would be set in from the shared boundary with this neighbouring building by 5.7m. This would result in a separation distance from the side facing windows of this neighbouring building of some 7.9m from these windows.

9.6 Key Principle HS7 i) seeks to ensure that rear extensions do not worsen the outlook from habitable room windows located lower than the extension. In particular this sets out that an extension to the roof should not breach a 45 degree vertical angle to side facing windows within the rear outrigger of neighbouring properties. In this instance the set back of the plant enclosure and the separation distance from the neighbouring windows would mean it would not breach the 45 degree angle to the third floor level windows at Hazelwood Mansions. In relation to the lower level windows of this neighbour the set back

would ensure that there would not be a significant additional impact compared to the existing built form of Quenington Mansions. As such it is considered that the proposal would not significantly impact upon light or outlook to this neighbour.

9.7 In terms of the neighbours to the rear on Chesilton Road Key Principle HS6 is relevant. This states that where garden depths do not exceed 9m a proposal should not breach a 45 degree vertical angle when taken from ground level on the rear boundary. The proposed plant enclosure would breach this angle, however the existing rear outrigger of the building already results breaches this angle. Given the set back from the rear elevation the impact of the enclosure is not significantly greater than the existing situation. Therefore, it is considered that the proposal would not result in a significant loss of light or outlook to these neighbours.

9.8 In terms of the flats located within Quenington Mansion itself the impact would be similar to that experienced by the neighbours at Hazelwood Mansions with some views of the plant enclosure from side facing windows in the rear outrigger. However, as set out previously, the set back of the enclosure from the side elevation would mean that any impact would be limited and would not significantly impact upon light or outlook.

9.9 To the front of the site the neighbours on the opposite side of Rostrevor Road would not be significantly impacted in terms of light and outlook due to the set back of the enclosure from the front elevation.

9.10 The other elements of the proposal would not significantly alter the overall scale and massing of the building and it is considered that these would not result in an unacceptable impact on light or outlook.

Conclusion

9.11 Overall, the development would not have an unacceptable impact in terms of light or outlook to adjacent existing properties and would accord with Policies DC1, DC4 and HO11 of the Local Plan (2018).

Privacy

- 9.12 SPD Key Principle HS7 (iii) sets an 18m standard from windows in new development to existing windows, in order to protect privacy. The SPD clarifies that the 18m distance would be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure that there is no loss of privacy to neighbouring occupiers. The replacement and proposed windows would provide similar views to existing windows and would not result in a significant loss of privacy to neighbours. The proposal would also result in some occasional maintenance at roof level, however, given the infrequent nature of such works this would not result in a significant long term impact. Similarly, the landscaping of the rear garden and minor changes in levels would not result in a significant change in the views available from this area.
- 9.13 Overall, 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).

Noise and Disturbance

- 9.14 Policy CC11 and HO11 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.
- 9.15 The proposal does include plant and equipment associated with the air source heat pumps and solar panels. A noise impact assessment has been submitted with the application which demonstrates that these elements will not adversely impact upon neighbouring amenity with regards to noise. The Council's Environmental Protection Officer was consulted on the application and raised no objection subject to condition. On this basis, the proposal is in accordance with Policies CC11 and CC13 of the Local Plan and Key Principle NN4 of the Planning Guidance SPD.

10.0 HIGHWAYS AND TRANSPORTATION

Construction Logistics Plan

- 10.1 The main impact of the development in highway terms would be at the site setup and construction stages. Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 state that development with a potential impact upon highway operation will require a Construction Logistics Plan. Given the scale of the works it is considered that, a detailed Construction Logistics Plan should be secured by a condition. On this basis the proposal would not result in an unacceptable impact upon the Highway.

11. ENVIRONMENTAL MATTERS

Trees

11.1 Policy G7 of the London Plan further states that development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed. Policy OS5 of the Local Plan states that the Council will seek retention of existing trees and provision of new trees on development sites. The supporting text (Paragraph 10.17) highlights that the loss of trees nearly always results in deterioration of ecological value and environmental character of an area and will not be acceptable without good cause.

11.2 The proposal would result in the loss of some existing small trees and shrubs on the site, however the key arboricultural features will remain on site and will be protected during the development. The Council's Tree Officer was consulted on the application and raised no objection subject to the works being carried out in

accordance with the submitted Arboricultural Impact Assessment and Tree Protection Plan. On this basis the proposal is considered to be acceptable in relation to the impact upon trees.

Flood Risk

11.3 Local Plan Policy CC3 requires that new development is required to reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 which seeks that developments manage surface water run-off and requires all major developments to implement SuDS and to provide a sustainable drainage strategy.

11.4 The SuDs, and Flood Risk and Water Efficiency Chapters of the Planning Guidance SPD support the above.

11.5 The application site is located within Flood Zone 3, however the proposal would not alter the extent of built form on the site and therefore a flood risk assessment is not considered necessary in this instance. Notwithstanding this the proposal would include rainwater harvesting in the form of a water butt and aims to improve water efficiency internally. On this basis the proposal would represent an improvement on the existing situation and there are no concerns with regards to the impact upon flood risk.

11.6 On this basis, officers consider that the proposed development would not detrimentally impact on flood risk or surface water run-off and would be in accordance with the policies CC3 and CC4 of the Local Plan.

Air Quality

- 11.7 London Plan Policy SI1 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.
- 11.8 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.
- 11.9 The development site is within the borough wide Air Quality Management Area (AQMA). On this basis, the Council's Environmental Quality officer has considered the proposal and has recommended conditions relating to the submission of details of the installation of Zero Emission /Air Source Heat Pumps for space heating and hot water, details of induction stoves and the provision of an active travel mobility hub.
- 11.10 Given the scale of the proposal it is considered that conditions relating to induction stoves and delivery hubs would not be necessary. The number of units would not change on site and the development itself would not necessarily include the replacement of existing kitchens. The proposal is for the provision of the air source heat pumps and therefore a condition in relation to these elements is not required in order to make the application acceptable in planning terms.

12.0 Conclusion

- 12.1 Officers have identified that the proposals would result in less than substantial harm to the character and appearance of the Central Fulham Conservation Area. With this harm being towards the lower end of the spectrum of less than substantial harm. There are no heritage benefits which outweigh this harm.
- 12.2 In accordance with paragraph 208 of the NPPF, this harm should be considered against the heritage benefits and other public benefits of the proposal scheme. These benefits include the improved thermal performance and energy efficiency of the building, alongside introduction of renewable energy sources which would reduce the reliance on carbon-based energy sources. These interventions cannot be achieved elsewhere on the site due to the constraints which exist, and the siting and design of the roof top enclosures has been carefully considered to limit the impact, particularly upon the surrounding street scene as much as possible. In this instance these improvements would lead to substantive improvements to the thermal performance, energy efficiency, alongside reducing reliance upon carbon-based energy to a total of 16 properties as part of a mansion block.

12.3 For these reasons, it is considered that there are positive public benefits of this scheme in terms of sustainability and energy efficiency in accordance with policies CC1 and CC2 of the Local Plan. Considering paragraph 208 of the NPPF, these benefits are considered to outweigh the less than substantial harm identified. As such, the proposed works would comply with 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the London Plan (2021), Local Plan Policies CC1, CC2, DC1, DC2 and DC8 and Key Principle AH2 of the Hammersmith and Fulham Planning Guidance SPD.

13.0 RECOMMENDATION

13.1 Grant planning permission subject to condition

APPENDIX 2: Addendum to PADCC 4th June 2024

PLANNING AND DEVELOPMENT CONTROL COMMITTEE Addendum 04.06.2024

REG REF.	ADDRESS	WARD	PAGE
2023/01033/FUL	ROBERTS HOUSE 99 – 103 HAMMERSMITH ROAD	Avonmore	9
Page 14	Add new condition 16: 16) A minimum of one month prior to occupation of the development hereby permitted, the installation/commissioning certificates of electric induction cooking stoves in the kitchens of the six self-contained dwellinghouses (Use Class C3) 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. In order to reduce carbon-based gas connections and to ensure adequate levels of indoor air quality in the councils boroughwide air quality management area, in accordance with the councils Air Quality Action Plan and Local Plan Policies CC1 and CC10.		
Page 24	Delete paragraph 5.13: Replace with: 5.13 Officer's requested further information to better understand the flexibility in leases provided as this can be as important as cost to SMEs / start-ups and would be an indication of marketing on attractive / reasonable terms for the typology of occupiers for this type of space. A further justification was provided on the 19th July 2023 which was reviewed by officers. The area may not be as attractive presently due to the adjacent Olympia redevelopment, however, this is expected to bounce back following completion in 2025 (estimated). The existing office space is small, is not a purpose built office block, rather a conversion, from the originally built residential property in the 19 th century, later converted to a mixed retail and office development. This therefore limits the offer that can be provided on the site resulting in limited flexibility of the space. Although the owners have done all they can to ensure a high quality office space, the building presents challenges in terms of networking with other businesses is therefore to be considered unattractive to modern office occupiers.		
Page 24	Paragraph 5.14, line 3: Delete 'barouche' and replace with 'brochure'		
2023/02419/ADV	Advertisement Hoarding, Adjacent To 3 Black's Road	Hammersmith Broadway	44
Page 46	Delete Condition 04, replace with: 04) <i>The proposed advertising panel shall operate at an illumination level no greater than 300cd/m2 between dusk and dawn, consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements" (PLG05, January 2015).</i>		

To ensure that the proposals would not have an unacceptable impact upon road safety and is in accordance with Local Plan (2018) Policies T1, T6 and DC9 and Key Principle TR28 of the Planning Guidance Supplementary Planning Document (2018).

2024/00292/VAR 165 - 167 New King's Road Parsons Green And Sandford 55

Page 61 Delete Condition 16

2023/02150/FUL Quenington Mansions, Rostrevor Road Fulham Town 74

Page 80 Paragraph 1.1 correct to read:
Each block includes 8 flats (total of 16) and they are located on the north east side of Rostrevor Road close to the junction with Swift Street.